

**RESOLUTION NO. 2063-07**

**A RESOLUTION OF THE TOWN OF WINDSOR  
SUMMARILY VACATING DEDICATED PUBLIC RIGHT-OF-WAY AND  
AUTHORIZING THE TOWN MANAGER TO EXECUTE A QUITCLAIM**

**WHEREAS**, pursuant to Streets & Highways Code §8334, the Town may summarily vacate excess street or highway access rights of way not required for street or highway purposes; and

**WHEREAS**, that portion of street generally known as Merner Drive, and more specifically described in Exhibit A attached hereto and incorporated herein by reference, are being vacated; and

**WHEREAS**, said rights-of-way are not required for street purposes and lies within property under one ownership and does not continue through such ownership or end touching property of another; and

**WHEREAS**, no public utility facilities or public service easements are located within said rights-of-way; and,

**WHEREAS**, Town wishes to vacate and quitclaim any interest that it may have in said rights-of-way as more specifically described in Exhibit A, attached hereto and incorporated herein by reference;

**NOW, THEREFORE, BE IT RESOLVED** that the Windsor Town Council finds that:

- (1) The specific rights-of-way to be vacated are fully described in Exhibit A;
- (2) This vacation is made pursuant to §8334 of the Streets & Highways Code;
- (3) Said rights-of-way are no longer required for street purposes. There are no public utility facilities or public service easements located within said rights-of-way; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that based on these findings, that as of the date this Resolution is recorded, the above-described public rights-of-way are vacated and no longer constitutes public rights-of-way; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that based on these findings, that from and after the date this Resolution is recorded, said rights-of-way is vacated and no longer constitutes public rights-of-way; and

**NOW THEREFORE, BE IT FURTHER RESOLVED** that the Town Council authorizes the Town Manager, to execute and record with the Office of the County Recorder, a quit claim deed for the vacated public rights-of-way; and

**NOW THEREFORE, BE IT FURTHER RESOLVED** that the Town Clerk is ordered to record a certified copy of this Resolution in the Office of the Sonoma County Recorder at such time as the conditions set forth above are met.

**PASSED, APPROVED AND ADOPTED** this 6<sup>th</sup> day of June 2007 by the following vote:

**AYES: COUNCILMEMBERS ALLEN, FUDGE, SALMON AND  
MAYOR PARKER**  
**NOES: NONE**  
**ABSTAIN: COUNCILMEMBER GOBLE**  
**ABSENT: NONE**

  
**WARIN J. PARKER, MAYOR**

**ATTEST:**

  
**MARIA DE LA O, TOWN CLERK**

**Attachment:**  
Exhibit A - Legal Description

# EXHIBIT 'A'

## Legal Description

Situate within the Town of Windsor, County of Sonoma, State of California, and lying within Sections 19, Township 8 North, Range 8 West, M.D.M., and is described as follows:

Being a portion of the **Lands of the Town of Windsor**, a Municipal Corporation, more particularly described as follows;

### VACATION A-A PORTION OF MERNER DRIVE:

COMMENCING at the southeasterly corner of the lands of Town Green Village LP as described by deed recorded under Document Number 2003 260573, Sonoma County Records, said point being the beginning of a curve to the left, of which the radius point lies South 13°41'19" East, a radial distance of 966.57 feet; thence westerly along the arc, through a central angle of 02°01'48", a distance of 34.25 feet to the end of the curve, said point being the POINT OF BEGINNING; thence South 16°28'41" East a distance of 4.07 feet; thence South 73°31'19" West a distance of 27.25 feet; thence South 16°28'41" East a distance of 2.00 feet; thence South 73°31'19" West a distance of 94.48 feet to the point of curve of a non tangent curve to the right, of which the radius point lies South 22°56'54" East, a radial distance of 966.57 feet; thence easterly along the arc, through a central angle of 07°13'47", a distance of 121.96 feet to the POINT OF BEGINNING.

Containing 471 square feet, more or less.

### VACATION B-A PORTION OF MERNER DRIVE:

COMMENCING at the southeasterly corner of the lands of Town Green Village LP as described by deed recorded under Document Number 2003 260573, Sonoma County Records, said point being the beginning of a curve to the left, of which the radius point lies South 13°41'19" East, a radial distance of 966.57 feet; thence westerly along the arc, through a central angle of 11°47'30", a distance of 198.92 feet to the POINT OF BEGINNING; thence continue southwesterly along said curve through a central angle of 01°25'07", a distance of 23.93 feet; thence North 27°48'26" West a distance of 24.24 feet to the point of curve of a non tangent curve to the left, of which the radius point lies North 62°11'34" East, a radial distance of 24.93 feet; thence easterly along the arc, through a central angle of 87°40'23", a distance of 38.15 feet to the POINT OF BEGINNING.

Containing 123 square feet, more or less.

Prepared by,



Bradley A. Thomas, PLS 5520  
My License Expires: 9/30/2008  
File No. 2003-087  
March 26, 2007

