

**PUBLIC HEARING**

SUBJECT: VACATION OF EASEMENT FOR TEMPORARY TURNAROUNDS  
RELATED TO NADER HOMES SUBDIVISION (Nader Development, Inc.)

SOURCE: Public Works Department – Engineering Division

COMMENT: This is the time and place set for the hearing on the proposed vacation of easement for temporary turnarounds related to the development of Nader Homes Subdivision. This easement is generally located east of Prospect Street and south of Roby Avenue. The easement was necessary for the orderly development of Sunrise Estates Six, Phase One Subdivision, which is west of and contiguous to the subject development. The developer has recently constructed street improvements associated with Forest Avenue and Orange Avenue and dedication of the public right-of-way is forthcoming with the normal processing of the Final Map. This development terminates the need for the prior easement. The City has authority to vacate this easement under Section 8320, Part 3, Division 9, of the Streets and Highways Code of the State of California.

Staff believes that there are no problems with any reversionary rights since this easement is in favor of the City of Porterville. Vacation of this easement does not affect other agencies or other utility companies.

RECOMMENDATION: That the City Council:

1. Conduct a Public Hearing;
2. Adopt the Resolution of Vacation for the easement described in the attached legal description; and
3. Authorize the City Clerk to record the Resolution of Vacation.

ATTACHMENTS: Resolution  
Legal Description of Easement  
Map of Easement Vacation

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Dir BGR Appropriated/Funded N/A CM J

Item No. 16

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE  
ORDERING THE VACATION AND CLOSING TO PUBLIC USE AN EASEMENT FOR  
TEMPORARY TURNAROUNDS RELATED TO NADER HOMES SUBDIVISION

WHEREAS, by Resolution No. 03-2015, passed on January 20, 2015, the City Council of the City of Porterville declared its intention to vacate an easement for temporary turnarounds located east of Prospect Street and south of Roby Avenue, hereinafter more particularly described, and set the hour of 6:30 p.m. on the 17<sup>th</sup> day of February, 2015, or as soon thereafter as the matter can be heard, in the Council Chambers of said City as the time and place for hearing all persons objecting to the proposed vacation; and

WHEREAS, such public hearing has been held at said time and place, and there were no protests, oral or written, to such vacation;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Porterville as follows:

SECTION 1: The Council hereby finds, from all the evidence submitted, that the easement hereinafter described is unnecessary for present or prospective use, and the City Council hereby makes its order vacating said easement east of Prospect Street and south of Roby Avenue, which is described in the legal description attached hereto, marked Exhibit "A" and by reference made a part hereof.

SECTION 2: The City Clerk shall cause a copy of this resolution to be recorded in the office of the Clerk-Recorder of Tulare County, California.

SECTION 3: The City Clerk shall certify to the passage and adoption of this resolution and it shall thereupon take effect and be in force.

PASSED, APPROVED AND ADOPTED this 17<sup>th</sup> day of February, 2015.

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Milt Stowe, Mayor

ATTEST:  
John D. Lollis, City Clerk

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By: Patrice Hildreth, Chief Deputy City Clerk

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**Easement Vacation**

An easement for a temporary turnaround over and across those portions of the Remainder of Sunrise Estates Six, Phase One, in the City of Porterville, County of Tulare, State of California, per map recorded in Volume 37, page 7 of Maps, Tulare County Records, described as follows:

**Parcel A**

**BEGINNING AT** the Northwest corner of Lot 9 of said Sunrise Estates Six, Phase One;

**THENCE**, South 00°12'49" West, 20.00 feet along the West line of said Lot 9;

**THENCE**, North 89°37'44" East, 80.00 feet;

**THENCE**, North 00°12'49" East, 90.00 feet;

**THENCE**, South 89°37'44" West, 83.05 feet to a point in the West line of Lot 8 of said Sunrise Estates Six, Phase One;

**THENCE**, South 00°12'49" West, 20.00 feet to the Southwest corner of said Lot 8;

**THENCE**, South 03°16'42" East, 50.06 feet to the **POINT OF BEGINNING**.

**Parcel B**

**BEGINNING AT** the Southwest corner of Lot 24 of said Sunrise Estates Six, Phase One;

**THENCE**, North 00°12'49" East, 20.00 feet along the West line of said Lot 24;

**THENCE**, North 89°37'44" East, 80.00 feet;

**THENCE**, South 00°12'49" West, 90.00 feet;

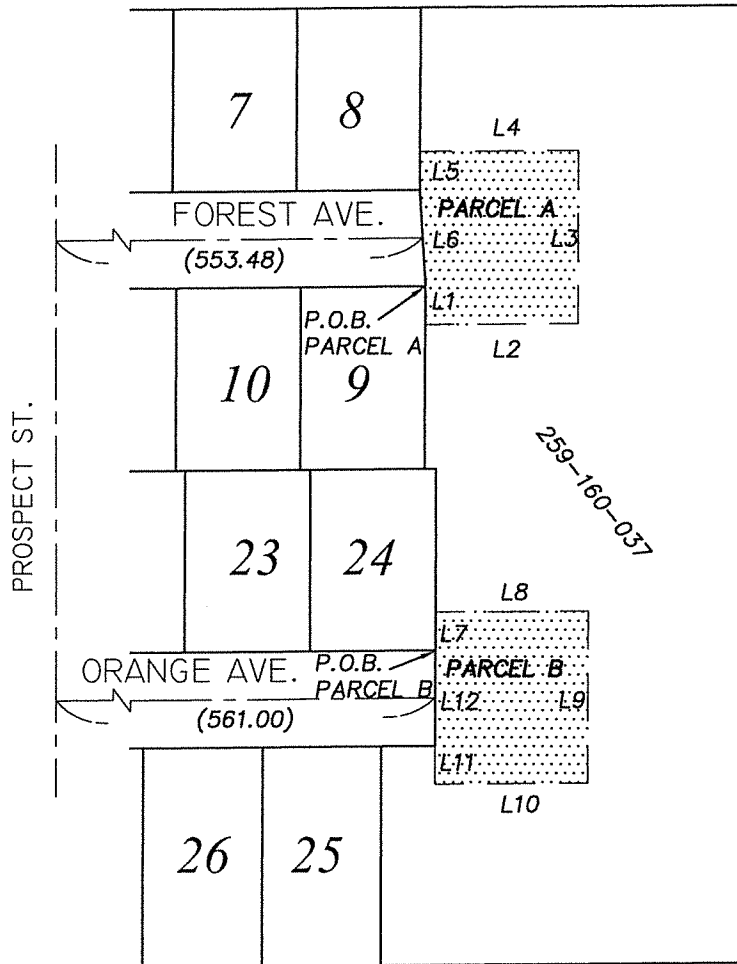
**THENCE**, South 89°37'44" West, 80.00 feet;

**THENCE**, North 00°12'49" East, 20.00 feet to a point in the South line of Orange Avenue, said point being North 89°37'44" East, 28.00 feet of the Northwest corner of Lot 25 of said Sunrise Estates Six, Phase One;

**THENCE**, continuing North 00°12'49" East, 50.00 feet to the **POINT OF BEGINNING**.

**END OF DESCRIPTION**

EXHIBIT "B"  
**MAP OF EASEMENT VACATION**



LINE	LENGTH	BEARING
L1	20.00	S 00°12'49" W
L2	80.00	N 89°37'44" E
L3	90.00	N 00°12'49" E
L4	83.05	S 89°37'44" W
L5	20.00	S 00°12'49" W
L6	50.06	S 03°16'42" E
L7	20.00	N 00°12'49" E
L8	80.00	N 89°37'44" E
L9	90.00	S 00°12'49" W
L10	80.00	S 89°37'44" W
L11	20.00	N 00°12'49" E
L12	50.00	N 00°12'49" E



TEMPORARY TURN  
AROUND

( )

RECORD DATA PER SUNRISE ESTATES SIX  
PHASE ONE, R.M. 37-7

8

LOT PER SUNRISE ESTATES SIX,  
PHASE ONE, R.M. 37-7



SCALE: 1"=100'

**City of Porterville**  
291 N. MAIN ST.  
PORTERVILLE, CA. 93257  
559 782-7462

THOSE PORTIONS OF THE REMAINDER  
OF SUNRISE ESTATES SIX, PHASE ONE,  
IN THE CITY OF PORTER VILLE, COUNTY  
OF TULARE, STATE OF CALIFORNIA, PER  
MAP RECORDED IN VOLUME 37, PAGE 7  
OF MAPS, T.C.R.

OWNERS NADAR DEVELOPMENT,  
INC.

APN 259-160-037

DRAWN BY CAL  
CHCK BY DB