

**NOTICE OF PUBLIC HEARING
CALIFORNIA CITY CITY COUNCIL
Tuesday, September 19, 2006
City Council Chambers
21000 Hacienda Blvd., California City 93505**

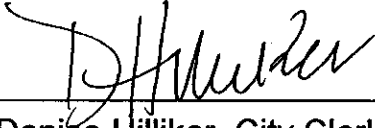
NOTICE IS HEREBY GIVEN that the City Council of the City of California City will hold a **PUBLIC HEARING** on Tuesday, September 19, 2006 for the following purpose:

Council to take public testimony regarding request to vacate an easement for Parcel A of Lot Line Adjustment 06-02; Lloyd Mason

ALL INTERESTED PARTIES are invited to attend and provide input to the City Council on the above-calendared matter.

Date: Tuesday, September 19, 2006
Location: Council Chambers City Hall, 21000 Hacienda Blvd.
Time: 6:00 p.m. or as soon thereafter as possible

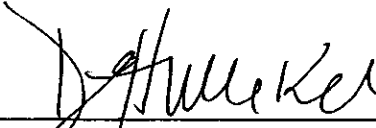
Dated: September 1, 2006



Denise Hilliker, City Clerk
City of California City

AFFIDAVIT OF POSTING AND PUBLICATION:

I, Denise Hilliker, City Clerk for the City of California City, do hereby attest that I caused this Notice of Public Hearing to be posted on all official City bulletin boards as required by statute, and affirm that it was published in an adjudicated newspaper of general circulation within the jurisdiction of this hearing (Mojave Desert News) on Thursday, September 7, 2006



Denise Hilliker, City Clerk
City of California City

**California City
City Council
Staff Report
9/12/06**

Status: X Routine _____ Closed Session

Meeting Date: 9/19/06

Item: Public Hearing for Access Easement Removal

Background: The City has received a letter from Ward Engineering for a 20' Access Easement Removal for Parcel A. Mr. Lloyd Mason is the owner of the property and recently was granted a lot line adjustment from the Planning Commission on May 23, 2006. The "Before" and "After" maps and letters supporting the removal of the access easement from surrounding property owners are included for your consideration.

Fees Paid: N/A

Hazardous Waste Site Notice: N/A

Title Report: N/A

Property Owner Notification: YES letters received from surrounding property owners.

Posting Completed: YES

Critical Time lines: N/A

Recommendation: Approve 20' Access Easement Removal.

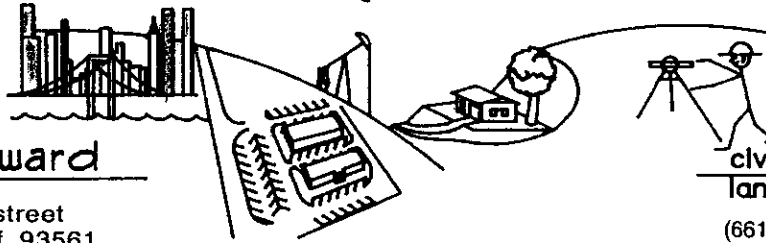
Council adopt: Required.

Fiscal Impact: N/A

Environmental Action: A Notice of Exemption was filed with the County Clerk.

PH 2.

In kern county since 1946



donald e ward

114 south mill street
tehachapi, calif. 93561

civil engineer RCE 29810
land surveyor LS 2883

(661) 822-7521 • fax 822-1711
email: wardengineering@bak.rr.com

June 29, 2006

City of California City
Attn: Rhonna Green
21000 Hacienda Blvd.
California City, CA 93505-2293

RE: Access easement removal for Parcel A of Lot Line Adjustment 06-02; Lloyd Mason

Dear Rhonna,

Included are the "Before" and "After" maps for the easement removal of Parcel A of Lot Line Adjustment 06-02. I faxed a copy of the maps to Katherine Efford so she will probably pick them up before the council meeting.

Thank You,

Leslie Martin

Donald E. Ward Civil Engineer and Land Surveyor

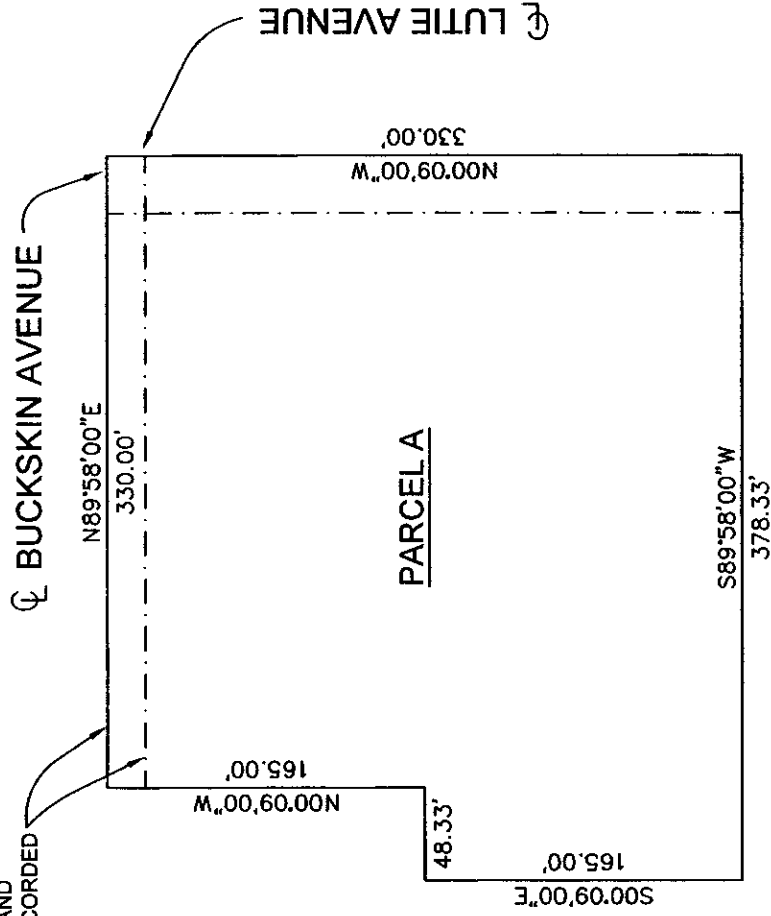
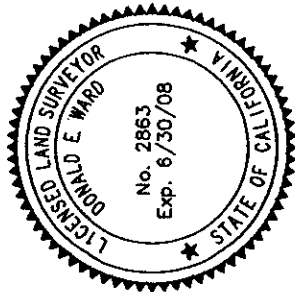
20' ACCESS EASEMENT REMOVAL

PARCEL A OF LOT LINE ADJUSTMENT 06-02

BEFORE

20' EASEMENT FOR INGRESS, EGRESS AND ROAD AND INCIDENTAL PURPOSES, RECORDED JUNE 24, 1980 IN BK. 5294, PG. 670, AS INSTRUMENT NO. 068279 O.R.

SCALE
1" = 100'

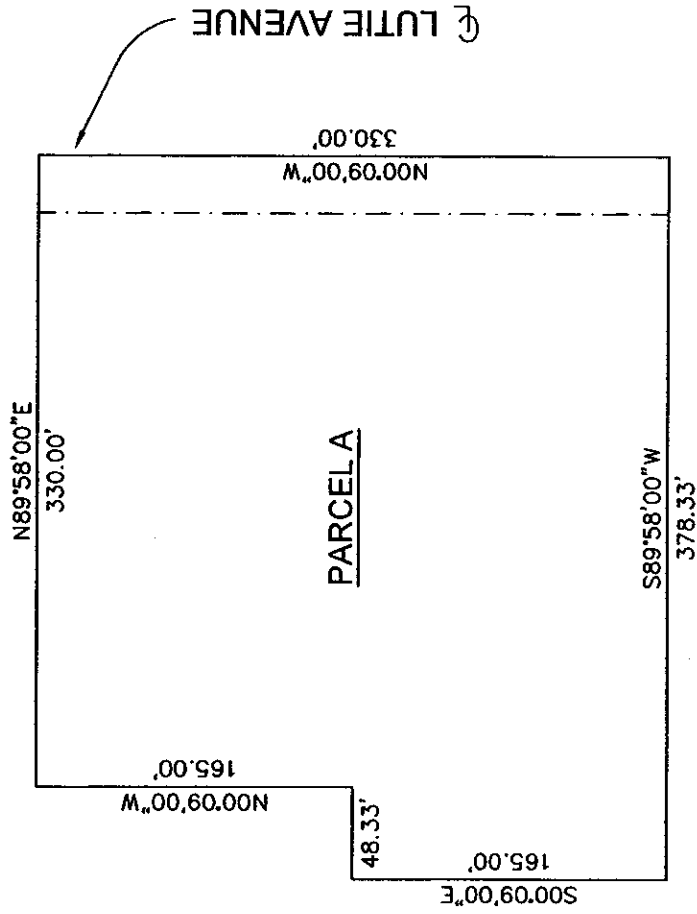


Donald E. Ward
DONALD E. WARD L.S. 2863 EXP. 6-30-08

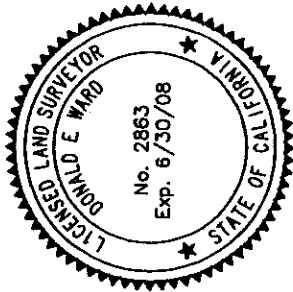
20' ACCESS EASEMENT REMOVAL

PARCEL A OF LOT LINE ADJUSTMENT 06-02

AFTER



SCALE
1" = 100'



Donald E. Ward

DONALD E. WARD L.S. 2863 EXP. 6-30-08

See map attached to Wayne & Ann Rosales letter.

Aug. 24, 2006

Lloyd & Odessa M. Mason
21315 Lutie Ave.
Calif. City, Ca. 92501

City of Calif. City Hall:

To Whom it may concern:

We are the owners of the parcel South of the 20' easement which was taken off the North side of our parcel in 1980 to give ingress & egress to the parcel behind Ours. We are asking the City to abandon this easement, as it is no longer needed for the purpose it was created for.

In 1990 Yano Street was created & recorded Feb. 27, 1990, in book 6350, Page 2455 O.R., Yano Street now fronts the Parcel behind Ours. The Persons that live on the parcel behind are using the easement to go in & out of his property with a 40' Semi truck, which is destroying the asphalt on Lutie Ave. Also there is excess dust & noise right by our new house we are building.

This easement came off our property and we are paying property tax on it, and we feel we should have the use of it, not as a road but as property extended by house.

We would appreciate it, if the City Board would grant the abandonment of this easement. - ~~Lloyd Mason~~
Thank you & Odessa M. Mason

Wayne & Ann Nosala
21411 Lutie Ave
California City, CA 93501
Tel: 760-373-7866

August 21, 2006

City of California City Hall

RE: Abetment of easement 20' located on enclosed map

To Whom It May Concern:

I would like to see the California City Planning Department abetment this to the new home owner of APN 225-052-13 & APN 225-052-14. These two properties are one acre parcels that were recently combined to create two acres.

Between the above parcel is south of the easement and my parcel APN 225-052-04-00 is north of the 20' easement.

This easement has no utilities located on it. The easement by all records is not a dedicated street. I have spent great amount of time researching this easement.

On June 12, 1980 the 20' easement was recorded, book 5294, page 670 recorded with the Kern County Recorder. The reason for this was to allow access to a property that at that time, 26 years ago did not have legal access to. This is not true today. California City has now a dedicated road Yano Street to this property. This information is as per Kern County Assessors Map number #225-05. Yano Street has water and power utilities located on it, making the 20' easement unnecessary.

Now there has been some confusion regarding this 20' easement. The easement is not "Buckskin Ave." Buckskin is 30' and located east of Lutie Ave. Buckskin Street is also at least 50' to the north of the 20' easement.

The easement is currently being used as street that is causing great damage to the asphalt on Lutie Ave. There is a large "pot hole" caused by a semi truck that uses the easement then makes a left turn on Lutie. The pot hole is about 4 feet wide and daily growing larger by the semi truck usage.

Best regards,


Wayne & Ann Nosala

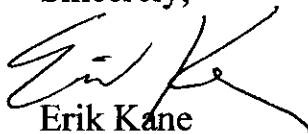
California City Council
21000 Hacienda Blvd.
California City, CA 93505

August 28, 2006

Dear Sir or Madam:

My name is Erik Kane and I live at 21322 Lutie Avenue. I am writing this letter on behalf of Mr. and Mrs. Lloyd Mason. They recently purchased a lot across the street from me at 21315 Lutie Ave. in Wonder Acres, a part of California City, and are currently building a house with the intention of living there. While the property was vacant, the owner of an adjacent property behind 21315 Lutie on Yano has been using the north portion of 21315 Lutie as a road for access to his property. This access road on Mr. and Mrs. Mason's property has been solely for the use of the house behind 21315 Lutie on Yano and has "no trespassing" signs posted at the end of the road on Mr. and Mrs. Mason's property. The use of this access road on the Mason's property is frequently used for the passage of a large 18-wheel truck that is causing excess wear and tare on Lutie Avenue that will eventually need repairs. The property on Yano has access other than through Mr. and Mrs. Mason's property and to me it makes sense that the Mason's should have full use of the property that they pay property taxes on. I believe that it would be fair to Mr. and Mrs. Mason that the access through their property to the house on Yano be ended now that they are building a house on the vacant property and plan to live there.

Sincerely,



Erik Kane

29 August 2006

To Whom It May Concern:

Please be advised that I have made numerous attempts to meet with Antonio and Arcelia Gonzalez in the past 35 days to discuss vacating the 20-foot easement at the front of Lutie that belongs to Lloyd Mason. Neither Mr. nor Mrs. Gonzalez have responded to this request, nor have they kept the appointments made with me to discuss the matter.

A handwritten signature in black ink that reads "Kathryn J. Efford". The signature is written in a cursive style with a large, looped initial 'K' and a distinct 'E' at the end.

KATHRYN J. EFFORD, Owner/Broker, Efford Realty

