



**DEPARTMENT OF PUBLIC WORKS
TUOLUMNE COUNTY SURVEYOR'S OFFICE**

PROCEDURE TO REQUEST THE VACATION OF A PUBLIC EASEMENT

An applicant seeking to abandon a public easement shall submit the prescribed county application and fee to the County Surveyor's Office (CSO). The County Surveyor's Office is responsible for coordinating the processing of the vacation application and presenting the request to the Board of Supervisors for consideration.

Types of public easements that may be vacated are easements for roads, utilities, drainage, etc.

Submittal Requirements

1. A completed application signed by the individuals requesting the vacation.
2. A Legal Description and Exhibit Map, 8 ½ x 11" in size, prepared by a licensed Land Surveyor, or an alternative description as approved by the County Surveyor.
 - The Legal Description and Exhibit Map shall clearly describe the easement area proposed to be vacated and shall include reference to the document that created the easement.
 - In the case of a road easement, the description shall include its lawful or official name or the name by which it is commonly known.
 - The Exhibit Map shall include the surveyed location of any improvements and/or encroachments lying in and within 20 feet of the easement area to be vacated.
3. If applicable, submit a letter of approval of the proposed easement vacation from each utility company with a right to use the easement. (i.e.: PG&E, AT&T, Cable Co., Water or Sewer District, etc.)
4. The fee for abandonment as listed in the current county fee schedule.

Review

The application is circulated to the applicable County Departments for their review of compliance with State & Federal Laws and Local Ordinances. The departments will provide their recommendations as to denial or approval of the request to the CSO.

If the vacation meets the criteria for a Summary Vacation, a date is scheduled with the Board Clerk for the vacation to be considered by the Board of Supervisors.

In the case of a General Vacation, a date for public hearing will be scheduled and notice published by the Board Clerk. Fees for publishing will be the responsibility of the applicant.

The application information and staff findings are presented to the Board of Supervisors County Surveyor on the scheduled date. If a public hearing, any interested party will have the opportunity to speak in favor of or in opposition to the vacation. The Board of Supervisors will consider the information and testimony presented. The Board is not mandated by law to approve vacations of public easements and has the option to deny the request.

Note: When the easement proposed for vacation is to be relocated, a Dedication of Public Easement Form with a Legal Description and Exhibit Map, 8 ½ x 11" in size, prepared by a licensed Land Surveyor describing the new location, is required. The Easement Dedication Form shall be signed in front of a Notary Public by all owners of the subject property including Deed of Trust holders. The Form shall be submitted to the County Surveyor with the fee for Easement Dedication, prior to the Board Clerk scheduling the public hearing.

Questions may be directed to the Tuolumne County Surveyor's Office at (209) 533-5626.