

RESOLUTION NO. 2019-02

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
APPROVING AND AUTHORIZING EXECUTION OF A QUITCLAIM DEED
FOR THE FALLOUT SHELTER EASEMENT AT 270 SURREY PLACE**

WHEREAS, Stephen G. Moore, the former owner of that certain parcel of real property known by Assessor's Parcel No. 167-31-032, commonly referred to as 270 Surrey Place, Los Altos, California ("Property"), granted the City of Los Altos ("City") an easement for construction, reconstruction, maintenance, replacement, operation and use of a fallout shelter ("Easement") pursuant to that certain DEED, dated January 25, 1966, which was recorded on February 17, 1966 in book 7277, page 385-387, of the Official Records of the Santa Clara County Recorder's Office; and

WHEREAS, the fallout shelter was constructed in 1962; and

WHEREAS, in 1966, the City accepted the Easement pursuant to Resolution No. 1034; and

WHEREAS, due to non-use and the deterioration of the shelter and its equipment, on October 11, 1994, the City Council determined to abandon the fallout shelter and directed City Staff to permanently close and remove the fallout shelter; and

WHEREAS, on February 16, 1999, the City Council adopted Resolution No. 99-4, accepting completion of fallout shelter closure project (Project 1998-5) and authorized recordation of a Notice of Completion, however, no further steps were taken to eliminate the Easement; and

WHEREAS, the fallout shelter has been closed for at least 19 years and there are no other public facilities located within the Easement; and

WHEREAS, a quitclaim deed for the Easement has been presented to the City Council, a copy of which is attached hereto as Exhibit A.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos as follows:

1. That said quitclaim deed of the Easement, substantially in the form attached hereto as Exhibit A, is approved.
2. That the City Manager is hereby authorized and directed to execute said quitclaim deed to the property owners described therein, with such changes as may be approved by the City Attorney.

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 22nd day of January 2019 by the following vote:

AYES: BRUINS, ENANDER, FLIGOR, LEE ENG, PEPPER
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE


Lynette Lee Eng, MAYOR

Attest:


Jon Maginot, CMC, CITY CLERK

EXHIBIT A

RECORDING REQUESTED BY:

**When Recorded Mail Document
and Tax Statement To:**

Attn: City Manager
City of Los Altos
1 North San Antonio Road
Los Altos, CA 94022

No recordation fee required per
Government Code Section 27383

APN: **167-31-032**

SPACE ABOVE THIS LINE FOR RECORDER'S USE

EASEMENT QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, **City of Los Altos, a municipal corporation**

hereby remises, releases and forever quitclaims to **Edouard A. Garcia and Diana V. Garcia, husband and wife as joint tenants**

all rights, title and interest in that certain easement for construction, reconstruction, maintenance, replacement, operation and use of a fallout shelter under, on, or over the following described real property in the **City of Los Altos**, County of **Santa Clara**, State of **California**, as conveyed to the City of Los Altos in that certain DEED, dated JANUARY 25, 1966, and recorded on February 17, 1966 in book 7277, page 385-387, of the Official Records of the Santa Clara County Recorder's Office more fully described in EXHIBIT "A" and depicted in EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

[signatures on following page]

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

City of Los Altos

X _____

By: Christopher A. Jordan

Its: City Manager, City of Los Altos

STATE OF CALIFORNIA)
COUNTY OF)

On _____, 2019 before me,
_____, Notary Public,
personally appeared

_____, who
proved to me on the basis of satisfactory evidence to be the
person(s) whose name(s) is/are subscribed to the within
instrument and acknowledged to me that he/she/they executed
the same in his/her/their authorized capacity(ies), and that by
his/her/their signature(s) on the instrument the person(s), or the
entity upon behalf of which the person(s) acted, executed the
instrument.

I certify under PENALTY OF PERJURY under the laws of the State
of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____

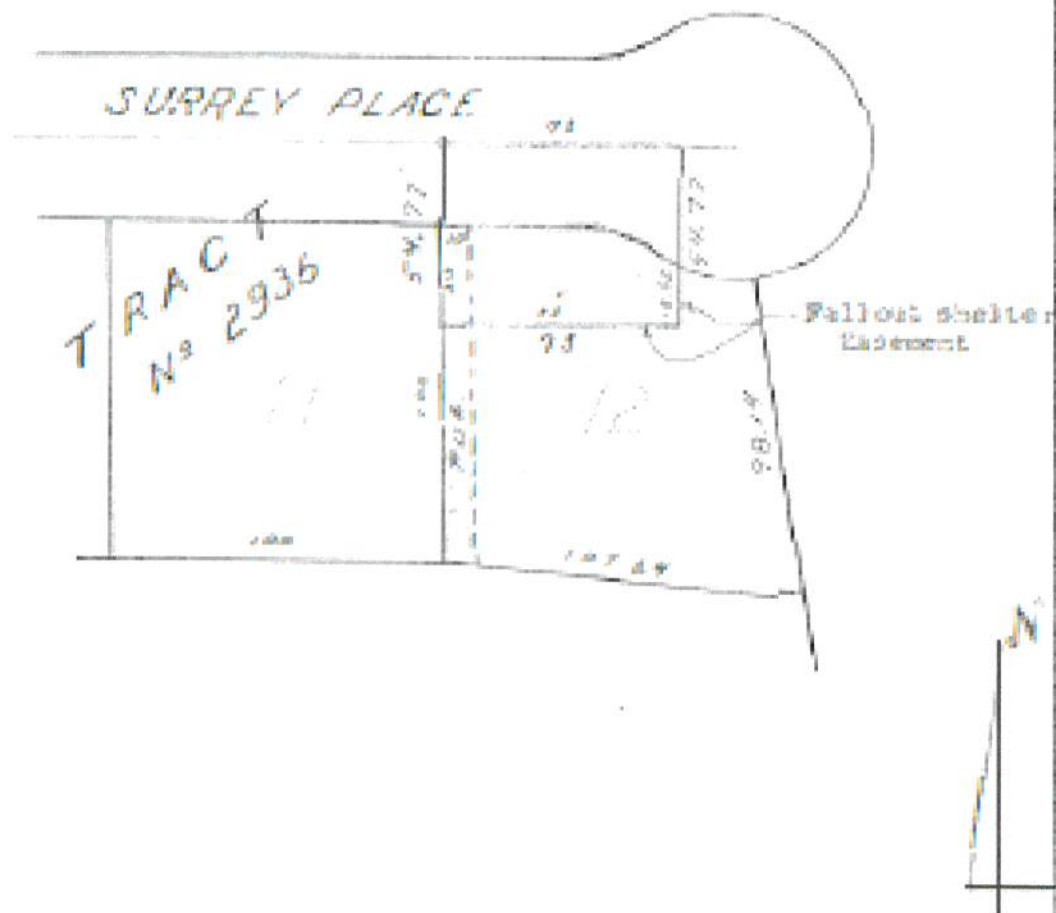
EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF LOS ALTOS, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

BEGINNING at the point of intersection of the center line of Surrey Place with the Northerly prolongation of the Westerly line of Lot 12, as said center line and westerly line are shown upon the Map hereinafter referred to; running thence along the Northerly prolongation of said Westerly line and along the Westerly line of said Lot 12, S. $0^{\circ} 03'$ E. 54.77 feet; thence running at right angles to said Westerly line, N. $89^{\circ} 57'$ E. 73.00 feet; thence running N. $0^{\circ} 03'$ W. and parallel to said Westerly line of Lot 12, 54.77 feet to the point of intersection thereof with said center line of Surrey Place; running thence along said last named line, S. $89^{\circ} 57'$ W. 73.00 feet to the point of beginning, and being a portion of Lot 12, and a portion of Surrey Place, as said Lot and Place are shown upon the Map * of Tract No. 2936 Windsor Square, which said Map was filed for record in the office of the Recorder of the County of Santa Clara, State of California, on May 18, 1961 in Book 133 of Maps, at page 2, Santa Clara County Records,

together with a right-of-way on, along and in the hereinbefore described real property.

EXHIBIT "B"



ENGINEERING DEPT.
CITY OF LOS ALTOS
SANTA CLARA COUNTY, CALIFORNIA

Public Utility Statement
for Ballant Sholder

2014-08-01	2014-08-01
2014-08-01	2014-08-01
2014-08-01	2014-08-01
2014-08-01	2014-08-01