

PLUMAS COUNTY DEPARTMENT OF PUBLIC WORKS

1834 East Main Street, Quincy, CA 95971 – Telephone (530) 283-6268 Facsimile (530) 283-6323
John Mannle, P.E., Director Joe Blackwell, Deputy Director Robert Thorman, P.E., Assistant Director



VACATION (ABANDONMENT) PROCEDURE

Vacation (Abandonment) has historically been used to describe the process used to vacate public interest in an existing road right of way or utility easement. The following vacation procedure serves to vacate or abandon Plumas County rights of way (public road(s), public utility easements, public service easements, drainage easements, etc.) based on the standards set forth in Streets and Highways Code Sections §8300-8363 (1).

1. Contact the Plumas County Department of Public Works (PCPW), 1834 E. Main St., Quincy, CA 95971, with a written request for vacation. The Vacation (Abandonment) request must include an 8 ½" x 11" plat, including the following:
 - A clear depiction of the proposed Vacation (Abandonment) and surrounding area within 100 feet, including structures, utilities and road names.
 - Vicinity map
 - North arrow
 - Accurate scale, using engineering scaling.
2. The Vacation (Abandonment) request will be presented to the Development Review Committee (DRC) that includes representatives from the Public Works Department and Planning Department for initial review and comments.
3. PCPW will provide a written response within 30 calendar days to this request indicating support or opposition. If the proposal is supported by PCPW the following items will be required along with the "PCPW Project Information Form" as a part of a complete application:
 - A. Utility Letters (Electric, Telephone, Internet, Water, Sewer, Cable, Etc.):
Letters will be required from all utility companies stating that they have no objection to the abandonment or must describe the area that they wish to retain.
 - B. Legal Description & Plat
The legal description and plat (map) shall be submitted describing the proposed project and in agreement with areas to be retained by utility companies. The legal and plat shall be prepared and stamped by either a California registered Land Surveyor or Civil Engineer (licensed prior to RCE No. 33965) and should be ready for recording upon submittal. Plats shall be drawn on an 8 ½" x 11" sheet with North arrow and accurate scale.
 - C. Petition
A completed "PETITION FOR VACATION OF PUBLIC HIGHWAY" or "PETITION FOR VACATION OF PUBLIC UTILITY EASEMENT" with a copy of the legal description (per item "B" above) placed on page one (as shown on attached example) and on page two original signatures and address information of ten freeholders (owners of 10 different properties) for vacation of public highway or five freeholders (owners of five different properties) for easement vacation. Pursuant to Streets and Highways Code Section §8321 (1): in order to vacate public highway at least two of the required ten petitioners (freeholders) shall be residents of the road district in which some or part of the street or highway proposed to be vacated is situated and shall be taxable therein for the street or

highway purposes; in order to vacate a public utility or public service easement at least one of the required five petitioners (freeholders) shall be resident of the township in which the public service easement proposed to be vacated is situated.

D. Fees

Applications submitted to PCPW will be reviewed and billed on an hourly basis; an initial deposit will be required at time of submittal in order to begin the process. The application deposit is \$500.00, final billing will be based on an hourly rate \$107.72 (*per current fee schedule as listed in Plumas County Resolution No. 23-8849*). Prior to recording of the legal description, any outstanding fees owed to Plumas County shall be paid in full.

Further information regarding current hourly fees and deposits are found on the Plumas County Public Works Department website under the Development Review Fees (<https://plumascounty.us/2311/Permits-and-Fees>). Planning fees will be billed on an hourly basis, as listed under “Planner’s Hourly Rate” on the Planning & Building Services Fee Schedule. Further information regarding Planning fees is located on the Plumas County Planning Department website under the Fee Schedule (<https://plumascounty.us/127/Fee-Schedule---Zoning---PRA---Handouts--->).

1) Billing:

- a) PCPW will send monthly statements during the processing of this application.
- b) If the applicant makes no forward action for the duration of one calendar year, this application will be closed and a final statement will be sent to applicant showing any outstanding fees owed.

E. Appraisal Costs

Any costs associated with procuring an appraisal of the subject property shall be the sole burden of the applicant.

F. Preliminary Title Report

PCPW reserves the right to request the applicant to obtain a Preliminary Title Report at any point between the initial submittal of the Vacation (Abandonment) request and prior to finalization of the project. *The Preliminary Title Report must be no greater than six (6) months old at time of submittal to PCPW.*

4. Once a completed application has been received by PCPW, it will, within 30 calendar days, be reviewed for completeness and to confirm the signatures on the petition are property owners within Plumas County and the petition complies with the Streets and Highways Code Sections §8300-8363¹. Upon review of the application for completeness and compliance with current laws and regulations, PCPW will submit a report, including the original application, to the Plumas County Planning Department for review by the Zoning Administrator. The Zoning Administrator is responsible to review the Vacation (Abandonment) application and comments from PCPW for conformity with the County’s adopted General Plan or part thereof (Plumas County Code Sec. 2-4.503(b) and California Government Code Sec. 65402).
5. If the Zoning Administrator determines the Vacation (Abandonment) proposal is in conformance with the adopted General Plan or part thereof, said findings along with the PCPW file recommendations, and original application will be sent to the Board of Supervisors (Board) for two actions:
 - A. The first action shall be the Board’s adoption of a Resolution of Intent (ROI) to consider the Vacation (Abandonment), and through the ROI, the Board would take action to set a public hearing date of not less than fifteen (15) days after the date of adoption of the ROI.
 - B. The second action shall be the public hearing before the Board that will occur on the date established by the adopted ROI. The public hearing will be an item set for a specific time and location. At the conclusion of the public hearing, if approval is recommended, the Board will adopt a Resolution vacating the street, highway or easement and cause it to be recorded. Recording fees (per Plumas County Clerk Recorder Fee Schedule) are the sole burden and responsibility of the applicant.

Typically, the public hearing process through the Board of Supervisors is completed within 120 to 160 calendar days after the application is deemed complete by PCPW.

If you have any questions regarding this application or its proceedings, please contact the Plumas County Public Works Department at (530) 283-6268.

Citations:

1. Streets and Highways Code: Part 3 Public Streets, Highways, and Service Easements
Vacation Law §8330-8363
https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?division=9.&chapter=4.&part=3.&lawCode=SHC&article=1. (Link can also be found on the Plumas County Public Works homepage under Permits and Fees)
2. Plumas County Code: Sec. 2-4.503(b) “Responsibility. “*Responsibility.* Pursuant to the provisions of Section 11509 of the Business and Professions Code of the State and Sections 65401, 65402, and 65900 of the Government Code of the State, the Zoning Administrator shall be responsible for the administration of the portions of this Code as provided by this section.”
https://library.municode.com/ca/plumas_county/codes/code_of_ordinances?nodeId=TIT2AD_CH4OFDE_ART5PLDEAG_S2-4.503ZOAD
3. Government Code of the State of California: ARTICLE 7. Administration of General Plan
65402:http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=65402.&lawCode=GOV

Attachments:

1. PCPW Project Information Form
2. “PETITION FOR VACATION OF PUBLIC HIGHWAY”
3. “PETITION FOR VACATION OF PUBLIC HIGHWAY – SIGNATURES”
4. “PETITION FOR VACATION OF PUBLIC SERVICE EASEMENT”
5. “PETITION FOR VACATION OF PUBLIC SERVICE EASEMENT – SIGNATURES”
6. Example of Utility Letter
7. Example of Legal Description
8. Example of Plat/Map

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Project No. _____
 Office Use Only _____

Project Information

Applicant Name:	Assessor's Parcel Number:
Address:	Telephone:
Email:	Fax:
Owner's Name:	Telephone:
Address:	Preferred Contact:

Property Information

Name of Proposed Project (if any)	Site Size (square feet / acres)
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Location of Project			
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Zoning:	General Plan	Existing Land Use	Proposed Land Use
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Existing Structures (square feet)	Proposed Structures (square feet)
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Project Description

Full Description of Proposed Project and purpose (attach sheets as necessary):			

Owner Certification

I certify that I am presently the legal owner or the authorized agent of the owner of the above-described property. Further, I acknowledge the filing of this application and certify that all of the above information is true and accurate. (If an agent is to be authorized, execute an affidavit of authorization and include affidavit with this application.)

Signature: _____ Date: _____

PETITION FOR VACATION OF PUBLIC HIGHWAY

TO THE HONORABLE BOARD OF SUPERVISORS
COUNTY OF PLUMAS

DATE: _____, 20____

Dear Board Members:

The Undersigned, being ten or more freeholders, at least two of whom are residents of the Road District in which some part of the highway affect is situated; and who are taxable therein for highway purposes, do hereby petition your Honorable Board of Supervisors in writing, in accordance with provisions of Section §8321 of the Streets and Highway Code of the State of California, to VACATE the following-described PUBLIC HIGHWAY _____ of the COUNTY OF PLUMAS.

INSERT LEGAL DESCRIPTION HERE

EXAMPLE

PETITION FOR VACATION OF PUBLIC HIGHWAY - SIGNATURES

Print Name: _____ Address: _____

Signature: _____ City: _____ State: _____ Zip: _____ Date: _____

Print Name: _____ Address: _____

Signature: _____ City: _____ State: _____ Zip: _____ Date: _____

Print Name: _____ Address: _____

Signature: _____ City: _____ State: _____ Zip: _____ Date: _____

Print Name: _____ Address: _____

Signature: _____ City: _____ State: _____ Zip: _____ Date: _____

Print Name: _____ Address: _____

Signature: _____ City: _____ State: _____ Zip: _____ Date: _____

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Print Name: _____ Address: _____

Signature: _____ City: _____ State: _____ Zip: _____ Date: _____

Print Name: _____ Address: _____

Signature: _____ City: _____ State: _____ Zip: _____ Date: _____

Print Name: _____ Address: _____

Signature: _____ City: _____ State: _____ Zip: _____ Date: _____

Print Name: _____ Address: _____

Signature: _____ City: _____ State: _____ Zip: _____ Date: _____

PETITION FOR VACATION OF PUBLIC SERVICE EASEMENT

TO THE HONORABLE BOARD OF SUPERVISORS
COUNTY OF PLUMAS

DATE: _____, 20____

Dear Board Members:

The Undersigned, being five or more freeholders, at least two of whom is a resident of the township in which the easement proposed to be abandoned is situated; do hereby petition your Honorable Board of Supervisors in writing, in accordance with provisions of Section §8321 of the Streets and Highway Code of the State of California, to VACATE the following-described PUBLIC SERVICE EASEMENT of the COUNTY OF PLUMAS.

INSERT LEGAL DESCRIPTION HERE

EXAMPLE

PETITION FOR VACATION OF PUBLIC SERVICE EASEMENT - SIGNATURES

Print Name: _____ Address: _____

Signature: _____ City: _____ State: _____ Zip: _____ Date: _____

Print Name: _____ Address: _____

Signature: _____ City: _____ State: _____ Zip: _____ Date: _____

Print Name: _____ Address: _____

Signature: _____ City: _____ State: _____ Zip: _____ Date: _____

Print Name: _____ Address: _____

Signature: _____ City: _____ State: _____ Zip: _____ Date: _____

Print Name: _____ Address: _____

Signature: _____ City: _____ State: _____ Zip: _____ Date: _____

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Print Name: _____ Address: _____

Signature: _____ City: _____ State: _____ Zip: _____ Date: _____

Print Name: _____ Address: _____

Signature: _____ City: _____ State: _____ Zip: _____ Date: _____

Print Name: _____ Address: _____

Signature: _____ City: _____ State: _____ Zip: _____ Date: _____

Print Name: _____ Address: _____

Signature: _____ City: _____ State: _____ Zip: _____ Date: _____

ATTACHMENT NO. 6

December 25, 2017

Pacific Gas & Electric Company
Land Management Division
Street Address
City, State Zip Code

Attn: _____, Land Agent

RE: Abandonment of describe proposed project here

Dear _____

We the below applicants are preparing an application to abandon a portion of the street/alley located in describe the location of the right of way or easement to be vacated (see attached copy of APN page and/or plat with street/alley highlighted).

In accordance with the Streets & Highway Code we are inquiring as to whether PG&E has any facilities in said street/alley or plan to place facilities in said street/alley. If you do have facilities or are planning on placing said facilities do you want the County to reserve a Public Utility Easement for your use. If you have no objection to these proceedings please respond in writing to confirm.

We look forward to your response and should any questions arise please feel free to contact me at _____ or email _____.

Sincerely,

Your Name

Enclosures
APN page
Plat (if applicable)

ATTACHMENT NO. 7

EXAMPLE OF LEGAL DESCRIPTION

EXHIBIT "A"

TRAVELED ROADWAY TO BE VACATED

A length of traveled roadway located in the South half of the Southeast quarter of Section 11, and the Northeast quarter of the Northeast quarter of Section 14, Township 23 North, Range 14 East, M.D.M. & M., Plumas County California, lying within the parcel of land described in the deed recorded at Document No. 2009-0006483 in the Plumas County Clerk-Recorder's office, more particularly described as follows

Commencing at the southwesterly most property corner of said lands;

Thence, N 89°16'06" E, +/-1213.2 feet along the Southerly property line of said lands, or to the center of the traveled roadway to be vacated, being the POINT OF BEGINNING;
Thence along the centerline of said traveled roadway the following nineteen courses:

Thence, N 41°33'14" W, a distance of 4.8 feet;
Thence, along a tangent curve to the right having a radius of 500.0 feet, an arc length of 24.8 feet, and a delta angle of 02°50'37";
Thence, N 38°42'37" W, a distance of 281.4 feet;
Thence, along a tangent curve to the left having a radius of 180.0 feet, an arc length of 154.6 feet, and a delta angle of 49°13'32";
Thence, along a reverse curve to the right having a radius of 150.0 feet, an arc length of 121.6 feet, and a delta angle of 46°25'44";
Thence, N 41°30'25" W, a distance of 175.9 feet;
Thence, along a tangent curve to the left having a radius of 600.0 feet, an arc length of 150.8 feet, and a delta angle of 14°24'09";
Thence, N 55°54'35" W, a distance of 139.7 feet;
Thence, along a tangent curve to the right having a radius of 600.0 feet, an arc length of 186.9 feet, and a delta angle of 17°50'52";
Thence, N 38°03'43" W, a distance of 331.0 feet;
Thence, along a tangent curve to the left having a radius of 100.0 feet, an arc length of 12.0 feet, and a delta angle of 06°54'02";
Thence, N 44°57'44" W, a distance of 74.8 feet;
Thence, along a tangent curve to the right having a radius of 100.0 feet, an arc length of 19.7 feet, and a delta angle of 11°16'12";
Thence, N 33°41'32" W, a distance of 260.5 feet;
Thence, along a tangent curve to the left having a radius of 500.0 feet, an arc length of 42.6 feet, and a delta angle of 04°52'52";
Thence, N 38°34'24" W, a distance of 388.6 feet;
Thence, along a tangent curve to the right having a radius of 100.0 feet, an arc length of 59.4 feet, and a delta angle of 34°02'46";
Thence, N 04°31'38" W, a distance of 102.9 feet;

Thence, along a tangent curve to the left having a radius of 420.0 feet, an arc length of 362.5 feet, and a delta angle of 49°27'18" to the north property line of said lands, or to the center of the traveled roadway to be vacated, also being the POINT OF TERMINATION.



ATTACHMENT NO. 8

EXAMPLE OF PLAT/MAP

