



# APPLICATION FOR VACATION OF EXCESS RIGHT-OF-WAY OR EASEMENT ABANDONMENT

Print Form  
Revised 6/2017

Public Works Department 70 N. First Street, Campbell, CA 95008 Ph: (408) 866-2150 Fx: (408) 376-0958

APPLICANT:

Address:  Telephone:

City, State:  Zip Code:

Project Address:

Description of Property to be Vacated:

Reason for Requesting Vacation of Excess Right of Way or Easement Abandonment:

PRELIMINARY STAFF REVIEW OF APPLICATION: Staff shall notify applicant of the appropriateness of the application within 30 days of submittal. Only those applications which are found appropriate will be processed.

Following a preliminary staff review and determination that the request for vacation or abandonment is appropriate, all of the following items must be submitted for processing to be considered a complete application:

1. Processing Fee - receipt must be submitted to the Public Works Department.
2. Utility Clearance Letters - See "**Submittal Requirements**" on attachment.
3. Legal Description and Plat of Area to be Vacated - prepared and signed by a licensed Land Surveyor or Civil Engineer; see "**Submittal Requirements**" on attachment.
4. Proof of Ownership - see "**Submittal Requirements**" on attachment.
5. Lot Line Adjustment Requirements - For vacation of excess right-of-way projects submit a lot line adjustment application. See lot line adjustment application for submittal requirements.

AFFIDAVIT/SIGNATURE(S):

The undersigned person(s), having an interest in the above-described property, hereby make this Application in accordance with the provisions of the Campbell Municipal Code; and hereby certify that the information given herein is true and correct to the best of my/our knowledge and belief.

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

### OFFICE USE ONLY

Completeness Letter: \_\_\_\_\_

Fee Paid: \_\_\_\_\_

Legal Description Submitted: \_\_\_\_\_

Proof of Ownership Submitted: \_\_\_\_\_

Receipt No. \_\_\_\_\_

Final Action \_\_\_\_\_



## VACATION OF EXCESS RIGHT-OF-WAY OR EASEMENT ABANDONMENT

Revised 3/08

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### APPLICANT

1. All submittals and fees shall be made to the Public Works Department.
2. A representative reviews the submittal for the required information and completeness.
3. The applicant will be notified after the Vacation submittal has been checked. The applicant shall cause corrections and revisions to be made, and resubmit the application for verification. If no corrections are required, the original may be submitted for approval.
4. Applicant must notify all utility companies of Vacation and obtain written approval (i.e. Clearance Letters). See sample letter to be sent to utility companies.
5. All submittals must be completed and acceptable to the City Engineer prior to City Council approval.
6. Staff schedules the vacation/abandonment for City Council approval. (Resolution must be recorded)
7. Once City Council approves vacation the actual transfer of property is completed by a quitclaim deed, prepared by the City.
8. If applicable, the applicant must submit a Lot Line Adjustment (LLA) application, required documents, and fees to merge the lots (see Lot Line Adjustment requirements).
9. The Vacation documents (quitclaim deed, legal description & plat) and LLA will be sent to the Santa Clara County Recorder's Office for recordation.

### SUBMITTAL REQUIREMENTS

Prior to submittal of an application, the applicant shall contact the Engineering and Planning Divisions to verify that the vacation will not violate any City requirements. The following items must be included in the original submittal package.

1. Utility clearance letters
2. The original application completed and signed by the owner.
2. Three (3) original copies of the legal description and plat completed and signed by a qualified Registered Civil Engineer or Land Surveyor. The Plat must comply with the Plat Map Requirements below.
3. For vacation of excess right-of-way: a separate map showing structures, walls, fences and trees located adjacent to the adjusted lot line(s), sufficient to determine the location of these facilities with respect to the new lot line(s). Structures adjacent to the adjusted lot line(s) must be shown so that setback requirements can be verified.
4. Two (2) copies of the title reports for all parcels current within 6 months.
5. Two (2) copies of the Grant Deed for the owner's adjacent property.
6. Two (2) copies of all referenced maps and documents used for the description and plat map.
7. Two (2) copies of closure/area calculations to verify all descriptions. Indicate degree of accuracy.
8. Vacation of Public Streets and Easements processing fee.
9. Submittal of LLA requirements if submitting vacation of excess right-of-way.
10. Any other information deemed reasonable and necessary by the City Engineer or Community Development Director.

## **LEGAL DESCRIPTION AND PLAT MAP REQUIREMENTS**

The Street Vacation/Easement Abandonment plat shall be drawn in a manner acceptable to the City Engineer and County of Santa Clara for recording. All sheets shall be on 8 1/2" x 11" sheets. The plat shall include:

1. All bearings and distances appropriate for the description and clarity.
2. Dedication/vacation area, in square feet, to be indicated on plat and legal description.
3. For dedications/vacations, remainder area/new area of parcel, in square feet, to be indicated on plat.
4. Existing designations such as number, subdivision number and the subdivision recording date.
5. All existing and proposed easements for public and private purposes.
6. Abutting lot recording information.
7. Identify abutting streets, alleys, centerlines, right-of-way, and widths.
8. Identify the basis of bearings on plat and legal description (provide record map/document).
9. Legal description and closure calculations to read clockwise.
10. North arrow and scale.
11. Legal description shall be titled "Exhibit A, Legal Description".
12. Vicinity map, if necessary.
13. Wet stamped and signed Engineer/Surveyor seal on legal description and plat.
14. Other pertinent information needed for clarity. (City plan check may ask for further information.)

# UTILITY CLEARANCE LETTER OF REQUEST (SAMPLE)

Engineering Firm/Owner's Name  
123 Address Street  
Your City, CA Zip Code  
Phone Number

Date:

## A LETTER SHOULD BE SENT TO EACH OF THE FOLLOWING OFFICES\*

San Jose Water Company  
1265 S. Bascom Avenue  
San Jose, CA 95128  
(408) 279-7874  
Email: [jim.bariteau@sjwater.com](mailto:jim.bariteau@sjwater.com)  
Fax: (408) 279-7889

Pacific Gas and Electric Company  
111 Almaden Blvd., Room 814  
San Jose, CA 95115  
Land Department  
David Neal, Lead Land Tech.  
(408) 282-7347/Fax: (408) 282-7118

West Valley Sanitation District  
100 E. Sunnyoaks Avenue  
Campbell, CA 95008  
(408) 378-2407  
Alan Kam, PE (408) 385-3030

Comcast Regional Construction  
1900 South Tenth Street  
San Jose, CA 95112  
(408) 918-3256 Cell (831) 246-2262  
[Michael\\_Shults@cable.comcast.com](mailto:Michael_Shults@cable.comcast.com)

AT&T  
Bruno Czech, Right of Way Mgr. & PWC  
870 N. McCarthy Blvd., Suite 100  
Milpitas, CA 95035  
(408) 635-8881  
Fax: (408) 945-1247

**\* NOTE: Call each office to ensure letter is directed to appropriate department or personnel.**

Subject: Street Address - Consent for (Street Vacation / Easement Abandonment)  
Assessor's Parcel Number \_\_\_\_\_

Dear \_\_\_\_\_:

As the owner of the property located at \_\_\_\_\_, I am applying to the City of Campbell for the  
Vacation of \_\_\_\_\_ Street/Road/Avenue/Blvd, located between \_\_\_\_\_ Street/Road/  
Avenue/Blvd.  
Easement abandonment of an existing (PSE/PUE) located on the property.

The City has conducted a preliminary review and supports the (*street vacation/easement abandonment*). One of the requirements of the City's application is the written consent of your company to (*vacate the street right-of-way/abandon the easement*). That consent may be conditional if an easement is to be retained. If an exclusive easement is to be retained or reserved, please indicate so that a separate instrument may be executed to your behalf prior to vacation of the right-of-way or reserved on the vacation documents.

Attached for your convenience are the following:

- Assessor's Map for Parcel Number XXX-XX-XXX
- Parcel/Tract Map
- Plat of the property showing the easement/right-of-way to be vacated
- Legal description of the easement or right-of-way.

I can be reached at (408) XXX-XXXX if you should have any questions or comments.

Sincerely,

Owner/Engineer/Surveyor

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