



**CONSENT CALENDAR**

**Agenda Item # 4**

**AGENDA REPORT SUMMARY**

**Meeting Date:** February 13, 2018

**Subject:** Resolution No. 2018-03: Partial Abandonment of Easements at 860 Renetta Court

**Prepared by:** Zachary Dahl, Planning Services Manager

**Reviewed by:** Jon Biggs, Community Development Director

**Approved by:** Chris Jordan, City Manager

**Attachment(s):**

1. Resolution No. 2018-03
2. Planning Commission Meeting Minutes, January 18, 2018
3. Planning Commission Agenda Report, January 18, 2018
4. Project Plans

**Initiated by:**

Property Owner

**Previous Council Consideration:**

None

**Fiscal Impact:**

None

**Environmental Review:**

This project is exempt from environmental review pursuant to Section 15305 of the State Guidelines implementing the California Environmental Quality Act of 1970, as amended.

**Policy Question(s) for Council Consideration:**

- Does the Council support the partial abandonment of an unused public utility easement (PUE) and wire clearance easement (WCE) that encumber the property at 860 Renetta Court?

**Summary:**

- The owner of 860 Renetta Court is seeking a partial abandonment of an unused PUE and unused WCE along the rear the property line.
- All applicable public utilities provided letters supporting the abandonment of these two easements.

**Staff Recommendation:**

Move to adopt Resolution No. 2018-03 for a partial abandonment of a public utility easement (PUE) and a wire clearance easement (WCE) that encumber Lot 5 of Tract No. 3096



**Subject:** Resolution No. 2018-03: Partial Abandonment of Easements at 860 Renetta Court

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### **Purpose**

Consider the abandonment of two unused easements, a PUE and a WCE, that encumber the property at 860 Renetta Court.

### **Background**

On January 18, 2018, the Planning Commission held a public hearing to consider a property owner's request to abandon two unused easements, a PUE and a WCE, that encumber his property at 860 Renetta Court. Following a brief discussion, the Commission voted unanimously (5-0) to recommend approval of the partial easement abandonment request to the City Council. The Commission's meeting minutes and agenda report are included as Attachments 2 and 3.

### **Discussion/Analysis**

The easements were originally established in 1962 with the Renetta Court subdivision, Tract No. 3096, as part of the normal subdivision process to set aside easements for future utilities. Since the subject property is the last property served along this cul de sac's electrical line, the PUE and WCE established along its rear property line have remained substantially unused. The only public utility structure on the subject property is a guy wire anchor for the joint utility pole that is located adjacent to the subject property. The portion of the easement that contains the guy wire would remain and is not included in this abandonment request.

All the public utilities (PG&E, California Water Service Company, AT&T and Comcast) confirmed that they did not have a need for the easements and provided letters supporting the partial easement abandonment request. The City's Public Works Department also confirmed that there is no existing or planned use for the subject easements.

Overall, the partial easement abandonment complies with the City's General Plan, does not affect the established development pattern in the area and will allow the subject property to better use and enjoy their property as allowed by the Zoning Code.

### **Options**

- 1) Approve the partial abandonment of the easements that encumber the property at 860 Renetta Court

**Advantages:** The property owners would be able to better use and enjoy their rear yard space as allowed by the Zoning Code

**Disadvantages:** None identified



**Subject:** Resolution No. 2018-03: Partial Abandonment of Easements at 860 Renetta Court

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- 2) Deny the partial abandonment of the easements that encumber the property at 860 Renetta Court

**Advantages:** The existing easements would remain on the property

**Disadvantages:** The property owners would be limited in their ability to use and enjoy the rear yard space

**Recommendation**

The staff recommends Option 1.

**RESOLUTION NO. 2018-03**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS  
APPROVING THE ABANDONMENT OF EASEMENTS ON THE PROPERTY  
AT 860 RENETTA COURT**

**WHEREAS**, the City of Los Altos received an application (17-SD-03) from property owner Brett Taylor to partially abandon a public utility easement (PUE) and fully abandon a wire clearance easement (WCE) located along the southeastern border of his property at 860 Renetta Court, referred herein as the “Project”; and

**WHEREAS**, abandonment of public service easements shall be based on compliance with the applicable findings in the Streets and Highways Code and California Government Code; and

**WHEREAS**, All the applicable public utilities, including Pacific Gas and Electric, California Water Service Company, AT&T, Comcast and Los Altos Public Works have confirmed that there is no existing or planned use for the easements to be abandoned; and

**WHEREAS**, the Project is exempt from environmental review because it involves the addition to a single-family dwelling in a residential zone in accordance with Section 15305 of the California Environmental Quality Act of 1970 as amended (“CEQA”); and

**WHEREAS**, the Planning Commission held a duly noticed public hearing on January 18, 2018 and voted to recommend approval of the Project; and

**WHEREAS**, the City Council held a duly noticed public meeting on February 13, 2018; and

**WHEREAS**, the location and custodian of the documents or other materials, which constitute the record of proceedings upon the City Council’s decision was made are located in the Office of City Clerk.

**NOW THEREFORE, BE IT RESOLVED**, that the City Council of the City of Los Altos hereby approves the Project, subject to the findings and conditions attached hereto as Exhibit “A” and incorporated by this reference.

**I HEREBY CERTIFY** that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 13<sup>th</sup> day of February 2018 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Jean Mordo, MAYOR

Attest:

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Jon Maginot, CMC, CITY CLERK

## EXHIBIT A

### FINDINGS

17-SD-03—860 Renetta Court

With regard to abandoning public utility and wire clearance easements as proposed, the City Council finds the following pursuant to Streets and Highways Code Section 8313 and Government Code Section 65402, that:

- A. It is in the best public interest because abandoning the easements removes an unnecessary land use constraint;
- B. The easements are unnecessary for present or prospective public use; and
- C. The project is consistent with the City's General Plan Housing Element Policy 1.5 because abandoning the unnecessary easement areas does not affect the established development pattern in the area and allows for more uniform site planning as allowed by the zoning code.

### CONDITIONS

17-SD-03—860 Renetta Court

1. The portion of the PUE that contains the guy wire for the existing utility pole on the adjacent parcel shall be maintained as shown on the plans dated November 29, 2017.
- ~~4.2.~~ The applicant agrees to indemnify, defend, protect, and hold City harmless from all costs and expenses, including attorney's fees, incurred by the City or held to be the liability of City in connection with the City's defense of its actions in any proceeding brought in any State or Federal Court, challenging any of the City's action with respect to the applicant's project.
- ~~2.3.~~ The applicant shall work with the City to abandon the public utility and wire clearance easements on Lot 5 of Tract No. 3096 as shown on the plans dated November 29, 2017 in a form approved by the City Attorney and City Engineer. The applicant shall provide a sufficient fee retainer to cover the cost of reviewing and recording all necessary documentation to achieve the abandonment.

**MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION OF THE CITY OF LOS ALTOS, HELD ON THURSDAY, JANUARY 18, 2018 BEGINNING AT 7:00 P.M. AT LOS ALTOS CITY HALL, ONE NORTH SAN ANTONIO ROAD, LOS ALTOS, CALIFORNIA**

**ESTABLISH QUORUM**

PRESENT: Chair Meadows, Vice-Chair Bressack, Commissioners Bodner, Enander, and Oreizy  
ABSENT: Commissioners McTighe and Samek  
STAFF: Current Planning Services Manager Dahl

**PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

None.

**ITEMS FOR CONSIDERATION/ACTION**

**CONSENT CALENDAR**

**1. Planning and Transportation Commission Minutes**

Approve the minutes of the January 4, 2018 Regular Meeting.

Action: Upon motion by Commissioner Enander, seconded by Vice-Chair Bressack, the Commission approved the minutes of the January 4, 2018 Regular Meeting, as amended by Chair Meadows to reflect her comments on item #3. The motion was approved by the following vote: AYES: Bressack, Bodner, Enander, Meadows, and Oreizy; NOES: None; ABSTAIN: None; ABSENT: McTighe and Samek. (5-0)

Chair Meadows reorganized the agenda as follows.

**PUBLIC HEARING**

**2. 17-CA-04 – City of Los Altos – Accessory Structure Regulations**

Zoning Code amendments to update the City's regulations for accessory structures in single-family zone districts. Zoning Code Chapters 14.06, 14.08, 14.10, 14.12 and 14.66 will be amended, and a new chapter, titled "Accessory Structures in R1 Districts," will be created.

*Project Manager: Dahl* THIS ITEM WILL BE CONTINUED TO THE FEBRUARY 1, 2018 PLANNING COMMISSION MEETING.

Action: Upon motion by Vice-Chair Bressack, seconded by Commissioner Bodner, the Commission continued agenda item #2 to the February 1, 2018 Planning Commission meeting. The motion was approved by the following vote: AYES: Bressack, Bodner, Enander, Meadows, and Oreizy; NOES: None; ABSTAIN: None; ABSENT: McTighe and Samek. (5-0)

**3. 17-SD-03 – B. and A. Taylor – 860 Renetta Court**

Partial abandonment of a Public Utility Easement (PUE) and a Wire Clearance Easement (WCE) along the southeastern rear property line of the subject property (Lot 5, Tract No. 3096). *Project Manager: Kornfield*

Current Planning Services Manager Dahl presented the staff report.

The property owner Brett Taylor presented the project.

Public Comment

None.

Action: Upon motion by Commissioner Enander, seconded by Commissioner Oreizy, the Commission approved application 17-SD-03 for partial abandonment of a Public Utility Easement (PUE) and a Wire Clearance Easement (WCE) along the southeastern rear property line of the subject property (Lot 5, Tract No. 3096). The motion was approved by the following vote: AYES: Bressack, Bodner, Enander, Meadows, and Oreizy; NOES: None; ABSTAIN: None; ABSENT: McTighe and Samek. (5-0)

**4. 17-UP-03 – J. Morris – 400 Main Street**

Review of a Staff interpretation that through the use permit process, business types listed at Municipal Code Sections 14.48.030 and 14.48.040 may be considered in vacant, but previously occupied, ground floor building spaces because these would not displace a retail use. And, if there is concurrence with this interpretation, review of a conditional use permit that would allow a real estate office in a first-floor lease space of the commercial building located at 400 Main Street.

*Project Manager: Biggs*

Current Planning Services Manager Dahl presented the staff report.

The applicant/owner of the property Jeff Morris presented the project and asked for approval of the use permit for an office use, noting that there had not been any retail uses interest in the space, that an active business instead of a vacant space would improve downtown vitality and that the office use would generate a lower parking demand than a retail use

Mark Von Kaenal of Keller Williams Real Estate presented his business vision and noted that retail leasing in downtown Los Altos is very challenging.

Public Comment

None.

The Commission discussed the use permit request and provided the following input:

- Commissioner Bodner:
  - Supports the office use in this location, but wants to be consistent and fair to all downtown properties when granting use permits;
  - The findings or a whereas should clarify the First Street corridor within the CRS District;
  - Extra parking could be used as public parking.
- Vice-Chair Bressack:
  - Disclosed her ex parte communication with applicant/property owner Jeff Morris;
  - Clarify the First Street corridor within the CRS District;
  - Supports office in this location; and
  - This space had retail recently and could be viewed as displacing retail.



- Commissioner Enander:
  - Concerned that the use could constitute a displacement of a retail use and requested clarification of how Zoning Code is interpreted; and
  - Cannot support the use permit based on current Zoning Code requirements.
- Commissioner Oreizy:
  - Concerned with setting a precedent and wants to make sure that the decision is not arbitrary.
- Chair Meadows:
  - Wants the City Attorney to provide clarification on displacement of retail and consistency with Zoning Code; and
  - Wants resolution to note that longer term goal is to amend Zoning Code to allow for expanded uses within the CRS District.

Action: Upon motion by Vice-Chair Bressack, seconded by Commissioner Enander, the Commission continued use permit application 17-UP-03 to the February 1, 2018 Planning Commission meeting with the following direction:

- Provide clarification for what constitutes the First Street corridor and why opening up the allowable uses to personal service and office on the ground floor on the First Street corridor is appropriate;
- Clarify how this is not displacing retail and what is the threshold; and
- How long has the space been vacant.

The motion was approved by the following vote: AYES: Bressack, Bodner, Enander, Meadows, and Oreizy; NOES: None; ABSTAIN: None; ABSENT: McTighe and Samek. (5-0)

Vice-Chair Bressack suggested a friendly amendment to have the project come back to them on the Consent Calendar and Commissioner Bodner seconded her motion. The motion was approved by the following vote: AYES: Bressack, Bodner, Enander, Meadows, and Oreizy; NOES: None; ABSTAIN: None; ABSENT: McTighe and Samek. (5-0)

## **COMMISSIONERS' REPORTS AND COMMENTS**

Commissioner Enander reported on the CC-PC Study Session on January 16, 2018 and wanted to provide her comments on the record (see attachment). She also noted that inclusion of prevailing wage may limit housing projects that opt for the streamlined approval process.

Chair Meadows reported on the January 9, 2018 City Council meeting.

## **POTENTIAL FUTURE AGENDA ITEMS**

None.

## **ADJOURNMENT**

Chair Meadows adjourned the meeting at 8:12 P.M.



DATE: January 18, 2018

AGENDA ITEM # 3

**TO:** Planning Commission  
**FROM:** David Kornfield, Planning Services Manager—Advance Planning  
**SUBJECT:** 17-SD-03—860 Renetta Court

**RECOMMENDATION:**

Recommend to the City Council partial abandonment of a public utility easement (PUE) and wire clearance easement (WCE) for Lot 5 of Tract No. 3096, subject to the listed findings and conditions

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**PROJECT DESCRIPTION**

The property owner of 860 Renetta Court seeks a partial abandonment of a public utility easement (PUE) and wire clearance easement (WCE) located along the southeastern border of their property. The public utility easement is 10 feet wide and runs along the rear property line. The wire clearance easement is an additional five feet wide and runs adjacent to the public utility easement. The location of the easements generally precludes development of accessory structures in the rear yard of the subject property. The second page of the plans show the proposed areas of easement abandonment.

The subject property is Lot 5 of a seven-parcel subdivision of single-family lots making up Renetta Court. Single-family uses surround the subject property except for the church parking lot to its rear. The property has a Single-Family Residential General Plan land use designation and is within the R1-10 zoning district.

To abandon easements, the City must use the same subdivision process used to establish them, which involves subdivision findings, and a public hearing before the Planning Commission as a recommendation to the City Council. Since public easements are a form of a real property and akin to a public service easement, staff recommends additional findings related to removing public service easements with findings based in the Streets and Highways Code and California Government Code.

**DISCUSSION**

The public utility easement and wire clearance easements were dedicated to the public with the subdivision map. Public utility easements must be kept free and clear of any buildings and structures of any kind, except for public utility structures. Wire clearance easements are generally limited to buildings and structures having a maximum height of 15 feet to allow for a proper clearance to overhead electrical wires.

The easements were established under the City's jurisdiction in 1962 with the Renetta Court subdivision as part of the normal subdivision process to set aside property for future utilities. The

utilities were subsequently laid out such that Lots 5, 6 and 7 are on the same electrical line with a joint utility pole terminating just to the northeast of the subject property. Since the subject property—Lot 5—is the last property served along this electrical line, the PUE and WCE established along its rear property line remains substantially unused. The only public utility structure on the subject property is a guy wire anchor for the joint utility pole that located adjacent to the subject property. Lots 1 through 4 have their electrical services provided from the lines running along Nash Road to the west.

All the public utilities provided letters supporting the partial easement abandonment (see attached letters from PG&E, California Water Service Company, AT&T and Comcast). Additionally, the Engineering Division of City confirmed that there is no existing or planned use for the easements to be abandoned on Lot 5.

In terms of General Plan conformance, Housing Element Policy 1.5 states that the City shall ensure that the development permitted in the creation of land divisions results in an orderly and compatible development pattern, within the subdivision and in relation to its surroundings; provides for quality site planning and design; and provides for quality structural design. Abandoning the unnecessary easement area does not affect the established development pattern in the area and allows for more uniform site planning on the subject property as allowed by the zoning code.

## **ENVIRONMENTAL REVIEW**

This project is categorically exempt from environmental review under Section 15305 of the Environmental Quality Act because it involves a minor alteration to a land use limitation. The project will partially remove easements that encumbers the subject parcel.

## **PUBLIC NOTICE**

The City placed a public hearing advertisement in the *Town Crier* on January 3, 2018, and mailed notices to all property owners within 500 feet of the subject property. The applicant posted a notice on-site.

Attachments:

- A. Application
- B. Area, Vicinity and Notification Map
- C. Tract No. 3096
- D. Public Utility Correspondence

## FINDINGS

17-SD-03—860 Renetta Court

1. Regarding environmental review, the Planning Commission find that the proposed easement abandonments as shown on the plans received on November 29, 2017 are categorically exempt from environmental review under Class 5 (Minor Alteration in a Land Use Limitation), Section 15305 of the California Environmental Quality Act (CEQA) Guidelines.
2. Regarding abandoning public utility and wire clearance easements as shown on plans received on November 29, 2017, the Planning Commission finds the following pursuant to Streets and Highways Code Section 8313 and Government Code Section 65402, that:
  - a. It is in the best public interest because abandoning the easements removes an unnecessary land use constraint;
  - b. The easements are unnecessary for present or prospective public use;
  - c. The project is consistent with the City's General Plan Housing Element Policy 1.5 because abandoning the unnecessary easement areas do not affect the established development pattern in the area and allows for more uniform site planning as allowed by the zoning code.

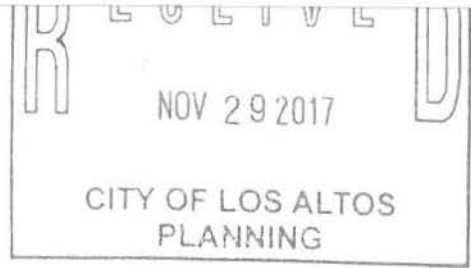
## CONDITIONS

17-SD-03—860 Renetta Court

1. The applicant agrees to indemnify, defend, protect, and hold City harmless from all costs and expenses, including attorney's fees, incurred by the City or held to be the liability of City in connection with the City's defense of its actions in any proceeding brought in any State or Federal Court, challenging any of the City's action with respect to the applicant's project.
  
2. The applicant shall work with the City to abandon the public utility and wire clearance easements on Lot 5 of Tract No. 3096 as shown on the plans dated November 29, 2017 in a form approved by the City Attorney and City Engineer. The applicant shall provide a sufficient fee retainer to cover the cost of reviewing and recording all necessary documentation to achieve the abandonment.



# ATTACHMENT A



## CITY OF LOS ALTOS GENERAL APPLICATION

Type of Review Requested: *(Check all boxes that apply)*

Permit # 1108030

<input type="checkbox"/> One-Story Design Review	<input type="checkbox"/> Commercial/Multi-Family	<input type="checkbox"/> Environmental Review
<input type="checkbox"/> Two-Story Design Review	<input type="checkbox"/> Sign Permit	<input type="checkbox"/> Rezoning
<input type="checkbox"/> Variance	<input type="checkbox"/> Use Permit	<input type="checkbox"/> R1-S Overlay
<input type="checkbox"/> Lot Line Adjustment	<input type="checkbox"/> Tenant Improvement	<input type="checkbox"/> General Plan/Code Amendment
<input type="checkbox"/> Tentative Map/Division of Land	<input type="checkbox"/> Sidewalk Display Permit	<input type="checkbox"/> Appeal
<input type="checkbox"/> Historical Review	<input type="checkbox"/> Preliminary Project Review	<input checked="" type="checkbox"/> Other: <u>Abandonment of Easement</u>

Project Address/Location: 860 Renetta Ct, Los Altos, CA 94024

Project Proposal/Use: \_\_\_\_\_ Current Use of Property: \_\_\_\_\_

Assessor Parcel Number(s): 336-03-013 Site Area: 10,107 SF

New Sq. Ft.: \_\_\_\_\_ Altered/Rebuilt Sq. Ft.: \_\_\_\_\_ Existing Sq. Ft. to Remain: \_\_\_\_\_

Total Existing Sq. Ft.: 2,270 SF Total Proposed Sq. Ft. (including basement): \_\_\_\_\_

Is the site fully accessible for City Staff inspection? Yes

Applicant's Name: Brett Taylor

Telephone No.: 650-464-2301 Email Address: brett.taylor@colliers.com

Mailing Address: 860 Renetta Ct

City/State/Zip Code: Los Altos, CA 94024

Property Owner's Name: Brett A Taylor & Aubrey A Taylor

Telephone No.: 650-464-2301 Email Address: brett.taylor@colliers.com

Mailing Address: 860 Renetta Ct

City/State/Zip Code: Los Altos, CA 94024

Architect/Designer's Name: \_\_\_\_\_

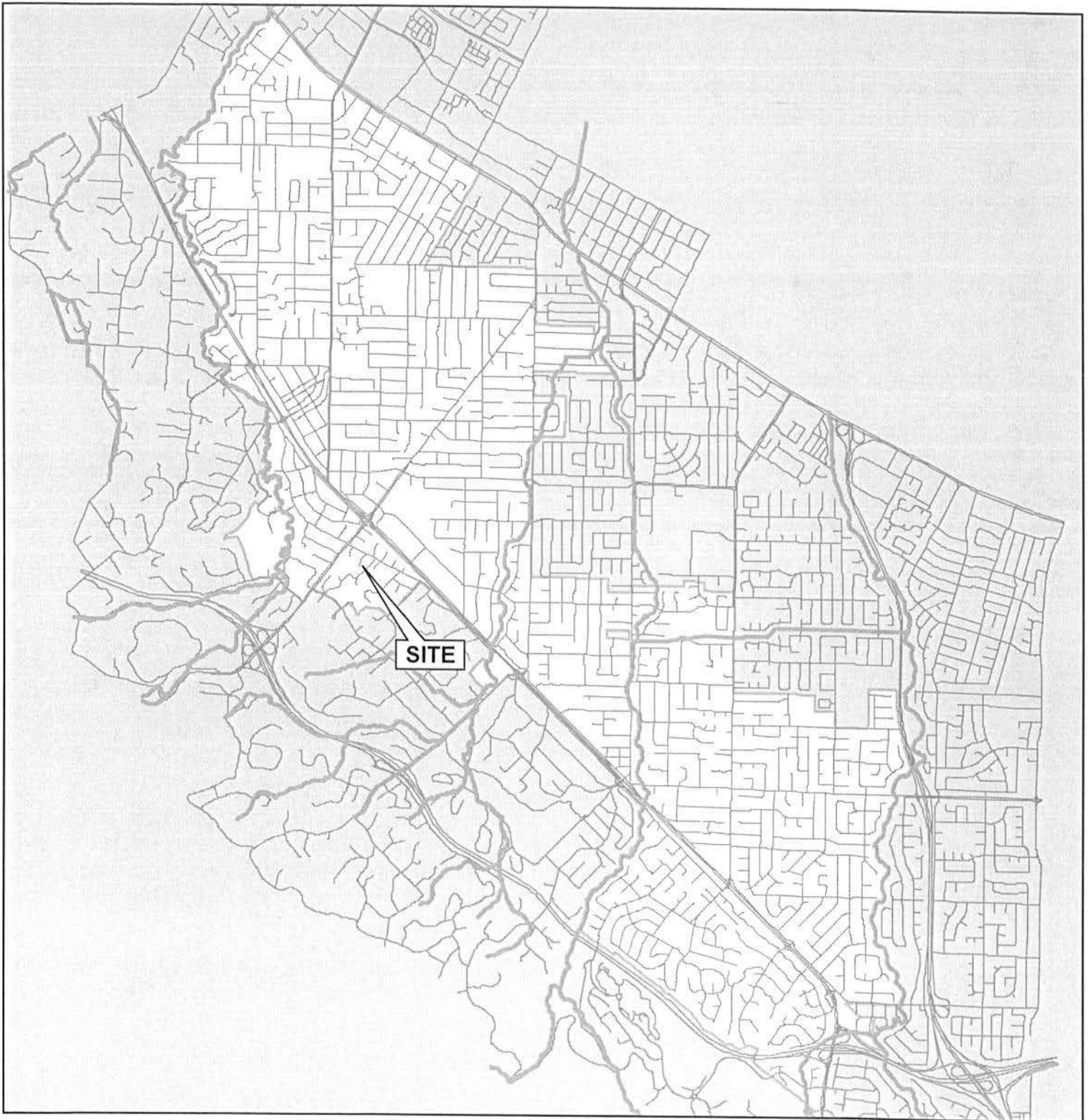
Telephone No.: \_\_\_\_\_ Email Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City/State/Zip Code: \_\_\_\_\_

*\* If your project includes complete or partial demolition of an existing residence or commercial building, a demolition permit must be issued and finalized prior to obtaining your building permit. Please contact the Building Division for a demolition package. \**

# AREA MAP



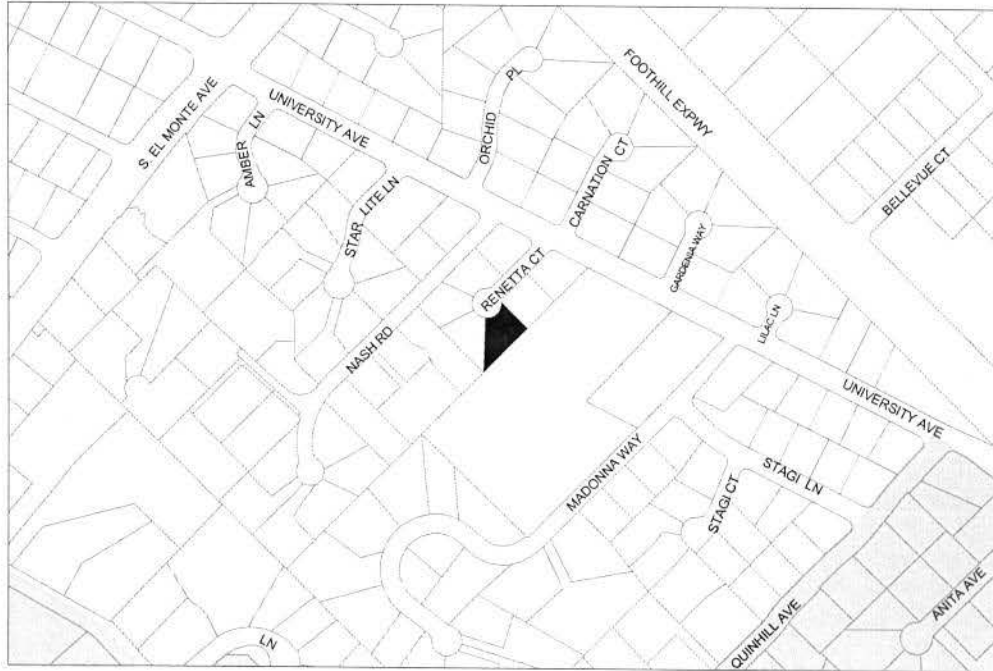
CITY OF LOS ALTOS

**APPLICATION:** 17-SD-03  
**APPLICANT:** B. Taylor/ B. Taylor and A. Taylor  
**SITE ADDRESS:** 860 Renetta Court

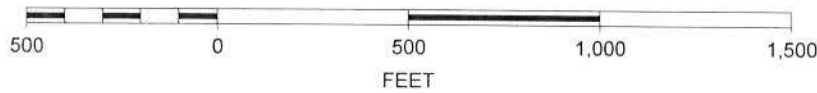


Not to Scale

# VICINITY MAP



SCALE 1 : 6,000

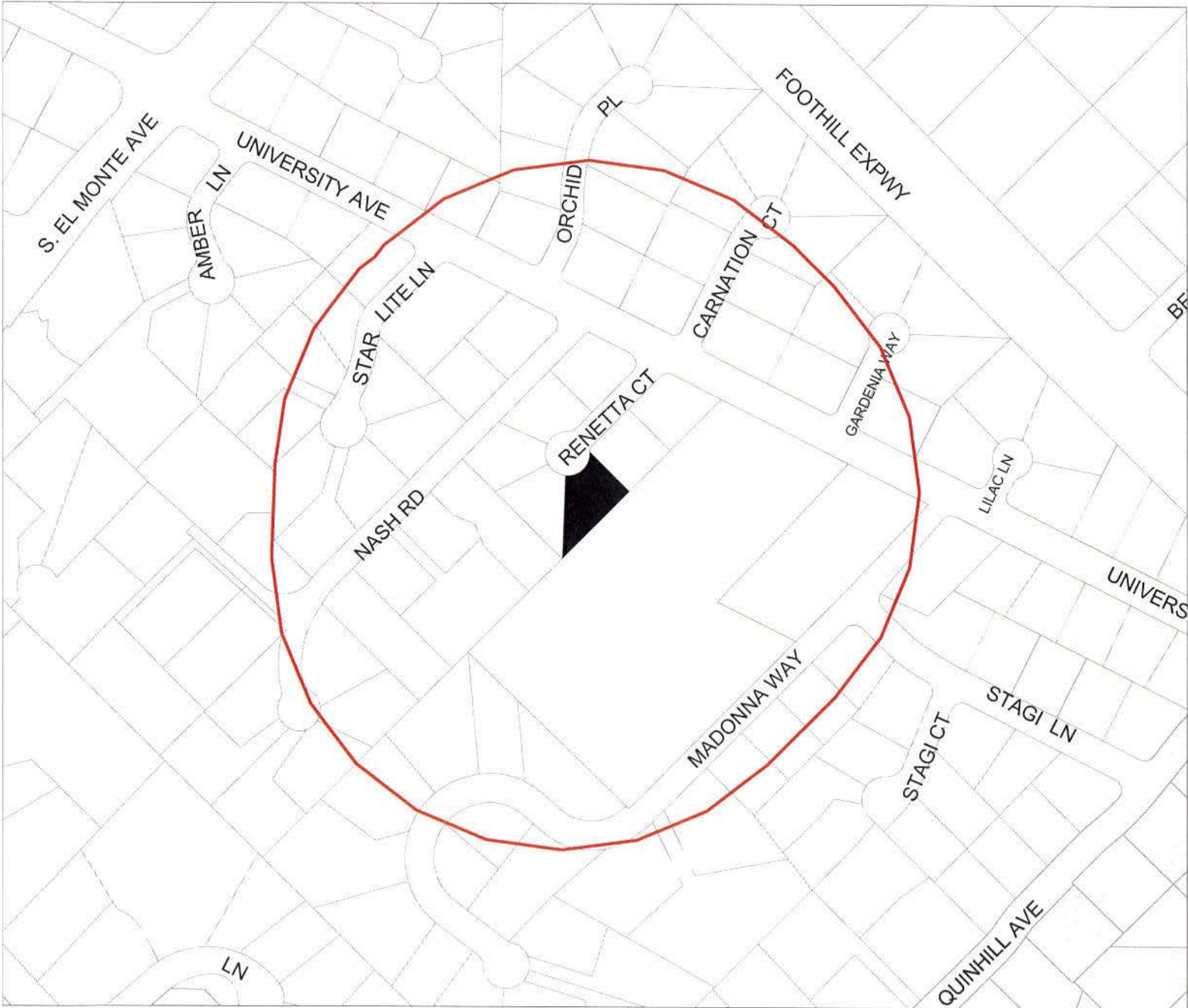


CITY OF LOS ALTOS

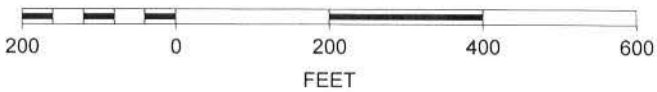
**APPLICATION:** 17-SD-03  
**APPLICANT:** B. Taylor/ B. Taylor and A. Taylor  
**SITE ADDRESS:** 860 Renetta Court

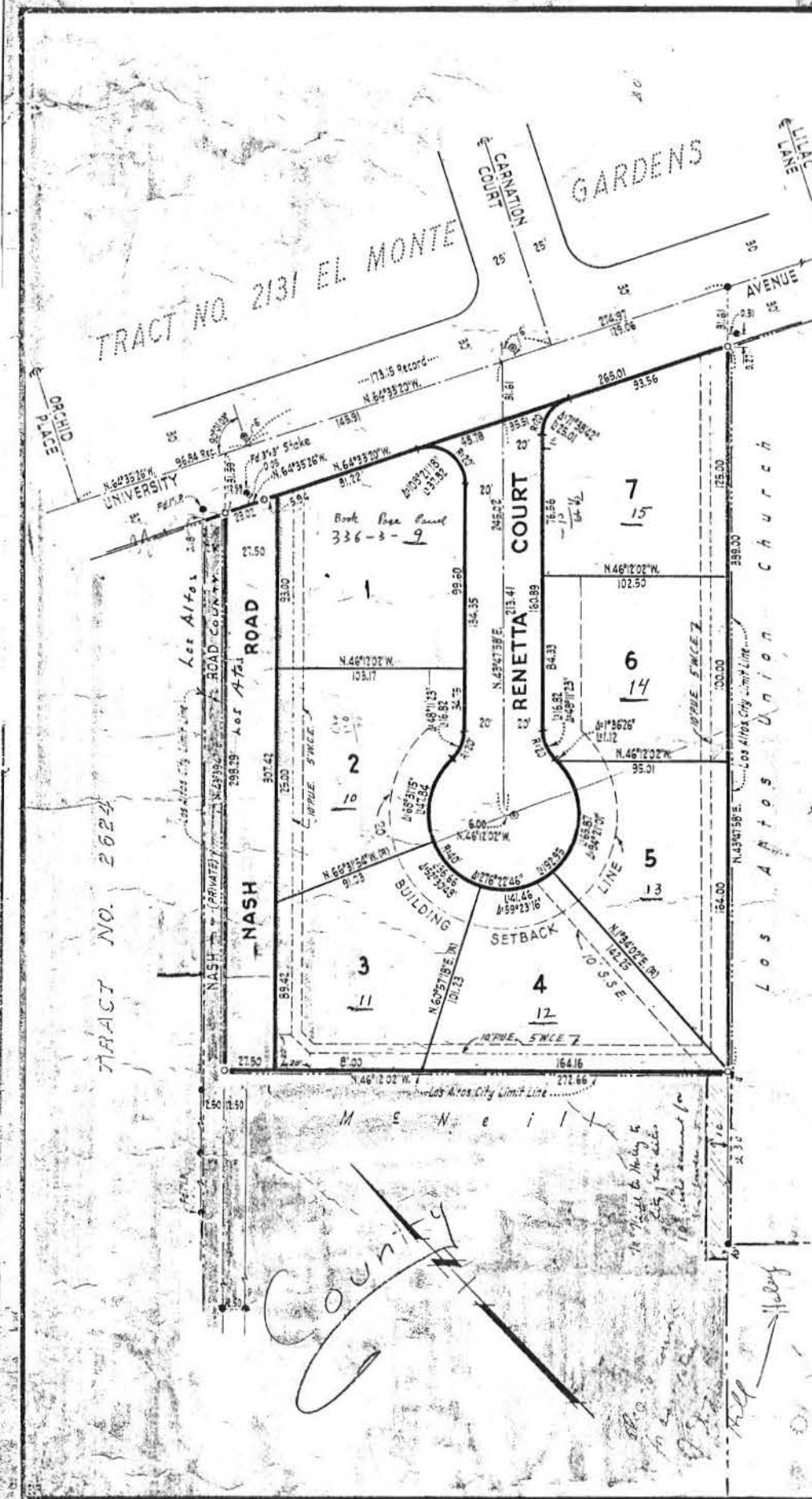


# 860 Renetta Court 500-foot Notification Map



SCALE 1 : 3,000





**CITY ENGINEER'S CERTIFICATE**

I hereby certify that I have examined the within final map of Tract No. 3096; that the subdivision as shown thereon is substantially the same as it appeared on the tentative map and any approved alterations thereof; that all provisions of the Subdivision Map Act and any local ordinance applicable at the time of issuance of the tentative map have been complied with and that I am satisfied that said map is technically correct.

CELESTINE D. H. SPENGLER  
*Spencer D. Spengler*  
 CITY ENGINEER

**CITY CLERK'S CERTIFICATE**

I hereby certify that this map, entitled "Tract No. 3096," was approved by the City Council of the City of Los Altos at its meeting held on the 10<sup>th</sup> day of April, 1962 and that said Council at said meeting, did accept on behalf of the public all easements and other parcels of land offered for dedication in conformity with the offer of dedication except that all streets and portions of streets were hereby not accepted.

JOHN W. R. ADAMS  
*John W. R. Adams*  
 CITY CLERK AND RECORDS CLERK FOR THE CITY COUNCIL, CITY OF LOS ALTOS, CALIF.

**COUNTY RECORDER'S CERTIFICATE**

File No. 2186740 Ref. 5-00  
 Accepted for record and recorded in Book 146 of Maps at page 32 in the office of the County Recorder of Santa Clara County, California, this 2<sup>nd</sup> day of May, 1962 at 02 minutes past 3 o'clock P.M.

PAUL R. TEILH, County Recorder  
*Paul R. Teilh*  
 Deputy Recorder

**BASIS OF BEARINGS**

The bearing, N 64° 33' 20" W, of the centerline of University Avenue as shown on that certain map entitled "Tract No. 2131 El Monte Gardens," recorded in Book 98 of Maps at pages 37, 38 and 39, Santa Clara County Records, was taken as the basis of bearings shown on this map.

**NOTES AND LEGEND**

The blue border line indicates the boundary of land subdivided by this map. All distances and dimensions are given in feet and decimals thereof.

- Indicates 3/4" Iron Pipe monument set.
- Indicates 3/4" Iron Pipe found. (Unless noted otherwise)
- ⊙ Indicates Los Altos City Monument found.
- ⊗ Indicates Los Altos City Monument set.
- Iron Pipe set at all lot corners.

**CIVIL ENGINEER'S CERTIFICATE**

I, George S. Nolte, hereby certify that I am a Registered Civil Engineer of the State of California; that this map, consisting of one sheet, correctly represents a survey made under my supervision during the month of October, 1961; that the survey is true and complete as shown; that all the monuments shown thereon actually exist or will be placed on or before Feb. 1, 1963, and their positions are correctly shown and that said monuments are sufficient to enable the survey to be retraced.

Dated April 13, 1962

GEORGE S. NOLTE, Civil Engineer  
*George S. Nolte*  
 CERT. NO. 7885

**OWNER'S CERTIFICATE**

We hereby certify that we are the owners of, or have some right, title or interest in and to the fee simple undivided interest the subdivision shown on this map and we are the only persons whose consent is necessary to pass a clear title to said property and we consent to the making of said map and subdivision as shown within the blue border lines and we hereby dedicate to public use all streets and portions of streets as shown on said map within said subdivision.

We also hereby dedicate to public use easements for public utilities under, and over, those certain strips of land designated as "P.U.E." (Public Utility Easement), and easements for wire clearance purposes only over those certain areas delineated and designated as "W.C.E." (Wire Clearance Easement). Public Utility Easements to be kept open and free from buildings and structures of any kind exceeding utility company structures and lawful fences. Wire Clearance Easements to be limited to buildings, structures and appurtenances having a maximum height of fifteen feet above the grade of the ground line of poles.

We also hereby relinquish to the public forever all rights of ingress and egress over and across the southeasterly line of Nash Road, to and from lots 1, 2 and 3, and indicated on said map within said subdivision thusly: \_\_\_\_\_ We hereby grant to public use an easement for sanitary sewer purpose for sanitary sewers under that certain strip of land designated "S.S.E." (Sanitary Sewer Easement).

PAUL R. RUBENDALL, INC., a corporation, Owner:

*Paul R. Rubendall* PRESIDENT  
*Frances J. Rubendall* SECRETARY-TREASURER

VALLEY TITLE COMPANY OF SANTA CLARA COUNTY, a corporation Trustee

*Francis J. Westlund* VICE-PRESIDENT  
*Francis J. Westlund* ASSOC. SECRETARY-TREASURER

STATE OF CALIFORNIA } S.S.  
 COUNTY OF SANTA CLARA }

On this 13<sup>th</sup> day of April, 1962 before me, James J. Roemer, a Notary Public in and for said State and County, residing therein, duly commissioned and sworn, personally appeared Paul R. Rubendall and Frances J. Rubendall, known to me to be the President and Secretary-Treasurer, respectively, of Paul R. Rubendall, Inc., the corporation that executed the within instrument and known to me to be the persons who executed it on behalf of said corporation and they acknowledged to me that such corporation executed the same as Owner. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

My Commission Expires  
 7 April, 1965

*James J. Roemer*  
 NOTARY PUBLIC

STATE OF CALIFORNIA } S.S.  
 COUNTY OF SANTA CLARA }

On this 19<sup>th</sup> day of April, 1962 before me, Carol Ann Stewart, a Notary Public in and for said State and County, residing therein, duly commissioned and sworn, personally appeared Carol Ann Stewart and Shale Westlund, known to me to be the Vice President and Secretary-Treasurer, respectively, of Valley Title Company of Santa Clara County—the corporation that executed the within instrument and known to me to be the persons who executed it on behalf of said corporation and they acknowledged to me that such corporation executed the same as Trustee. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

My Commission Expires  
 4/21/64

*Carol Ann Stewart*  
 Carol Ann Stewart, NOTARY PUBLIC

**TRACT NO. 3096**

BEING A PORTION OF LOT 7, HALE RANCH SUBDIVISION  
 WITHIN THE CITY OF

**LOS ALTOS, CALIFORNIA.**

SCALE: 1"=50'

OCTOBER, 1961.

**GEORGE S. NOLTE**  
 CIVIL ENGINEER—LAND SURVEYOR  
 PALO ALTO—SANTA CLARA—WALNUT CREEK—SAN RAFAEL.

Tr 30 3096-1

# ATTACHMENT D



**Pacific Gas and  
Electric Company**

Land Surveying & Engineering Support

111 Almaden Boulevard,  
Room 814  
San Jose, CA 95113

October 6, 2016

Brett Taylor  
860 Renetta Court  
Los Altos, CA 94024

RE: Partial Abandonment of the 10' wide P.U.E. (Public Utility Easement) and Abandonment of the 5' wide W.C.E. (Wire Clearance Easement) dedicated within Lot 5 as shown on the Tract Map recorded May 3, 1962 in Book 146 of Maps at Page 32, Santa Clara County Records.  
Location: 860 Renetta Court, Los Altos CA 94024  
APN: 336-03-013; PG&E file: Y17-AB-10

Dear Mr. Taylor:

PG&E has no objection to the abandonment of the entire aforementioned W.C.E. within Lot 5. PG&E has no objection to the partial abandonment of the aforementioned P.U.E. beginning in the southwest corner of Lot 5, and extending to within 20' of the existing anchor located in the northeast corner of said Lot 5.

Please keep all excavations at least 20' away from the existing anchor located within the P.U.E.

If you have any questions concerning this matter, please contact me at the return mailing address, (408) 282-7347, or DAN9@pge.com.

Sincerely,

A handwritten signature in cursive script that reads 'David Neal'.

David Neal  
Lead Land Technician



## CALIFORNIA WATER SERVICE

Los Altos District 949 B Street  
Los Altos, CA 94024 Tel: (650) 917-0152

11/27/17

Brett Taylor  
860 Renetta Court  
Los Altos, Ca 94024

RE: PUE abandonment at 860 Renetta Court APN 336-03-013

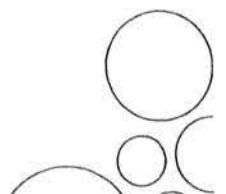
Dear Mr. Taylor,

California Water Service does not object to the abandonment of the entire 10' easement with in the property at 860 Renetta Ct, Los Altos CA 94024, APN: 336-03-013. California Water Service does not have any facilities within the easement and does not object to any excavations of area.

If you have any questions regarding this issue, I can be reached directly at 650-917-0152.

Sincerely,

Scott Povio  
California Water Service  
Los Altos Suburban District





870 N. McCarthy Blvd, Suite 100  
Milpitas, CA 95035

August 31, 2017

Brett Taylor  
860 Renetta Court  
Los Atos, CA 94024

Re: Partial abandonment of a 10' (PUE) Public Utility Easement and 5' wide Wire Clearance Easement (WCE). Both easements were dedicated within lot 5 as shown on Map entitled "Tract No. 3096" which was recorded May 3, 1962 in Book 146 of Maps at Page 32. County of Santa Clara.

**860 Renetta Court, Los Altos APN# 336-03-013**

Dear Mr. Taylor,

Engineering has determined that the proposed Swimming Pool Construction will not compromise our existing facilities. Therefore, AT&T California does not have an objection to the requested partial abandonment.

"AT&T has no objection to the abandonment of the P.U.E. and W.C.E. beginning in the rear southwestern corner of the yard of Lot 5, and extending to within 20' of the existing anchor located in the northeast corner of the yard."

Please keep all excavations at least 20' away from existing anchors that extend into the PUE.

If you have any questions please feel free to contact me.

Sincerely,

A handwritten signature in black ink that reads "Bruno Czech".

Bruno Czech  
Right of Way & PWC Manager  
AT&T California  
(408) 635-8881



1900 South Tenth Street  
San Jose, CA 95112

September 12, 2017

Brett Taylor  
Colliers International  
2570 W El Camino Real Ste 222  
Mountain View, CA. 94040

**Subject: Vacation of Easement beginning at the southwest corner of the yard at lot 5 and extending to within 20' of the existing anchor located in the northeast corner of the yard at 860 Renetta Ct. Los Altos. CA.**

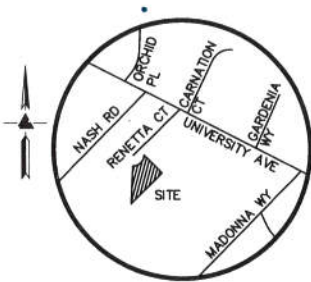
Dear Mr. Taylor,

Comcast has reviewed the attached application for the vacation and has the following:

- No objection to the vacation.
- No objection to the vacation, but with the following reservation: We may on occasion need access to maintain our equipment.
- Objects to the proposed vacation for the following reasons:

Please contact me at (831) 246-2262 or [Michael\\_shults@cable.comcast.com](mailto:Michael_shults@cable.comcast.com) for any questions or concerns regarding our comments for this project.

**Michael Shults**  
Construction Specialist



VICINITY MAP  
NO SCALE

**NOTES**

ALL DISTANCES AND DIMENSIONS ARE IN FEET AND DECIMALS OF A FOOT.  
UNDERGROUND UTILITY LOCATION IS BASED ON SURFACE EVIDENCE.  
BUILDING FOOTPRINTS ARE SHOWN AT GROUND LEVEL.  
FINISH FLOOR ELEVATIONS ARE TAKEN AT DOOR THRESHOLD (EXTERIOR)

**EASEMENT NOTE**

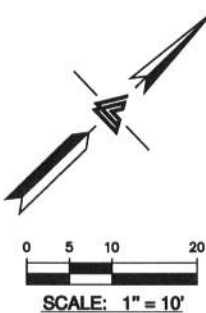
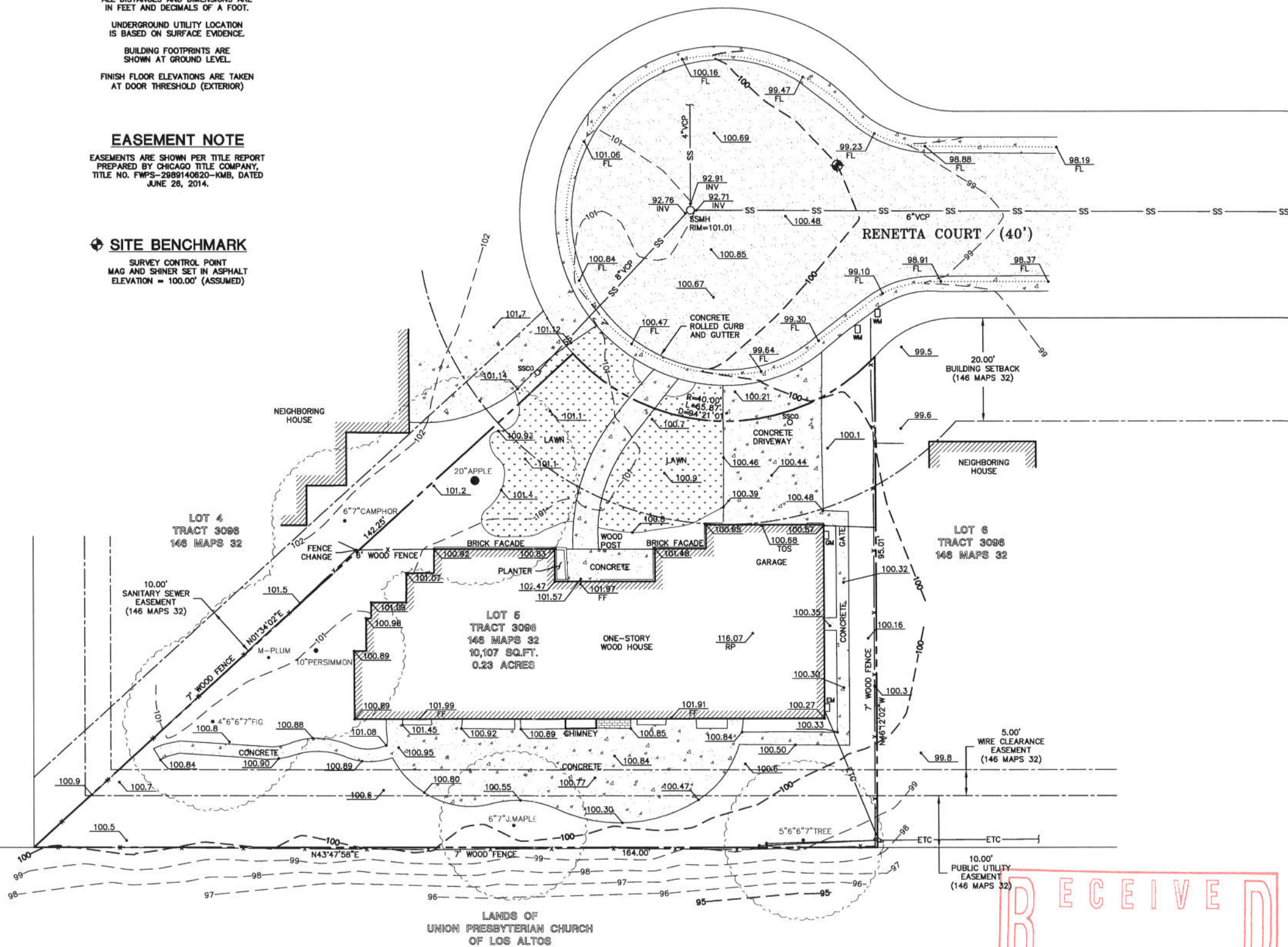
EASEMENTS ARE SHOWN PER TITLE REPORT PREPARED BY CHICAGO TITLE COMPANY, TITLE NO. FWPS-2989140620-KMB, DATED JUNE 26, 2014.

**SITE BENCHMARK**

SURVEY CONTROL POINT  
MAG AND SHINER SET IN ASPHALT  
ELEVATION = 100.00' (ASSUMED)

**LEGEND AND NOTES**

- BOUNDARY LINE
- ETC
- x- FENCE LINE
- FLOW LINE
- SS SANITARY SEWER LINE
- FF FINISH FLOOR
- FL FLOW LINE
- INV INVERT
- J.MAPLE JAPANESE MAPLE
- M- MULTIPLE TRUNKS
- RP ROOF PEAK
- TOS TOP OF SLAB
- VCP VITRIFIED CLAY PIPE
- EM ELECTRICAL METER
- GM GAS METER
- GUY ANCHOR
- JOINT POLE
- SSCO SANITARY SEWER CLEAN-OUT
- SSMH SANITARY SEWER MANHOLE
- WM WATER METER
- BENCHMARK
- SPOTGRADE
- ASPHALT
- BRICK
- CONCRETE
- LAWN
- TREE: TYPE AND SIZE AS NOTED



**LEA & BRAZE ENGINEERING, INC.**  
CIVIL ENGINEERS • LAND SURVEYORS  
BAY AREA REGION  
2465 INDUSTRIAL BLVD. WEST  
ROSELAND, CA 94668  
(P) (510) 887-4088 (F) (916) 986-1338  
(F) (510) 887-3019 (F) (916) 797-7353  
WWW.LEABRAZE.COM

860 RENETTA COURT  
LOS ALTOS, CALIFORNIA

APN: 336-03-013

SANTA CLARA COUNTY

TOPOGRAPHIC SURVEY

**RECEIVED**  
NOV 29 2017  
CITY OF LOS ALTOS  
PLANNING

REVISIONS	BY
JOB NO: 2150855	
DATE: 11-10-15	
SCALE: 1" = 10'	
DRAWN BY: JN	
SHEET NO:	

