

Attachment A
Resolution No. VWD 23-013

RESOLUTION NO. VWD 23-013

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE VICTORVILLE WATER DISTRICT ORDERING THE SUMMARY VACATION (ABANDONMENT) OF AN EASEMENT FOR WATER PIPELINES PURPOSES OWNED BY THE VICTORVILLE WATER DISTRICT WITH AN ENVIRONMENTAL EXEMPTION

WHEREAS, in connection with the recordation of Tract Map No. 17599, a water easement to construct, operate, reconstruct, install, replace, remove, repair, alter, maintain, inspect and use pipeline(s), and all related appurtenances for public purposes and access was granted by Standard Pacific Corp. to the Baldy Mesa Water District (the "**BMWD**"), by that certain Grant of Easement recorded as Document Number 2007-0189985 in the Official Records of the County Recorder of San Bernardino County, State of California, on March 27, 2007 (hereinafter the "**Easement**"); and

WHEREAS, said Easement is legally described in the attached Exhibit "A" and depicted on the attached Exhibit "B"; and

WHEREAS, on or about July 26, 2007, San Bernardino County Local Agency Formation Commission ("**LAFCO**"), pursuant to Resolution No. 2977 (Proposal No. LAFCO 2991), approved a reorganization and ordered the BMWD and the Victor Valley Water District be consolidated into a successor district to be known as the Victorville Water District, a subsidiary district of City of Victorville (hereinafter the "**District**"), which consolidation was completed and effective as of August 15, 2007; and

WHEREAS, by operation of law the District is the successor to the BMWD and the current owner of the above-described Easement; and

WHEREAS, said Easement meets the definition of a public service easement as set forth in California Streets and Highways Code ("**S&H Code**") Section 8306; and

WHEREAS, based upon a request from LGI Homes, the successor tract developer, and with the concurrence of the District, proceedings under Division 9, Part 3, Chapter 4 of the S&H Code have been conducted for the summary vacation of said public service easement; and

WHEREAS, Section 8333(c) of the S&H Code authorizes the Board of Directors of the Victorville Water District ("**District Board**"), as the legislative body of a local agency, to summarily vacate a public service easement in the case the easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement; and

WHEREAS, the water pipeline (main) that was previously installed within the Easement has been removed and constructed within Deborah Place and Del Sur Street in conformance with revised plans approved by the City of Victorville Engineering and Public Works & Water Departments in accordance with the District's preference to keep water mains within dedicated public right of way; and

WHEREAS, the District Board has determined that said Easement should now be vacated, as it has been superseded by relocation, there are no public facilities located within said Easement, and the Easement is no longer needed for public use.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE VICTORVILLE WATER DISTRICT

DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. Recitals

That the recitals and findings set forth above are true and correct and together with any definitions set forth therein are hereby incorporated in their entirety into the Resolution by this reference.

Section 2. Vacation/Abandonment of Easement

That from and after the date of the recordation of this Resolution, the Easement described and depicted in Exhibit "A" and Exhibit "B" attached hereto and incorporated by this reference, is hereby relinquished, terminated, no longer constitutes a public service easement, and is vacated.

Section 3. Recordation of Resolution

That the Secretary of the Victorville Water District ("**District Secretary**") shall cause a certified copy of this Resolution to be recorded in the Office of the County Recorder of San Bernardino County, of the State of California, and that upon such recordation this vacation is complete.

Section 4. CEQA Exemption

That the vacation of the Easement is not subject to environmental review under CEQA pursuant to CEQA Guidelines sections 15060(c)(2) and 15060(c)(3), because the action results in the vacation of an public easement for water pipelines that was not needed for such purposes, will not have a reasonably foreseeable direct or indirect effect on the environment, and/or is not a project subject to CEQA as defined in Guidelines section 15378.

Section 5. Effective Date

That this Resolution shall be effective as of the date of adoption.

Section 6. Certification

That the District Secretary shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the District, and shall make a minute of passage and adoption thereof in the records of the proceedings of the District, in the minutes of the meeting at which this Resolution is passed and adopted.

EXHIBIT "A"

Description of Easement to be Vacated

Being that certain 20.00 foot wide water easement in favor of Baldy Mesa Water District recorded March 27, 2007 as Document No. 2007-0189985, Official Records lying over portions of Lots 5 & 15 of Tract 17599 as shown by map on file in Book 328, Pages 29 through 32, inclusive, of Maps, in the Office of the San Bernardino County Recorder, State of California, lying within the Northwest Quarter of Section 10, Township 4 North, Range 5 West, San Bernardino Meridian, in the City of Victorville, County of San Bernardino, State of California, more particularly described as follows:

COMMENCING at the northwest one-sixteenth quarter corner of said Section 10;

Thence North 89°39'48" West 926.62 feet along the northerly line of the southwest one-quarter of the northwest one-quarter of said Section 10, to a point on the southeasterly line of a 450 foot wide easement described in a document recorded in Book 980, Page 37 of official records of said county and state;

Thence South 30°48'17" West, 310.94 feet along said southeasterly line to the **POINT OF BEGINNING**;

Thence continuing along said southeasterly line South 30°48'17" West 196.40 feet;

Thence South 00°20'12" West 26.43 feet to a point on a non-tangent curve concave southerly, having a radius of 50.00 feet, a radial line to said point bears North 27°19'47" West;

Thence easterly along said curve through a central angle of 23°58'42", an arc length of 20.93 feet to a point on a line parallel with and distant 20.00 feet easterly of a line bearing South 00°20'12" West and having a distance of 26.43 feet;

Thence along said parallel line North 00°20'12" East 15.37 feet to a point on a line parallel with and 20.00 feet southeasterly of said southeasterly line of said easement;

Thence North 30°48'17" East 179.52 feet along said parallel line;

Thence South 89°39'48" East 40.93 feet to a point on a non-tangent curve concave northeasterly, having a radius of 50.00 feet, a radial line to said point bears South 28°41'39" West;

Thence northwesterly along said curve through a central angle of 32°57'26", an arc length of 28.76 feet to a point on a line parallel with and distant northerly 20.00 feet from a line bearing South 89°39'48" East and having a distance of 40.93 feet;

Thence North 89°39'48" West 32.25 feet along said parallel line to the **POINT OF BEGINNING**.

The above described parcel contains approximately 4,855 Square Feet, more or less,

See Exhibit "B", attached hereto and by this reference made a part hereof.

Robert N. Beuschlein, PLS 7874

8/11/2023

Date

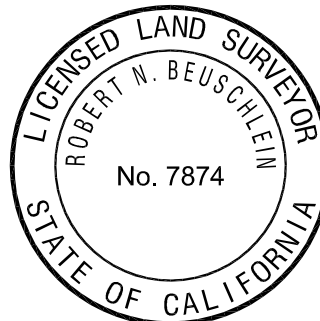


EXHIBIT "B"

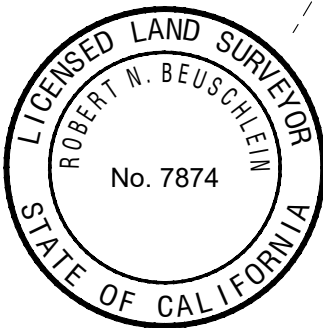
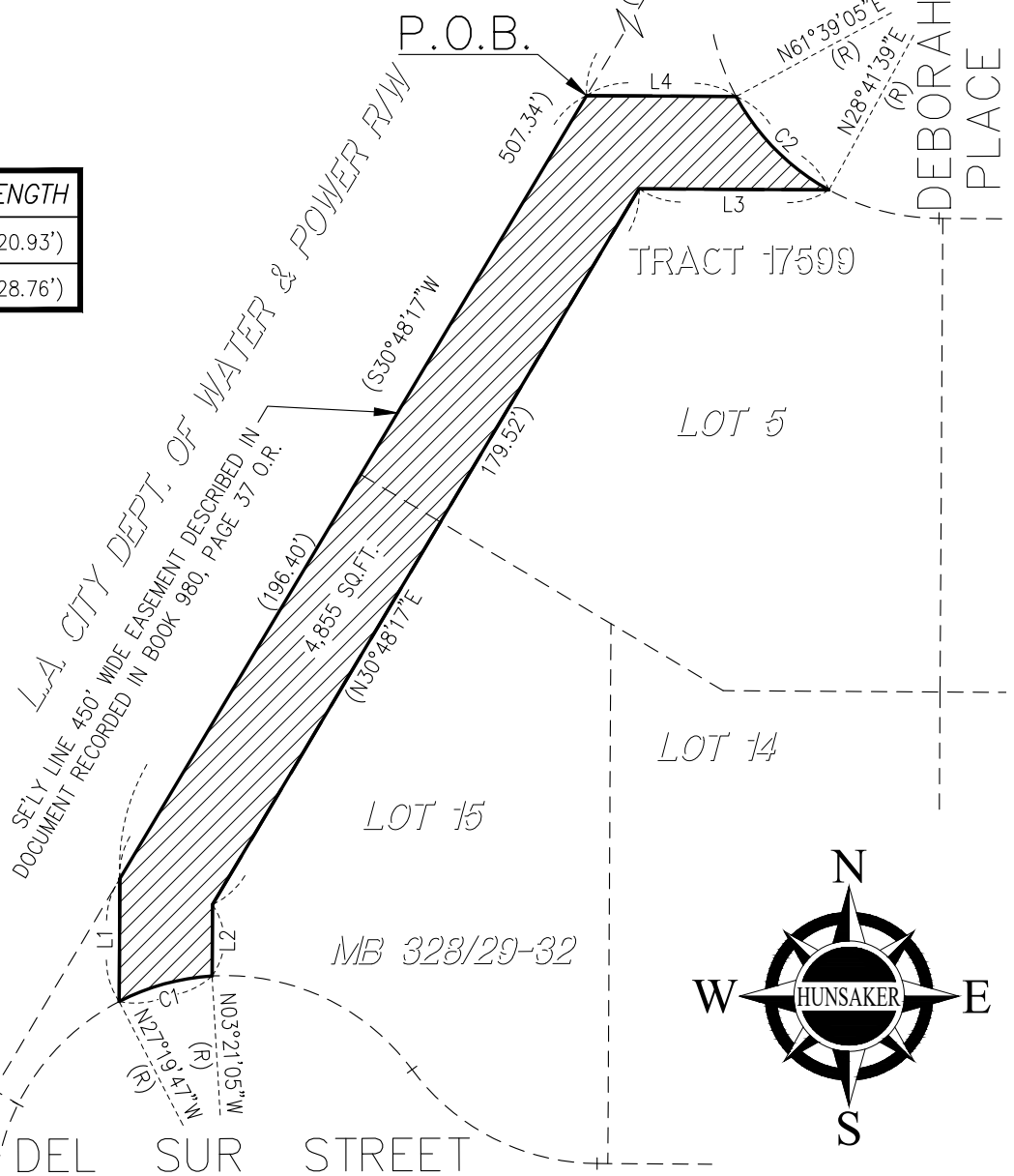
Plat of Easement to be Vacated

CURVE DATA

C#	DELTA	RADIUS	LENGTH
C1	(23°58'42"	50.00'	20.93')
C2	(32°57'26"	50.00'	28.76')

LINE DATA

L#	BEARING	LENGTH
L1	(S00°20'12"W	26.43')
L2	(N00°20'12"E	15.37')
L3	(S89°39'48"E	40.93')
L4	(N89°39'48"W	32.25')



▨ INDICATES WATER EASEMENT BEING VACATED.
() INDICATES RECORD DATA PER INST. No. 2007-189985, O.R.

SECTION 10, T.4N., R.5W., S.B.M.

LD2023-009 - BMWD Vacation

VACATION OF BALDY MESA WATER EASEMENT OVER LOTS 5 & 15 OF
TRACT 17599, MB 328/29-32.

PREPARED BY
R.BEUSCHLEIN

CHECKED BY
T.CAMPBELL

DATE
6/23/2023

SHEET 1 OF 1



HUNSAKER & ASSOCIATES IRVINE, INC
INLAND EMPIRE REGION

2900 ADAMS STREET, SUITE A-15
RIVERSIDE CA 92504 (951)352-7200

PLANNING/ENGINEERING/SURVEYING/GOVERNMENT RELATIONS

W.O.:
4433-2X

SCALE:
1" = 40'

8/11/2023

DATE

Robert N. Beuschlein

ROBERT N. BEUSCHLEIN
PLS 7874