

## DEPARTMENT of PUBLIC WORKS

County of Lassen



PETE HEIMBIGNER, Director  
Public Works/Road/Transportation

707 Nevada Street, Suite 4  
Susanville, CA 96130

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FAX: (530) 251-2675

November 17, 2023

TO: Board of Supervisors  
Agenda Date: November 28, 2023

FROM: Department of Public Works

SUBJECT: Resolution of Intention to Abandon/Vacate a Segment of Laurel Way and Palm Way

### ACTION REQUESTED

- 1) Consider abandoning/vacating a portion of Laurel Way and Palm Way.
- 2) Adopt Resolution No. 23- \_\_\_\_\_ "Resolution of Intention to Abandon/Vacate a portion of Laurel and Palm Way.

### DISCUSSION

Brian and Annie Peck, property owners, located in close adjacent to the undeveloped part of Laurel Way and Palm Way has requested that the County abandon/vacate a segment of Laurel Way that accesses several parcels (through APNs 077-344-19 and 077-343-24) and a segment of Palm Way that accesses several parcels (through APNs 077-343-23 and 077-343-24).

The proposed abandonment/vacation of Laurel Way would be 0.037 miles extending from the intersection of Palm Way to approximately 195 ft east of the intersection of Laurel Way and Palm Way. The proposed abandonment/vacation Palm Way would be 0.042 miles extending from the intersection of Laurel Way to the intersection of Laurel Way and Linden Way.

Pursuant to Government Code Section 65402, Review for General Plan Conformity, the Planning Commission on November 7, 2023 determined that the abandonment/vacation is consistent with the *Lassen County General Plan, 2000* (Attached - Planning Commission Action Memo).

Per the Streets and Highways Code, a resolution is attached that describes issuing a notice of intention to abandon/vacate a segment of Laurel and Palm Way, and includes the setting of a public hearing date, authorizes noticing in paper of local circulation and posting of notices at road segment.

FINANCIAL IMPACT: None.

ALTERNATIVE: Not Approve.

OTHER AGENCY INVOLVEMENT:

DEPARTMENT APPROVAL:

A blue ink signature of Peter C. Heimigner, written over a horizontal line.

REVIEWED FOR AGENDA:

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**RESOLUTION NO. 23-**

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**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LASSEN  
ISSUING A NOTICE OF INTENTION TO ABANDON/VACATE A PORTION OF  
LAUREL WAY AND PALM WAY.**

WHEREAS, California Streets and Highways Code, Section 8312, authorizes the Board of Supervisors to consider the abandonment/vacation of a road or portion of road; and

WHEREAS, California Streets and Highways Code, Section 8320, provides that the Board of Supervisors may initiate a proceeding, by resolution, for the intention to vacate a road or portion of road if it finds that the road or portion of road is unnecessary for the public convenience.

WHEREAS, it is proposed that a segment of Laurel Way be abandoned/vacated, which is located approximately thirty-two (32) miles North of Susanville and intersects with Palm Way with the abandoned/vacated ending approximately 0.037 miles east from intersection in Spaulding (Eagle Lake).

WHEREAS, it is proposed that a segment of Palm Way be abandoned/vacated, which is located approximately thirty-two (32) miles North of Susanville and intersects with Laurel Way and Linden Way in Spaulding (Eagle Lake).

WHEREAS, the proposed segment is 0.037 miles long and starts at its intersection with Palm Way and runs east through APNs 077-344-19 and 077-343-24, in Sections 7, Township 32 North, Range 11 East, MDB&M, to approximately 195 feet east of Palm and Laurel intersection.

WHEREAS, the proposed segment is 0.042 miles long and starts at its intersection with Laurel and runs north through APNs 077-343-23 and 077-343-24, in Sections 7, Township 32 North, Range 11 East, MDB&M, to the intersection of Linden Way.

WHEREAS, Sections 8322 and 8323 of the California Streets and Highways Code specifies the publication and noticing requirements for a proposed roadway abandonment/vacation.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Lassen as follows:

1. This Board of Supervisors hereby sets a Public Hearing for 10:15 AM on December 19, 2023 at the Board of Supervisors meeting to be held at Lassen County Board Chambers located at 707 Nevada Street, Susanville, California for the purpose of considering the abandonment/vacation of a 0.037 mile segment of Laurel Way and 0.042 segment of Palm Way.
2. This Board of Supervisors hereby finds and declares a Notice of Intention, as described herein, shall be published as required by California Streets and Highways Code Division, Section 8322, once a week, for two successive

weeks, in a newspaper of general circulation in the County of Lassen, on or before December 19, 2023.

3. This Board of Supervisors hereby finds and declares a Notice of Intention, as described herein, shall be posted as required by California Streets and Highways Code, Section 8323, at least two weeks before the hearing date along that portion of Laurel Way and Palm Way being considered for abandonment/vacation, on or before December 19, 2023.
4. The Director of Public Works/Transportation is authorized and directed to act on behalf of the County on all matters pertaining to this action.

The foregoing resolution was adopted at a regular meeting of the Board of Supervisors of the County of Lassen, State of California, held on the 19th day of December, 2023 by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Chairman of the Board of Supervisors  
County of Lassen, State of California

ATTEST  
Julie Bustamante  
Clerk of the Board

BY: \_\_\_\_\_  
Michele Yderraga, Deputy Clerk of the Board

I, MICHELE YDERRAGA, Deputy Clerk of the Board of Supervisors, County of Lassen, do hereby certify that the foregoing resolution was adopted by said Board of Supervisors at a regular meeting thereof held on the 22nd day of August, 2023.

\_\_\_\_\_  
Deputy Clerk of the County of Lassen Board of Supervisors

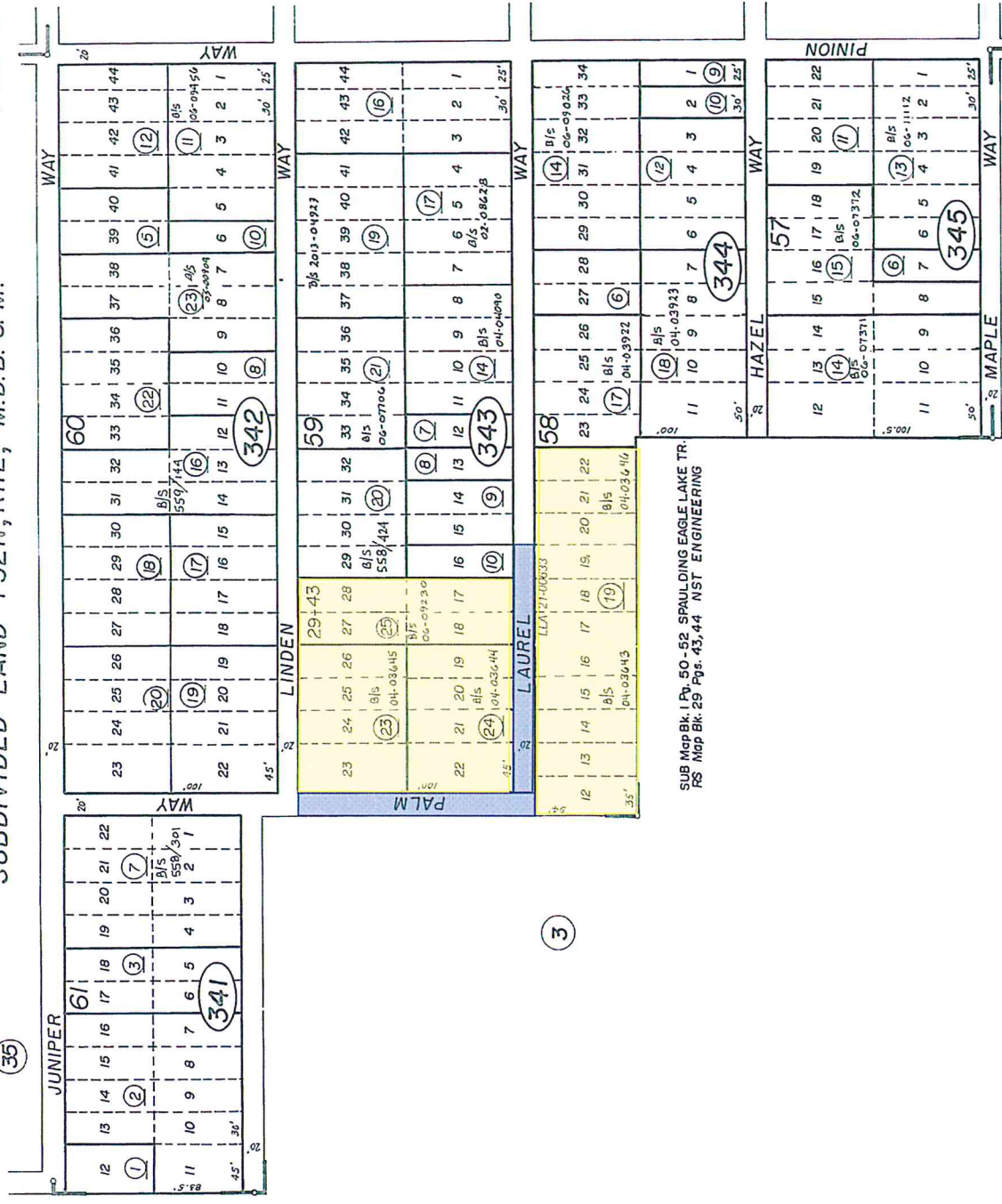


TRA-080009

SUBDIVIDED LAND T32N, R11E, M.D.B. & M.

77-34

THIS MAP IS INTENDED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA PROVIDED.



Legend:

- Proposed Abandonment
- Brian & Ann Peck Property

NOTE - Assessor's Black Numbers Shown in Ellipses, Assessor's Parcel Numbers Shown in Circles.

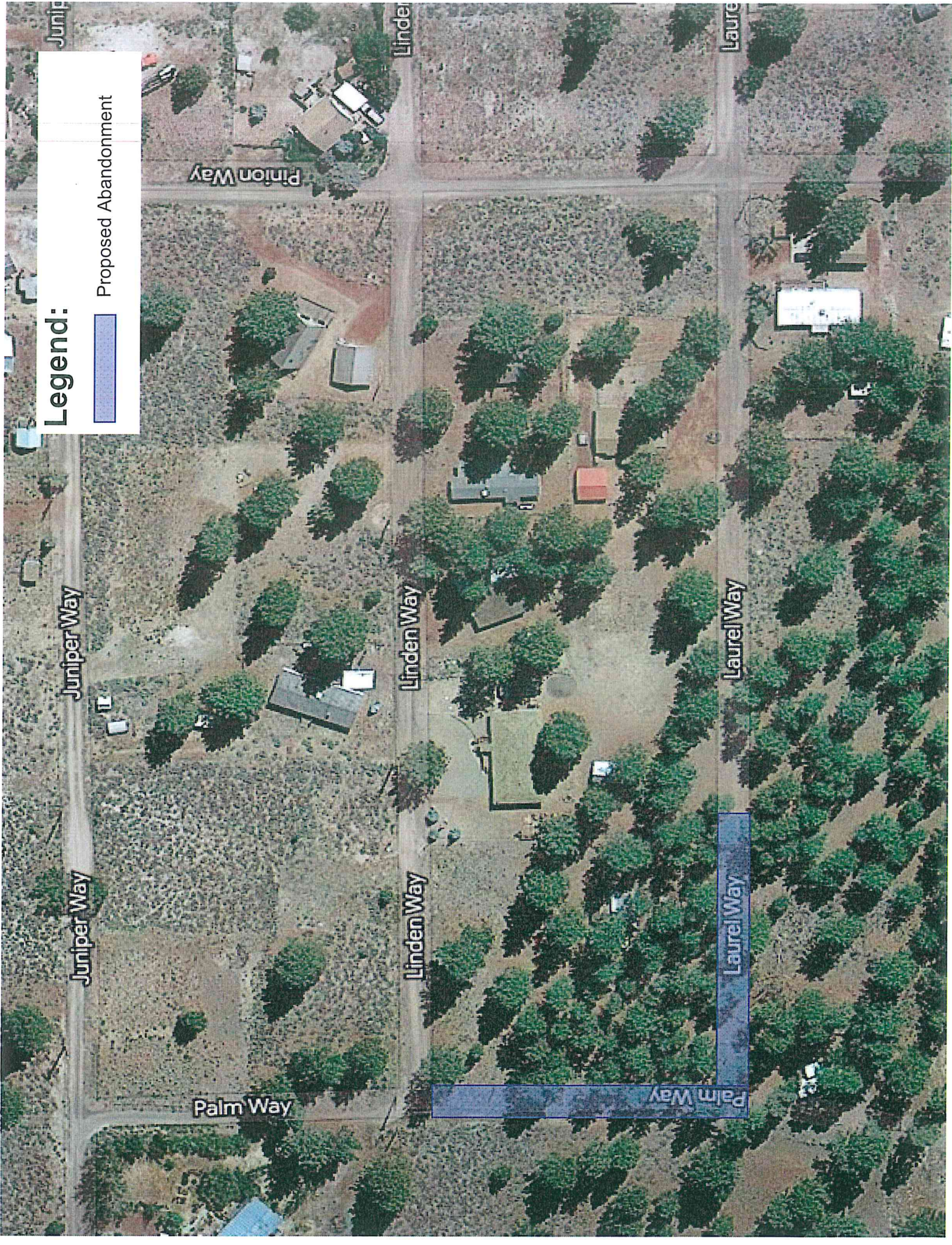
Assessor's Map Bk. 77 - Pg. 34

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PARCELOQUEST



**Legend:**

Proposed Abandonment





11/25/2020

**From:**

**Brian and Annie Peck (owners)  
3660 Sudor Lane  
Loomis, CA 95650**

**To:**

**Pete Heimbigner Public Works Director  
707 Nevada St Ste 4  
Susanville, CA 96130**

**Dear Mr. Heimbigner,**

**I believe Don Willis, County Surveyor, has spoken with you on my behalf regarding a request to vacate parts of a couple of road easements adjacent to my lots in Spalding Tract. This letter is to formalize that request.**

**I own lots 077-344-15, 077-344-16, 077-343-23, 077-343-24, and 077-343-25. Please see the attached subdivision map. Our intention is to build a home on Lot 15 in the future but there is a hill of lava rock that covers about half that lot, goes across the Laurel Way easement and onto Lot 24. Laurel Way was never completed through to Palm Way because of this hill. It also severely restricts the buildable area of Lot 15. We would like to request a vacation of the areas of Laurel Way and Palm Way to allow us to build on the west side of that lava hill. We then plan on adjusting the lot lines to combine Lots 15, 16 and 24 to give us enough room to build along the west side of the property. Vacating Palm Way would give us a consistent west boundary instead of trying to zig zag around Palm Way with our building.**

**Please let us know if this would be possible and what our next steps would be.**

**Thank You,**

**Brian Peck**

**916-316-7087**

**abapeck@aol.com**

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## Reference Document

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### Proposed Timeline for Abandonment for Laurel Way and Palm Way

- November 7, 2023
  - Planning Commission Review of Proposed Abandonment
  - General Plan Conformity
- November 28, 2023
  - Board of Supervisor Letter for Intent of Abandonment
  - Board of Supervisor Resolution for Intent of Abandonment
- December 6, 2023
  - Post in the newspaper
  - Post near proposed abandonment Street
- December 13, 2023
  - Post in the newspaper
- December 19, 2023
  - Public Hearing at Board of Supervisor Meeting
  - Board of Supervisor Letter for abandon/vacate
  - Board of Supervisor Resolution for abandon/vacate
- Record Resolution