

RESOLUTION NO. 119-17

RESOLUTION TO ABANDON AN OLD, UNUSABLE STORM DRAIN EASEMENT OWNED BY CITY OF RICHMOND INSIDE THE PROPERTY OF 3000-3050 HILLTOP MALL ROAD IN THE CITY OF RICHMOND, CONTRA COSTA COUNTY, CALIFORNIA WITH THE AUTHORIZATION TO QUITCLAIM THE ABANDONED EASEMENT IN ADDITION TO ACCEPTING THE GRANT OF NEW STORM DRAIN EASEMENT TO BE RECORDED WITHIN THE SAME PROPERTY

WHEREAS, the City received title to the storm drainage easements (“Easements”) within a private property located at the southeast corner of Shane Drive and Hilltop Mall Road in the City of Richmond, County of Contra Costa, State of California with a parcel number 405-303-015 and property improvement made for “Hilltop Speculative School” as a school site;

WHEREAS, the original storm drainage Easements were filed in the Contra Costa County Recorder Office by Parcel Map MS 76-3 on June 25, 1976 in the Book 46, page 8 through 9 with the designated easement No. 4, 5 & 10;

WHEREAS, the new school site design unable to use the existing storm drainage system and the original storm drainage Easements no longer fit the improvement layout;

WHEREAS, a new 10 foot wide storm drain easement (SDE) as shown in the EXHIBIT A & B will be created in lieu of the abandonment of the original storm drainage Easements No. 4, 5, & 10;

WHEREAS, the original storm drainage easements abandonment proposal announcement was completed by the staff prior to the subject Resolution;

WHEREAS, the original storm drainage Easements are no longer necessary for any City purposes;

WHEREAS, it is in the interest of the City to abandon the original storm drainage Easements, and

WHEREAS, on October 3, 2017, the City Council held a public hearing on the easement abandonment which the Council approved.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Richmond hereby abandons the title to the above referenced Easements.

BE IT FURTHER RESOLVED that the City Council of the City of Richmond hereby accepted the SDE delineated by EXHIBIT A & B and authorizes the property owner to proceed with the SDE recordation.

BE IT FURTHER RESOLVED by the members of the City Council that the Mayor on behalf of the City is directed and authorized to execute the quitclaim deed to carry out the intent of this resolution.

BE IT FURTHER RESOLVED that the Clerk of the City of Richmond is hereby instructed to record this Resolution with the Office of the Recorder of Contra Costa County, California.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held October 3, 2017, by the following vote:

AYES: Councilmembers Choi, Martinez, Myrick, Recinos, Willis, Vice Mayor Beckles, and Mayor Butt.
NOES: None.
ABSTENTIONS: None.
ABSENT: None.

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:

TOM BUTT
Mayor

Approved as to form:

BRUCE GOODMILLER
City Attorney

State of California }
County of Contra Costa : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 119-17**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on October 3, 2017.


Pamela Christian
Pamela Christian, Clerk of the City of Richmond