

Mark F. Wood
CITY ATTORNEY

ORDINANCE No. _____ C. M. S.

**AN ORDINANCE SUMMARILY VACATING A FIVE-FOOT
WIDE SEWER EASEMENT LOCATED ON
711 WALKER AVENUE (APN 011-0836-018-00) AND
717 WALKER AVENUE (APN 011-0836-017-00)**

WHEREAS, a certain public five-foot wide sewer easement situated northwesterly of Walker Avenue was granted to the City of Oakland by Grant of Easement on the 19th day of July, 1916, and recorded on the 24th day of July, 1916, O.R. 2470/193, in the Office of the Recorder, Alameda County, California, for the purposes of constructing, maintaining, re-constructing or repairing a public sewer or sewers; and

WHEREAS, said sewer easement is delineated and depicted in Exhibit "A" attached hereto and made a part hereof and is more particularly described as follows:

Sewer easement 5.00 feet wide situated in the City of Oakland, County of Alameda, State of California is described as follows:

The northwesterly 5 feet of lots 23 and 24 as said lots are shown on that certain map entitled "Map of Piedmont by the Lake Oakland, California November 1906" filed November 14th, 1906, in the Office of the Recorder, Alameda County, State of California.

WHEREAS, said sewer easement was never utilized for the purpose for which it was created and is not needed for future use; and

WHEREAS, said abandonment complies with Chapter 4 (Summary Vacation), Part 3 of Division 9, Section 8333(a) of the Streets and Highways Code; and

WHEREAS, the requirements of the California Environmental Quality Act (CEQA) of 1970, the guidelines as prescribed by the Secretary for Resources, and the provisions of the Statement of Objectives, Criteria and Procedures for implementation of the California Environmental Quality Act: City of Oakland, as amended, have been satisfied, and that in accordance with Section 15303 of the California Code of Regulations this project is exempt from the provisions of the California Environmental Quality Act; now, therefore,

10,1500
ORA/COUNCIL
JAN 6 2004

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

- Section 1. This ordinance complies with the requirements of the California Environmental Quality Act.
- Section 2. This Council hereby orders the abandonment of the hereinabove described sewer easement.
- Section 3. The City Clerk and Clerk of this Council is hereby directed to have a certified copy of this ordinance recorded in the Office of the Recorder of Alameda County, California, immediately upon its final passage.
- Section 4. That from and after the date this Ordinance is recorded, the sewer easement abandoned hereby shall no longer constitute a public sewer easement.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2003

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHAN, CHANG, NADEL, REID, WAN AND
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

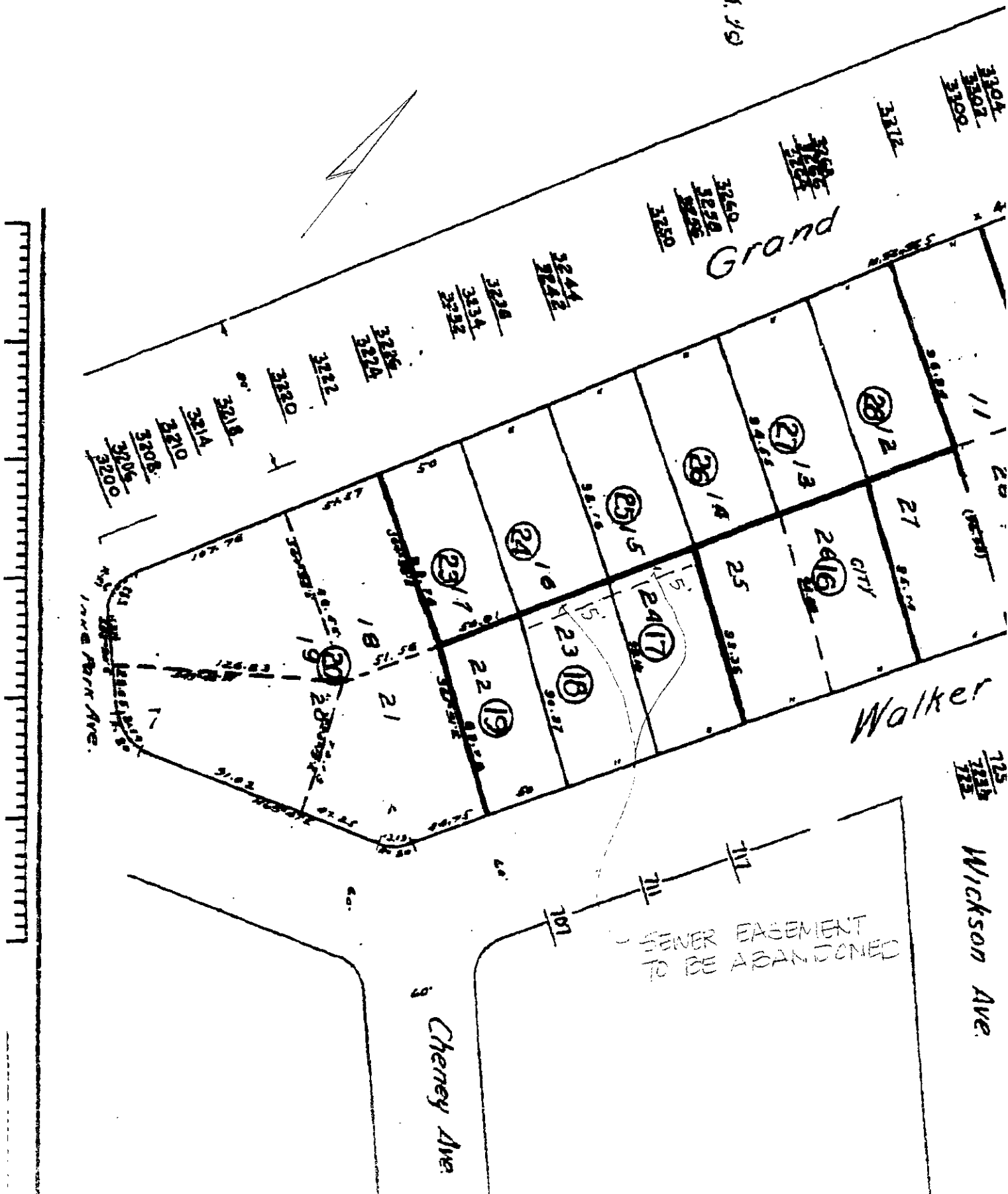
ABSTENTION-

Introduction Date: DEC 16 2003 ATTEST: _____
CEDA FLOYD
City Clerk and Clerk of the Council
Of the City of Oakland, California

10.15ce
ORA/COUNCIL
JAN 6 2004

EXHIBIT 'A'

B.H. 10



OFFICE OF THE CITY CLERK
OAKLAND
2003 NOV 25 PM 5:23

MAW

**AN ORDINANCE SUMMARILY VACATING A FIVE-FOOT
WIDE SEWER EASEMENT LOCATED ON 711 WALKER AVENUE (APN 011-
0836-018-00) AND 717 WALKER AVENUE (APN 011-0836-017-00)**

NOTICE AND DIGEST

The City Council by this ordinance finds that a five-foot wide reserve easement situated northwesterly of Walker Avenue, granted to the City of Oakland by Grant of Easement for the purpose of constructing, maintaining, re-constructing or repairing a public sewer, is unnecessary for the present or the future use for which it was dedicated and orders its abandonment.

10.15 CC
ORA/COUNCIL
JAN 6 2004