



County of Santa Cruz ⁶²¹

PLANNING DEPARTMENT

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ALVIN D. JAMES, DIRECTOR

AGENDA DATE: 2/23/99

February 8, 1999

BOARD OF SUPERVISORS

County of Santa Cruz
701 Ocean Street
Santa Cruz CA 95060

Subject: ADOPT A RESOLUTION AUTHORIZING VACATION OF THE COUNTY'S
INTEREST IN ROADS IN THE MOUNT HERMON PARK AREA INCLUDING:
SUMMIT ROAD, PINE AVENUE, PROSPECT AVENUE, FOREST ROAD, AND A
PORTION OF CONFERENCE DRIVE.

APPLICATION NUMBER: 96-054 1

APPLICANT: Kent Washburn for Mount Hermon Association

Members of the Board:

An application by Kent G. Washburn, attorney for Mount Hermon Association, with an accompanying petition from homeowners, has been submitted requesting that the County of Santa Cruz vacate any interest in the entirety of Pine Avenue, Summit Road, Forest Road, and Prospect Road; and Conference Drive from the eastern edge of the bridge over Zayante Road and Zayante Creek to the western edge of the landslide which blocks vehicular access from Mount Hermon to **Scotts** Valley via Conference Drive (Attachment 7).

The purpose of the request for the road abandonment is to enable the Mount Hermon Association to reclaim ownership of the Mount Hermon road system in its entirety with the exception of Conference Drive, which is proposed to be retained in the County road system **from** Graham Hill Road to the easternmost edge of the bridge over Zayante Road and Creek (Attachment 6). During the 1940's the County added a part of the Mount Hermon roads to the county road inventory under the Collier Bums Act of 1947 which established the County Road system.

An easement for a public right-of-way for pedestrian, equestrian and bicycle travel over all of the roads included in the abandonment is recommended and is incorporated into the proposed Resolution (Attachment 1). All public utility easements in the streets to be abandoned will survive abandonment as per Chapter 5, Article 1, Section 8340 of the Streets and Highways Code (Attachment 2). The

vacation of interest will not terminate access to any property in the greater Mount Hermon community. Should the County vacate its interest in the right-of-ways, the applicant would still be required to eliminate all private interest to the right-of-ways via the filing of quit claim deeds. 622

The proposal was reviewed by the Department of Public Works (Attachment 5), with the recommendation that if the County abandons interest in the roads, that the County maintain Conference Drive from Graham Hill Road up to Roaring Camp Road including the bridge. The County will also retain interest in the first 30 feet of roads connecting with Graham Hill Road in order to maintain safe traffic operations at these intersections. Public Works **further** recommends that access rights be granted over APN's 066-09 1-06 and 066-08 1-O 1 for bridge maintenance purposes.

The vacation of these right-of-ways requires Board action because the right-of-ways 'were dedicated for public use in Volume 16 of Maps Pages 1-4,6,10 surveyed between June 1906 and October 1908, recorded on June 22, 1950 at Parcel Map Book 778, Page 291, Official Records of Santa Cruz County. Staff has found no indication that this offer of dedication to the County was ever accepted.

Based on evidence presented, your Board must determine that the roads in question are unnecessary for present or prospective public use.

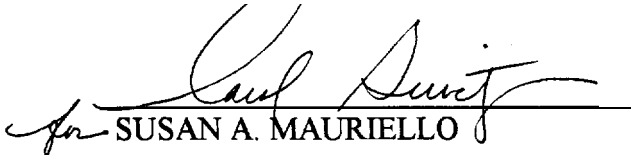
It is therefore, **RECOMMENDED**, that your Board adopt the attached Resolution authorizing the Vacation of any interest in the Right-of-Ways as described in Attachment 1.

Sincerely,



Alvin D. James
Planning Director

RECOMMENDED:



SUSAN A. MAURIELLO
County Administrative Officer

Attachments:

1. Resolution Authorizing Road Vacation
2. Excerpts **from** the Streets and Highways Code
3. Correspondence from Utility Providers
4. Correspondence from Kent Washburn, dated 12/23/97 & 7/27/98
5. Memo from John Presleigh, Public Works, dated 12/11/98
6. Letter from Mount Hermon President, Bernard **Denton**, dated 2/4/99
7. Location Map

cc: Fred Miller, Director of Business Services, PO Box 413, Mt Hermon, CA 95041
Kent G. Washburn, 33 1 Soquel Avenue, Suite 210, Santa Cruz, CA 95062.

ADJ/SAM/JVDH
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