

**STAFF REPORT  
COUNCIL MEETING OF JULY 13, 2010  
PUBLIC HEARING ITEM**

**TO:** Honorable Mayor and Members of the Town Council  
**FROM:** Brian Fragio, Director of Public Works /Town Engineer *BF*  
**DATE:** June 29, 2010  
**SUBJECT:** ST. FRANCIS WOODS, LOT 21 – VACATION OF 50-FOOT ACCESS AND UTILITY EASEMENT

**RECOMMENDATION:**

Approve and Adopt the attached Resolution to amend Lot 21 by abandoning the existing 50-Foot Public Utility and Public Access Easement on Final Map Book R, Page 60, sheet 6.

**ISSUE STATEMENT AND DISCUSSION:**

Mark and Annabelle Pericin, owners of 5552 West St. Francis Circle, (APN: 045-340-022), would like to construct a swimming pool on their lot (#21) within the St. Francis Woods Subdivision. The northern portion of the lot has a 50-foot access easement (Figure 1) that is no longer needed due to the development of the Monte Claire Estates Subdivision to the west (also Figure 1). Figure 2 is a current aerial of where the access easement is located and where the homes have been constructed. The proposed swimming pool is to be located 20-feet from the northern side property line. The pool cannot be placed in the proposed location unless the easement is abandoned. Local agencies (PCWA, SPMUD, PG&E, WAVE, Loomis Fire) were all contacted regarding this request and have no objections to the proposed easement abandonment.

Since the easement was dedicated to the Town of Loomis on the Final Map, the Town must abandon the specific easement per the Streets and Highway Code Section 8330. Under the findings, if the legislative body finds from all the evidence submitted that the easement described in the notice of hearing is unnecessary for present or prospective public use, the legislative body may adopt a Resolution vacating the easement.

The development of the St. Francis Woods Final Map was recorded in May 1991. At the time the subdivision was approved by the Town Council, the access easement was thought to be needed for the potential subdivision of the land to the west (now Monte Claire Estates). Eventually, when the Monte Claire Estates Subdivision was approved, access to the property is from Rocklin Road (to the north). At this time, the easement on lot 21 of W. St. Francis Woods is no longer needed by local agencies or the Town.

**CEQA REQUIRMEMENTS:**

None at this time.

**FINANCIAL AND/OR POLICY IMPLICATIONS:**

No cost to the Town.

**ATTACHED:**

- Figure 1 (map of St. Francis Woods and Monte Claire Estates)
- Figure 2 (current aerial)
- Resolution #10-\_\_ with Exhibit "A" (to be recorded if approved)



# Figure 2



**TOWN OF LOOMIS**

**RESOLUTION NO. 10-**

**A RESOLUTION OF THE COUNCIL OF THE TOWN OF LOOMIS VACATING THE P.U.E. AND PUBLIC ACCESS EASEMENT ON LOT 21 OF ST. FRANCIS WOODS SUBDIVISION RECORDED AT BOOK R OF PARCEL MAPS, PAGE 60, PLACER COUNTY RECORDS.**

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LOOMIS AS FOLLOWS:

1. In accordance with the provisions of Streets and Highway Code Section 8330 et seq., the Town of Loomis held a public hearing, and
2. Finds that the 50' P.U.E. (Public Utility Easement) and Public Access Easement on said lot 21, westerly of St. Francis Circle, as shown on the attached Exhibit "A" is no longer necessary for present or prospective public use, and has not been used for the purposes for which it was dedicated for a period of five consecutive years preceding this vacation.
3. IT IS HEREBY ORDERED that the P.U.E. and Public Access Easement on lot 21, west of St. Francis Circle, as described in Book R of Parcel Maps, Page 60, is hereby vacated and shall, as of the date of recording of this resolution, no longer constitute a Public Access and Public Utility Easement.
4. The Town Clerk is hereby directed to cause a certified copy of this Resolution, attested to be said Clerk under the seal of the Town of Loomis, to be recorded in the Office of the Placer County Recorder.

PASSED AND ADOPTED this 13th day of July, 2010, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Mayor

Attest:

APPROVED AS TO FORM:

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Town Attorney

EXHIBIT "A"

BOOK R OF MAPS, PAGE 60  
AMENDED PLAT OF

# ST. FRANCIS WOODS

FILED IN BOOK Q OF MAPS AT PAGE 77 ENTITLED  
"AMENDED PLAT OF 'ST. FRANCIS WOODS' FILED IN BOOK Q OF  
MAPS AT PAGE 42, BEING PORTIONS OF THE S.E.1/4 OF SECTION  
21 AND THE S.W.1/4 OF SECTION 22, T.11 N., R.7 E., M.D.B.& M"

TOWN OF LOOMIS  
MAY, 1991

PLACER COUNTY

CALIFORNIA

G W CONSULTING ENGINEERS  
SHEET 6 OF 9

