
Date: September 24, 2019

Item Number: _____

Resolution Number: _____

☐ 4/5 Vote Required

Resolution Of The Board Of Directors Of The Sonoma Valley County Sanitation District Determining That Vacating A Sewer Easement Located In The County Of Sonoma Will Not Have A Significant Adverse Effect On The Environment; And Authorizing The Summary Vacation Of An Easement That The Date Of Dedication Is Less Than Five Years, And More Than One Year, Immediately Preceding The Proposed Vacation, And The Easement Was Not Used Continuously Since That Date

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, 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 has been deemed to be in conformance with the general plan of said agency; and

Whereas, the City of Sonoma, as lead agency for the Gola Properties LLC, a Residential Condominium Project (Project) has determined that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332 In-Fill Development Project; and

Whereas, the City of Sonoma approved the Project; and

Whereas, Sonoma County Water Agency (Sonoma Water) staff, on behalf of the Sonoma Valley County Sanitation District (District), as a Responsible Agency, has prepared a Notice of Exemption pursuant to Section 15061(b)(3) Review for Exemption, because the summary vacation of the sewer dedication and easement would not result in a potential for

significant impacts to the District or the environment, and;

Whereas, Sonoma Water staff, on behalf of the District, has prepared a Notice of Exemption for the Project in accordance with CEQA, the State CEQA guidelines, and Sonoma Water's procedures for the implementation of CEQA; 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 Sonoma Water 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 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 District finds the need for the easement referred to below to be unnecessary because the date of dedication is less than five years, and more than one year, immediately preceding the proposed vacation, and the easement was not used continuously since that date, 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 November 7, 2017, as Document Number 2017086054, 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.

Directors:

Gorin: Rabbitt: Harrington:

Ayes: Noes: Absent: Abstain:

So Ordered.