
Date: December 6, 2022

Item Number: _____

Resolution Number: _____

☒ 2/3 Vote Required

Resolution Of The Board Of Directors Of The Sonoma Valley Sanitation District, State Of California, (District) Determining That Vacating A Sewer Easement Located In The County Of Sonoma Will Not Have A Significant Adverse Effect On The Environment; Authorizing The Summary Vacation Of An Easement Not Used For The Purpose For Which It Was Dedicated Or Acquired For Five Consecutive Years Immediately Preceding The Proposed Vacation; And Accepting An Easement From Property Owner Homeless Action Sonoma To District And Authorize Sonoma County Water Agency's General Manager To Execute The Easement Agreement And The Certificate Of Acceptance On Behalf Of The District

Whereas, section 8333(A) of the California Streets and Highways Code provides for summary vacation when certain conditions are met; and

Whereas, section 4743 of the California Health and Safety Code provides that a county sanitation district may dispose of property interests when they are no longer required for the purposes of the district; 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

Whereas, the District has prepared a Notice of Exemption for the summary vacation in accordance with CEQA, the State CEQA guidelines, and the Sonoma County Water Agency's Procedures for the Implementation of CEQA; and

Whereas, an Easement from Property Owner to District is required to grant District access to operate sewer diverter valves for an on-site detention tank in case of heavy rain to mitigate potential sanitary sewer overflows.

Now, Therefore, Be It Resolved that the Board of Directors hereby finds, determines, certifies, and declares as follows:

1. The foregoing recitals are true and correct.

2. Based on review of the Notice of Exemption prepared by staff on behalf of the District, this Board hereby determines that the Summary Vacation of a Sonoma Valley County Sanitation District Sanitary Sewer Easement in the County of Sonoma will not have a significant adverse effect on the environment, and no alterations to District facilities are included as part of this project.
3. The Board of Directors of the Sonoma Valley County Sanitation District finds that the District no longer requires the easement referred to below for the purposes of the District.
4. The Board of Directors of the Sonoma Valley 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.
5. That from and after the date of recording, the following described property rights no longer constitutes sanitary sewer easements: Being all that right, title and interest in and to that certain real property as described in instruments recorded on April 20, 2007, as Document Number 2007045634, Official Records of Sonoma County, California.
6. 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.

Be It Further Resolved that an Easement from Property Owner to District is required to grant District access to operate sewer diverter valves, and Sonoma Water's General Manager is authorized to execute the Easement Agreement and Certificate of Acceptance on behalf of the District.

Directors:

Gorin:

Gore:

Ding:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.