



MAINTENANCE DIVISION:
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 Placerville CA 95667
 Phone: (530) 642-4909
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JAMES W. WARE, P.E.
 Director of Transportation

Internet Web Site:
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MAIN OFFICE:
 2850 Fairlane Court
 Placerville CA 95667
 Phone: (530) 621-5900
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SUMMARY ABANDONMENT OF EASEMENT (AOE)

This process is necessary when a property owner desires or is required to have an easement, which was offered to the County Board of Supervisors, abandoned. Property owners generally use this process to eliminate an unnecessary encumbrance, to accommodate improvements, to complete a boundary line adjustment, or with a merger of parcels. This process takes approximately eight to twelve weeks after a completed application and all required materials are submitted.

Public utility and drainage easements are most commonly dedicated to the County through the recordation of the subdivision map, however, easements may also be dedicated on Parcel Maps. This Abandonment of Easement option may be available to you if your preliminary title report, Parcel Map, or the Owner’s Statement on the Final Map of your subdivision reflects that the County of El Dorado has an easement on your property. A copy of the Final Map of your subdivision can be obtained at the County Surveyor’s Office, the Planning Department, or the Recorder’s Office.

PROCESS:

1. The Property Owner or authorized representative requests approval (or “no objection”) from all the affected public utility companies. The approval letter must be original and on utility company letterhead.
2. The Property Owner or authorized representative obtains a legal description and plat map of the easement to be abandoned from a Professional Land Surveyor, required pursuant to Section 16.52.140 of County Code, licensed to survey in the State of California, together with a “Certificate of Correction, Modification, or Amendment” to update the Subdivision Final Map, and closure calculations, if applicable.
3. The Property Owner or authorized representative completes an Abandonment of Easement application and submits it to the Department of Transportation with a check for **\$308.00 per parcel non-refundable fee**, made payable to the **County of El Dorado**.
4. County staff reviews the proposed abandonment application and required materials, and upon approval, the DOT Right of Way Unit staff prepares an agenda package to the Board of Supervisors which includes a staff report and a Resolution of Vacation for the Board to approve and adopt.
5. When the Board of Supervisors adopts the Resolution and the Board Clerk records the Resolution, the easement is abandoned.

The authority to invoke the process of vacating (abandoning) an existing easement (non-fee title estate) over, under and across property in possession of the County is established under Section 66477.2 (c) of the California Government Code and Section 8335 of the Streets and Highways Code, which authorizes the Board of Supervisors, at their discretion, to summarily vacate road, drainage, and public service easements.

REQUIRED MATERIALS:

The property owner or authorized representative shall provide the following items:

1. A copy of the **Owner's Statement on the final Subdivision Map** showing that the original property owner dedicated the easements(s) to the County and the County Clerk's or County Surveyor's statement showing the County accepted the easement(s). You can obtain a copy of the cover page for the Final Subdivision Map for your subdivision from the County Development Services Department, Surveyor or Recorder's office.
2. **Original letters from all the utility companies/agencies** having an actual or potential interest in the easement, stating their approval or conditional approval of the proposed abandonment. The letters must be on company letterhead and list the property address or Assessor's Parcel Number and the specific location(s) of the easement(s) proposed to be abandoned. This will prevent delay in processing your request.
3. **The property owner or his authorized representative must have a Professional Land Surveyor prepare a legal description and plat** of the easement area(s) proposed to be abandoned as required by Section 16.52.140 of County Ordinance. The legal description should be labeled "Exhibit A", and the plat should be labeled "Exhibit B". The legal description must bear the seal and signature of a **Professional Land Surveyor**. In addition, the surveyor should provide closure calculations, if applicable, together with a "Certificate of Correction, Modification or Amendment" with an additional set of the Exhibits attached.
4. **A completed application** for the proposed abandonment signed by the Property Owner(s) or authorized representative. If a representative will be signing the application, a **Letter of Authorization** from the property owner(s) must be included in the application package.
5. **A check for \$308.00 per parcel**, payable to the **County of El Dorado** to process the application. This fee is non-refundable.

If you have any questions or require additional information regarding the Abandonment of Easement process, or if you wish to submit your completed Abandonment of Easement application, please call the Department of Transportation (530) 621-5900 and request to speak to a Right of Way agent.

ABANDONMENT OF EASEMENT (AOE) APPLICATION

The Abandonment of Easement (AOE) process may take eight to twelve weeks after the applicant has turned in a **completed** application. A completed application includes all supporting documents listed under the required materials section and the application fee. The processing time may be extended if any of the required materials submitted are found to contain errors.

I (we) hereby petition the County of El Dorado Board of Supervisors to initiate proceedings to vacate a:

- Public Utilities Easement** **Drainage Easement**
 Road and Public Utilities Easement (Offered to the County)

Name of Property Owner (s): _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: _____

Representatives: (if applicable) _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____

Assessor's Parcel Number(s) or Property Address:

Objective of request (please be detailed):

Name(s) of other County employee(s) and/or department(s) working on related files to this request (such as a Building Permit or Boundary Line Adjustment). Please list the department(s) and contact person(s):

All requests to abandon public utility easements require letters from all area public utility providers. Original letters must be on the company/agency letterhead with a detailed description of the easement area to be abandoned in the body of the letter.

By signing here, you are acknowledging that you believe the statements above to be true and correct as they relate to the requested abandonment of easement.

Signature

Date

LETTER OF AUTHORIZATION

I (We), the undersigned, Owner(s) of Record with vested interest in Assessor's Parcel No.

_____, hereby authorize _____

to act as my agent or representative to prepare and process the necessary documents relative to my property with the County of El Dorado, on my behalf.

Signed: _____ Date: _____

Print Name: _____

Signed: _____ Date: _____

Print Name: _____

Owner(s) of Record: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: _____

Agent for Applicant(s): _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: _____

PUBLIC UTILITY COMPANY CONTACT LIST

West Slope (El Dorado Hills, Placerville areas)

A. T. & T.

Astrid Willard, Public Works Manager
3675 T Street, #170
Sacramento, CA 95816
Phone: (916) 453-6136

AC Square, Inc. (Represents Comcast)

Kip Miller, Construction Coordinator
8188 Elder Creek Road
Sacramento, CA 95828
Phone: (916) 376-7783

Cc: AC Square letter to:

Comcast

Mark Hughes, Regional Design Manager
3055 Comcast Place
Livermore, CA 94551
Phone: (925) 424-0344

El Dorado Irrigation District (EID)

Attn: Jim Hilton, Real Property Admin.
2890 Mosquito Road
Placerville, CA 95667
Phone: (530) 642-4104

Pacific Gas & Electric

Attn: Paul Fluckey, Land Agent
343 Sacramento Street
Auburn, CA 95603
Phone: (530) 889-3160

Georgetown Divide Public Utility District

Attn: Steven Gau, Operations Manager
P O. Box 4240 or 6425 Main Street
Georgetown, CA 95634
Phone: (530) 333-4356

East Slope (South Lake Tahoe)

Charter Communications

Attn: Vic Freeman, Technical Operations Manager
PO Box 11019 or 212 Elks Pt. Road #334
Zephyr Cove, Nevada 89448
Phone: (775) 588-1077

Sierra Pacific Power Company

Attn: Jeff Matthews, Senior Utility Administrator
933 Eloise Avenue
South Lake Tahoe, CA 96150
Phone: (530) 541-1949

Southwest Gas Corporation

Attn: Larry Gibson, Engineer R & D
P.O. Box 1190 or 400 Eagle Station Lane
Carson City, NV 89701
Phone: (775) 887-2863

South Tahoe Public Utility District

Attn: Tim Rieger, Inspections Supv.
1275 Meadowcrest Drive
South Lake Tahoe, CA 96150-7401
Phone: (530) 544-6474

Tahoe Cedars Water Company

P O Box 264
Tahoma, CA 96142
Phone: (530) 525-7555

It is the applicant's responsibility to ensure ALL utility companies that may have an interest in the easement that is proposed to be abandoned, provide *original* approval letters, on the utility company letterhead.

SAMPLE LETTER TO UTILITY/AGENCY

[Date]

Dear . . .

I am requesting an abandonment of a public utility easement(s), located on the [side, rear] of my property, at [insert your address and assessor parcel number if you have it available] Please refer to the enclosed drawing of my parcel and the easement area(s) we wish the County to abandon.

The El Dorado County Department of Transportation requires your statement of “no-objection” to be an *original* document that is completed on your agency letterhead. Please include the assessor’s parcel number, the specific location of the easement(s) to be abandoned, and any other identifying information that can be referenced in your letter. When completed, please mail your approval to me at: [your address]

Thank you for your prompt attention to my request.

Sincerely,

****EXAMPLE****

EXHIBIT “A”

**ABANDONMENT OF PUBLIC UTILITIES EASEMENT
DESCRIPTION OF EASEMENT AREA**

All that certain real property located in the County of El Dorado, State of California, being a portion of Section 30, Township 10 North, Range 11 East, M. D. M., more particularly described as follows:

A strip of land, 5 feet in width, being the easterly 5 feet of Lot 17 of Diamond Oaks Estates, Unit No. 2, the plat of which is filed for record in the office of the El Dorado County Recorder, in Book H of Maps, at page 55.

EXCEPTING THEREFROM the northerly 20 feet of said strip.

End of description.

See attached Exhibit “B”.

This legal description was prepared by John Dough, PLS XXXX for (client name), and is for the purpose of abandoning the public utilities easement that was created over the herein described strip of land with the filing of said subdivision plat.

SIGN

SEAL

PLEASE NOTE:

Metes and Bounds description are not necessary if a simple strip description like the one shown will suffice. Boundary courses are optional for this type of description.

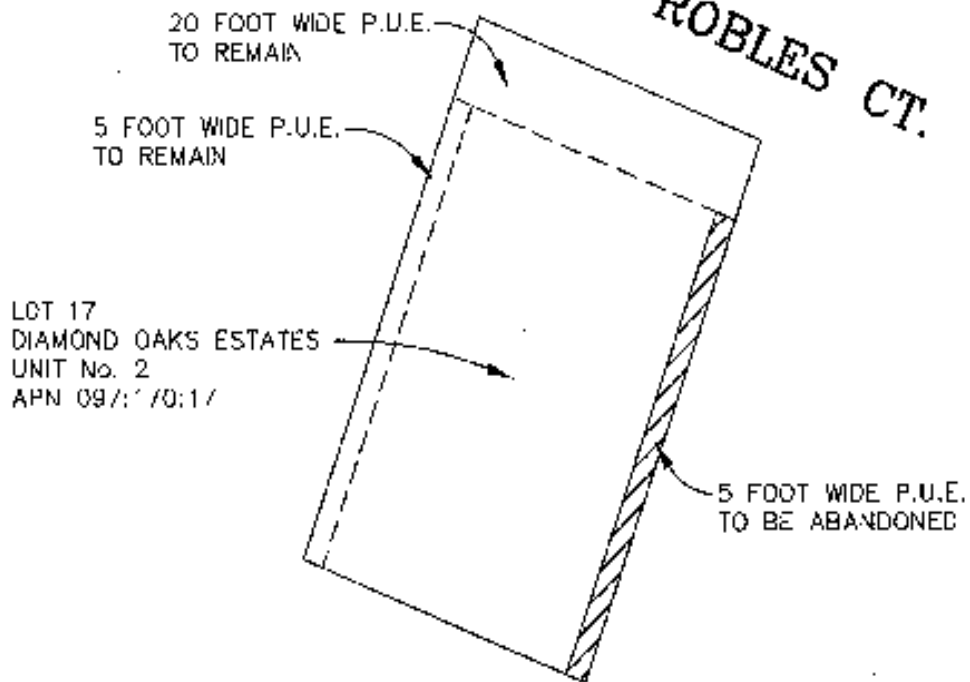
If a metes and bounds description is used, all bearings must agree in direction with the description, or it will be rejected for corrections. If two descriptions share a common line, such as a slope easement together with a landscape easement, one will have to read clockwise and the other counter clockwise in order to agree in direction, or two exhibit maps will be required. Also, a point of beginning must be shown on the exhibit map for metes & bounds.

Proof reading will often find errors that will prevent rejections and speed up the process.

No descriptions written by Civil Engineers licensed after January 1, 1982, will be accepted, per Section 8731 of the Business & Professions Code.

EXAMPLE
EXHIBIT 'B'

DIAMANTE ROBLES CT.



SCALE: 1" = 40'

**** EXAMPLE ****

WHEN RECORDED MAIL TO:

COUNTY SURVEYOR

Requested by the County Surveyor
to satisfy condition authorized by
Resolution _____ of the
Board of Supervisors of El Dorado County

CERTIFICATE OF CORRECTION, MODIFICATION, OR AMENDMENT

Pursuant to the authority outlined in County Ordinance Code 16.72 and California Government Code Section 66470, and 66472.1, I hereby certify the following correction, modification or amendment to apply to Lot _____ of the map entitled _____, filed in the office of the Recorder, County of El Dorado, in Book _____ of _____ Maps, at Page _____ of Official Records.

At the regular meeting of the El Dorado County Board of Supervisors, on _____, 20____ Resolution of Vacation Number _____ - _____ was adopted and filed for record on _____, 20____ in Document Number 200 _____ - _____. At the meeting the findings required to authorize the abandonment of the following easements were made:

Surveyor Plumb Bob , LS 1234
License Expires _____

Date

LS STAMP

Fee Owners affected:

This certificate has been examined this _____ day of _____ 20____, for conformance with Section 66471 and 66472.1 of the Subdivision Map Act.

By: _____
Daniel S. Russell L.S. 5017 License Expires 12-31-09
County Surveyor
County of El Dorado, California

By: _____
Richard L. Briner L.S. 5084 License Expires 06-30-11
Deputy Surveyor
County of El Dorado, California