RESOLUTION NO. 2024-37

RESOLUTION OF THE BOARD OF SUPERVISORS OF SAN BERNARDINO COUNTY SUMMARY VACATION OF EXCESS ROAD RIGHT OF WAY ON SAHARA ROAD, IN THE PINION HILLS AREA.

On Tuesday April 9, 2024, on motion of Supervisor Hagman, duly seconded by Supervisor Baca, Jr. and carried, the following resolution is adopted by the Board of Supervisors of San Bernardino County, State of California.

WHEREAS, easements for public road purposes known as Sahara Road were granted to the County pursuant to the offer of dedication to the County per Parcel Map 4063, PMB 40/80-40, recorded July 12, 1978, and by Tract 10838, MB 157/73-74, recorded May 7, 1981; and

WHEREAS, Sahara Road lying south of Phelan Road and north of Warbler Road in the Pinion Hills area, adjacent to Assessor Parcel Numbers 3066-261-10, 3066-251-18, and 3066-251-06; and

WHEREAS, the owner of Assessor Parcel Numbers 3066-261-10, 3066-251-18, together with the owner of 3066-251-06, the Phelan Pinon Hills Community Services District and Gary Van Dam respectively (Applicant), have submitted to the Department of Public Works (Department) a request to vacate said Sahara Road; and

WHEREAS, based on the above recitals, Sahara Road lying coincident with said parcels, are excess public road right-of-way, is not necessary for current or future public use and may be vacated pursuant to Streets and Highways Code section 8334(a); and

WHEREAS, the vacation serves a public purpose by eliminating and clearing the public records of unnecessary public road rights-of-way that have not been accepted by the general public, and by eliminating an unnecessary title encumbrance.

NOW THEREFORE, BE IT RESOLVED that the Board of Supervisors of San Bernardino County, State of California, makes the following findings and determinations:

(1) All the recitals contained hereinabove are true and correct.

(2) Sahara Road, described in Exhibit "A" Legal Description and shown in Exhibit "B" Vacation/Abandonment Plat attached hereto and made a part hereof, are hereby declared excess public road right-of-way that are not necessary for present or prospective public use.

(3) The vacation of excess public road right-of-way serves a public purpose by eliminating and clearing the public records of unnecessary public road rights-of-way that have not been accepted by the general public, and by eliminating an unnecessary title encumbrance.

(4) The vacation of the excess right-of-way is hereby made pursuant to Section 8334(a) of the Streets and Highways Code of the State of California.

(5) The vacation of the excess highway right-of-way is consistent with the County's General Plan.

BE IT FURTHER RESOLVED, pursuant to section 892 of said Streets and Highways Code, the impassable public road rights-of-way are not needed for non-motorized transportation facility; and

BE IT FURTHER RESOLVED, pursuant to section 8335 of said Streets and Highways Code, the impassable public road rights-of-way heretofore existing shall no longer constitute a street or highway from and after the date this resolution is recorded; and

BE IT FURTHER RESOLVED, pursuant to section 8336 of said Streets and Highways Code, the Clerk of this Board of Supervisors is hereby directed to cause a certified copy of this resolution, under the seal of this Board, be delivered to the Department of Public Works to be recorded in the official records of the County by the San Bernardino County Recorder (Recorder); and

BE IT FURTHER RESOLVED, pursuant to sections 8340 and 8341 of said Streets and Highways Code, relating to the reservation and exception of easements and right-of-way in a proceeding to vacate a street or highway, an easement and right at any time or from time to time, to maintain, operate, replace, renew, or remove the existing in-place public utility facility, said easement being described as follows: Any existing utility easement is reserved for the use and benefit of the below listed existing in-place public utility facilities:

Existing in-place public utility facility and operator:
Power - Southern California Edison

PASSED AND ADOPTED by the Board of Supervisors of San Bernardino County, State of California, by the following vote:

AYES: SUPERVISORS: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

NOES: SUPERVISORS: None

ABSENT: SUPERVISORS: None

* * * * *

STATE OF CALIFORNIA)
) ss.
SAN BERNARDINO COUNTY)

I, **LYNNA MONELL**, Clerk of the Board of Supervisors of San Bernardino County, State of California, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by the Board of Supervisors, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of April 9, 2024. #42 CCM

LYNNA MONELL
Clerk of the Board of Supervisors

By _____
Deputy

BOARD OF SUPERVISORS
COUNTY OF SAN BERNARDINO
SAN BERNARDINO COUNTY, CA