RESOLUTION OF THE BOARD OF DIRECTORS OF THE SOUTH PARK COUNTY SANITATION DISTRICT (DISTRICT) DETERMINING THAT VACATING A SEWER EASEMENT LOCATED IN THE CITY OF SANTA ROSA WILL NOT HAVE A SIGNIFICANT ADVERSE EFFECT ON THE ENVIRONMENT; AUTHORIZING THE SUMMARY VACATION OF AN EASEMENT THAT HAS NOT BEEN USED; AND AUTHORIZING THE GENERAL MANAGER OF THE SONOMA COUNTY WATER AGENCY ON BEHALF OF THE DISTRICT TO FILE A NOTICE OF EXEMPTION IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, Division 9, Part 3, Chapters 2 through 4 (commencing with Section 8310) of the California Streets and Highways Code provides for summary vacation when certain conditions are met; and

WHEREAS, pursuant to Section 65402 of the California Government Code, the proposed vacation has been submitted to the planning agency within whose jurisdiction the proposed vacation is situated, and has been deemed to be in conformance with the general plan of said agency; and

WHEREAS, the Sonoma County Water Agency (Water Agency), on behalf of the District, has reviewed the proposed action and the General Manager has determined that it is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061(b)(3) because the easement vacation involves the vacation of surplus property rights by the District, as requested by the property owner and no alterations to District facilities or the property are included as part of this project; and
NOW, THEREFORE, BE IT RESOLVED that the Board of Directors, hereby finds, determines, declares, and resolves that:

1. The foregoing recitals are true and correct.

2. Based on review of the Notice of Exemption prepared by Water Agency staff on behalf of the District, this Board hereby determines that the Summary Vacation of a South Park County Sanitation District Sanitary Sewer Easement in the City of Santa Rosa will not have a significant adverse effect on the environment, and is hereby exempt from the requirements of CEQA pursuant to Section 15061(b)(3) because the easement vacation involves the vacation of surplus property rights by the District, as requested by the property owner and no alterations to District facilities or the property are included as part of this project.

3. The Board of Directors of the South Park County Sanitation District finds the need for the easement referred to below to be unnecessary because the easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation, and that this resolution is prima facie evidence of the facts stated.

4. That from and after the date of recording, the following described property rights no longer constitutes sanitary sewer easements:

   VACATION OF EASEMENT

   Being all that right, title and interest in and to that certain real property as described in instruments recorded on January 7, 1969, in Book 2371, Page 601, Official Records of Sonoma County, California

5. The vacation of the easement is hereby ordered, and that the Clerk of the Board of Directors is authorized and directed to record a certified copy of this resolution at the Office of the County Recorder.

6. The General Manager is hereby authorized and directed to file a Notice of Exemption with the Sonoma County Clerk in conformance with the provisions of the California Environmental Quality Act.

DIRECTORS:

RABBITT _______ ZANE _______ GORE _______ CARRILLO _______ GORIN _______

Ayes _____ Noes _____ Absent _____ Abstain _____

SO ORDERED

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