

**TOWN OF PARADISE
RESOLUTION NO. 11-50**

**A RESOLUTION OF THE TOWN COUNCIL OF THE
TOWN OF PARADISE PROVIDING FOR A SUMMARY VACATION
OF A PUBLIC SERVICE EASEMENT**

WHEREAS, as a condition of Tentative Subdivision Map No. PL11-00235, the developer is required to relocate a Town drainage easement within the site; and

WHEREAS, The Town has not improved or used the drainage easement for more than five years; and

WHEREAS, a public service easement, or a portion thereof, may be summarily vacated pursuant to Streets and Highway Code Division 9, Part 3, Chapter 4, Section 8333 if the easement has not been used for the purpose for which it was dedicated or acquired for five years immediately preceding the proposed vacation.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Paradise as follows:

Section 1. The Town Council finds, based on evidence submitted, that the drainage easement described in Exhibit "A" has not been used by the Town of Paradise for more than five years prior to the date of this Resolution.

Section 2. The Town Council declares that the drainage easement described in the attached Exhibit "A" is hereby vacated.

Section 3. From the date of this Resolution is recorded the Town of Paradise drainage easement described in Exhibit "A" no longer constitutes a public service easement.

Section 4. Pursuant to Streets and Highway Code section 8336, the Town Clerk shall cause a certified copy of this resolution, attested by the Town Clerk under seal, to be recorded without acknowledgement, certificate of acknowledgement, or further proof in the Office of the Recorder of the County of Butte. Upon such recordation, the vacation shall be complete.

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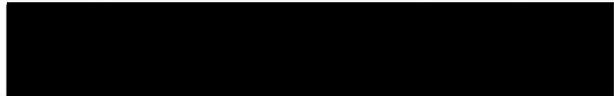
PASSED AND ADOPTED by the Paradise Town Council of the Town of Paradise, County of Butte, State of California, on this 6th day of December 2011, by the following vote:

AYES: Joe DiDuca, Scott Lotter, Tim Titus, Alan White and
Steve "Woody" Culleton, Mayor

NOES: None

ABSENT: None

NOT VOTING: None



Steve "Woody" Culleton, Mayor

ATTEST: *12.8.2011*



JOANNA GUTIERREZ, Town Clerk

APPROVED AS TO FORM:



DWIGHT L. MOORE, Town Attorney

EXHIBIT A

DESCRIPTION OF VACATED PUBLIC SERVICE EASEMENT

All that real property situated in the Town of Paradise, County of Butte, State of California, described as follows:

Being a non-exclusive easement for drainage purposes over a strip of land 15.00 feet in width, lying in the Southwest quarter of Section 23, Township 22 North, Range 3 East, M.D.B. & M., said strip lying 7.50 feet on either side of the following described centerline:

Commencing at the Southwest corner of Lot 14 of the La Mesa Verde Unit No 1 Subdivision, as said Lot 14 is shown on that certain map entitled, "La Mesa Verde Unit No 1," on file in Map Book 19 at pages 24 and 25 in the office of the Recorder of said Butte County; thence from said Southwest corner of said Lot 14, South 89°40'20" West, 60.00 feet; thence South 00°17'20" East, 320.01 feet; thence North 89°40'20" East, 233.75 feet to the true point of the said centerline of said 15 foot easement; thence from said true point of beginning, South 00°19'40" East, 7.50 feet; thence North 89°40'20" East, 65.00 feet; thence South 04°04'10" East, 503.50 feet more or less to the South line of the Thorstappen property and to the end of said easement.