



County of Sonoma

State of California

Date: August 2, 2022

Item Number: _____

Resolution Number: _____

☐ 4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Finding Exemption From The California Environmental Quality Act And Ordering
Vacation Of A Segment Of Hillcrest Avenue and Brevis Avenue between Hillcrest Avenue
and Fair View Avenue**

Whereas, pursuant to the Public Streets, Highways, and Service Easements Vacation Law (California Streets and Highways Code, Section 8300 et seq.) the Board of Supervisors may vacate any street, highway, or public service easement within its jurisdiction that it finds is unnecessary for present or prospective public use; and

Whereas, the “vacation” of a “street” as defined in Streets and Highways Codes Section 8308 and 8309 is the complete or partial abandonment or termination of the public right to use a public highway, road, street, avenue, alley, lane, driveway, place, court, trail, or other public right-of-way or easement, or purported street or highway, and right connected therewith, including but not limited to restrictions of access or abutters’ rights, slope easements, or other incidents to a street or highway; and

Whereas, Hillcrest Avenue and Brevis Avenue between Hillcrest Avenue and Fair View Avenue were dedicated to public use on the face of the 1907 Cazadero Town Site Subdivision No. 2 map, and accepted by the County on that map; and

Whereas, a segment of Hillcrest Avenue and Brevis Avenue between Hillcrest Avenue and Fair View Avenue were never improved or used as a public roads and are not maintained by the County; and

Whereas, a request was made to the Department of Transportation and Public Works (the “Vacation Request”) to vacate the public interest in a segment of Hillcrest Avenue and Brevis Avenue between Hillcrest Avenue and Fair View Avenue and more precisely identified in the legal description and map attached hereto as Exhibits A and B and incorporated herein by this reference; and

Whereas, notice of public hearing on the Vacation Request was duly given in accordance with the requirements of the California Streets and Highways Code; and

Whereas, the Board conducted a public hearing on the Vacation Request on August 2, 2022, at which hearing the Board heard all the evidence offered by persons interested in the Vacation Request, and at the conclusion of public testimony, the Board closed the hearing and considered all the evidence submitted before voting on the Vacation Request.

Now, Therefore, Be It Resolved, based on the foregoing findings and determinations and all of the evidence submitted during these proceedings, that the Board hereby determines and orders as follows:

1. That the segment of Hillcrest Avenue and Brevis Avenue between Hillcrest Avenue and Fair View Avenue that are being vacated are described in Exhibits A and B ("Vacation Area") to this Resolution.
2. That vacation of the Vacation Area as described herein is consistent with the Sonoma County General Plan.
3. That the Vacation Area is not useful as a nonmotorized transportation facility pursuant to Streets and Highways Code Section 892.
4. That the Vacation Area is unnecessary for present or prospective public use.
5. That the vacation of the Vacation Area is in the public interest because it will remove unnecessary encumbrances on title to private residential property and eliminate any possible County liability.
6. That vacation of the Vacation Area is exempt from the California Environmental Quality Act pursuant to the general rule of CEQA Guidelines section 15061(b)(3), because it can be seen with certainty that there is no possibility that the proposed vacation may have a significant effect on the environment. The Vacation Area was never improved or used as a public road and no new development is proposed. Accordingly, the Board finds that the proposed action is exempt from CEQA.

Be It Further Resolved that the vacation is approved subject to the reservation of easements for utilities with existing facilities in the Vacation Area as described on Exhibit A.

And Be It Further Resolved that the Board hereby authorizes the Clerk of the Board to send a certified copy of this Resolution together with its Exhibits A and B and attested by the Clerk under seal to the Director of the Department of Transportation and Public Works who is hereby directed to record this Resolution at the County Recorder at no cost to the County as provided under Government Code Section 6103.

And Be It Further Resolved that from and after the date of recording, the vacation of the Vacation Area shall be complete.

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Date:

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Supervisors:

Gorin:

Rabbitt:

Coursey:

Hopkins:

Gore:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.