
Date: March 26, 2024

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Directors Of Sonoma County Water Agency (Sonoma Water) Determining That Vacating Flood Control Easements Located In Sonoma County, Within The City of Santa Rosa, Will Not Have A Significant Adverse Effect On The Environment; Authorizing The Transfer Of Ownership Of Related Storm Drain Improvements That Exclusively Serve The Property Owners Of Assessor's Parcel Number 125-361-005; Authorizing The Summary Vacation Of A Flood Control Easement That Is No Longer Necessary For The Purposes It Was Acquired Because The Storm Drain Easement Has Been Determined To Be Excess By Sonoma Water, And There Are No Other Public Facilities Located Within The Easement, Located On Assessor's Parcel Number 125-361-005; Authorizing The Summary Vacation Of A Flood Control Easement That Is No Longer Required For The Purposes It Was Acquired Because The Storm Drain Easement Has Been Superseded By Relocation, And There Are No Other Public Facilities Located Within The Easement, Located on Assessor's Parcel Number 125-361-011, and 125-361-013; Authorizing The General Manager To Execute An Asset Transfer Agreement And Any Other Related Documents Necessary To Complete The Transaction, In A Form Approved By County Counsel.

Whereas, section 8333(C) 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

Whereas, Sonoma Water's General Manager has determined that the project is exempt pursuant to Section 15312, Surplus Property Sales, because the properties are no longer necessary for use of flood control and the parcels are not located in an area of statewide, regional, or area wide concern; and

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

Whereas, an agreement will be executed by property owners and Sonoma Water to transfer ownership of related storm drain improvements that exclusively serve the owners of Assessor's Parcel Number 125-361-005; and

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. The Board of Directors of Sonoma Water hereby determines that the Summary Vacation of Liana Drive Conduit Storm Drain Easements in the County of Sonoma within the City of Santa Rosa will not have a significant adverse effect on the environment.
3. The Board of Directors of Sonoma Water agree to transfer ownership of the related storm drain improvements that exclusively serve the property owners of Assessor's Parcel Number 125-361-005.
4. The Board of Directors finds that Sonoma Water no longer requires the easements referred to in Grant of Easement recorded on March 03, 1982, as Document Number 1982011254, and in Grant of Easement recorded on April 06, 1982, as Document Number 1982017941, Official Records of Sonoma County, California, for the purposes of Sonoma Water.
5. The Board of Directors of Sonoma Water finds the need for the easement referred to in Grant of Easement recorded on March 03, 1982, as Document Number 1982011254, Official Records of Sonoma County, California, to be unnecessary because the easement is no longer required for the purposes it was acquired because the storm drain conduit easement has been determined to be excess by Sonoma Water, and there are no other public facilities located within the easement, located on Assessor's Parcel Number 125-361-005; and that this resolution is prima facie evidence of the facts stated.
6. The Board of Directors of Sonoma Water finds the need for the easement referred to in Grant of Easement recorded on April 06, 1982, as Document Number 1982017941, Official Records of Sonoma County, California, to be unnecessary because the easement is no longer required for the purposes it was acquired because the storm drain conduit has been superseded by relocation, and there are no other public facilities located within the easement, located on Assessor's Parcel Number 125-361-011, and 125-361-013; and that this resolution is prima facie evidence of the facts stated.
7. That from and after the date of recording, the following described property rights no longer constitutes a flood control easement: Being all that right, title and interest in and to that certain real property as described in instruments recorded on March 03, 1982, as Document Number 1982011254, Official Records of Sonoma County, California.
8. That from and after the date of recording, the following described property rights no longer constitutes a flood control easement: Being all that right, title and interest in and to that certain real property as described in instruments recorded on April 06, 1982, as Document Number 1982017941, Official Records of Sonoma County, California.

Resolution #24-

Date:

Page 3

9. The vacation of the easements 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.

Directors:

Gorin:

Coursey:

Gore:

Hopkins:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.