

# DEPARTMENT of PUBLIC WORKS

County of Lassen



**LARRY MILLAR**, Director  
Public Works/Road/Transportation  
County Engineer

707 Nevada Street, Suite 4  
Susanville, CA 96130

☎ 530) 251-8288  
FAX: (530) 251-2675

B-1  
2017/300

August 22, 2017

TO: Board of Supervisors

FROM: Larry Millar, Director

SUBJECT: Resolution of Vacating and Abandoning Public Right of Way-Portion of Buffum Lane, County Road 212.

RECOMMENDATION: 1) Conduct Public Hearing 2) Adopt Resolution No. 17- \_\_\_\_\_  
"Resolution Vacating and Abandoning Public Right of Way - Portion of Buffum Lane, County Road 212."

DISCUSSION: On June 20, 2017 the Board of Supervisors adopted Resolution 17-042  
"Resolution of Intention to Vacate a portion of Buffum Lane" which was in response to a request by Leavitt Lake Ranch as to the abandoning/vacating of the portion of Buffum Lane, County Road 212 which runs through the ranch property located at 470-100 Buffum Lane.

The Public Works /Road Department has completed the required publishing and noticing prior to this public hearing. The notice of public hearing was published in the local newspaper on June 27<sup>th</sup> and July 4<sup>th</sup> and in addition notices were posted in three locations along Buffum Lane on June 21, 2017. Due to the cancellation of the July 18, 2017 Board of Supervisors meeting, which was the scheduled public hearing, a second noticing was completed which consisted of publishing in the local newspaper on July 18<sup>th</sup> and July 25<sup>th</sup> and the posting in three locations along Buffum Lane on July 13, 2017.

The proposed abandonment/vacation would be 0.510 miles extending from the southern end of the property located at 470-905 Buffum Lane to its end. The remaining 1.016 miles, beginning at U.S. Highway 395 North, in the East ½ of Section 17, Township 29 North, Range 13 East, MDM&M, extending to the southern end of the property located at 470-905 Buffum Lane will remain in the County Maintained Road System. Surrounding properties past Leavitt Ranch are State of California Fish and Game properties where other access points are available. See attached map.

The Road Department is in favor of vacating this portion of Buffum Lane as it is within the property owned by Leavitt Lake Ranch and does not appear to be necessary for present or future public use.

The Planning Commission has reviewed this partial abandonment/vacation request for Buffum Lane for General Plan Determination pursuant to Section 65402 of the Government Code and has

determined that it is consistent with the General Plan and have adopted Resolution 7-05-17  
“Resolution of the Lassen County Planning Commission, Pursuant to Government Code Section  
65402, Finding that the Abandonment of 0.510 miles of Buffum Lane in Leavitt Lake, CA is  
consistent with General Plan, or Part Thereof (file#(704)2017-001.”

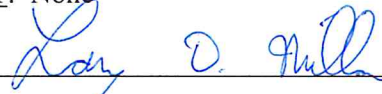
The Attached Resolution follows the guidelines of Section 8320 of the Street and Highways Code  
in vacating/abandoning a 0.510 mile section of Buffum Lane.

ALTERNATIVES: Do not adopt Resolution.

FINANCIAL IMPACT: Potential insignificant reduction in Highway Users Gas Tax revenue to  
Fund 122-1221 which is more than recovered with the removal of this section from the  
County’s liability and maintenance responsibilities.

OTHER AGENCY INVOLVEMENT: None

DEPARTMENTAL APPROVAL:



REVIEWED FOR AGENDA:



**RESOLUTION NO. 17 - \_\_\_\_**

**RESOLUTION OF THE BOARD OF SUPERVISORS  
OF THE COUNTY OF LASSEN, STATE OF CALIFORNIA**

**VACATING AND ABANDONING PUBLIC RIGHT OF WAY-  
PORTION OF BUFFUM LANE, COUNTY ROAD 212**

WHEREAS, on August 22, 2017, the County of Lassen held a duly and properly Noticed Public Hearing regarding the vacating and abandoning of the following public right of way legally described as follows:

Portion of Buffum Lane, County Road 212, described as follows:  
That 0.510 mile section of Buffum Lane, County Road 212, which extends from a point 1.016 miles from its intersection with U.S. Highway 395 North, in the East ½ of Section 17, Township 29 North, Range 13 East, MDM&M, south to its end. See attached Exhibit A.

WHEREAS, the Board of Supervisors of the County of Lassen having heard and considered evidence submitted that the public right of way described in the Resolution of Intention is unnecessary for the present or prospective public use; and

WHEREAS, the County of Lassen is authorized by the Streets and Highway Code, specifically Section 8320 et seq., to abandon and vacate said premises.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Board of Supervisors find that the above-described public right of way is unnecessary for present or prospective public use and that the same is hereby vacated and abandoned by the County of Lassen.
2. That the County Clerk shall cause the certified copy of this Resolution to be recorded without acknowledgment, certificate of the acknowledgment or further proof in the office of the Recorder in the County of Lassen, pursuant to Section 8325 of the Streets and Highway Code, without fee.

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 22nd day of August, 2017 by the following vote:

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

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

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

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

ATTEST  
Julie Bustamante  
Clerk of the Board

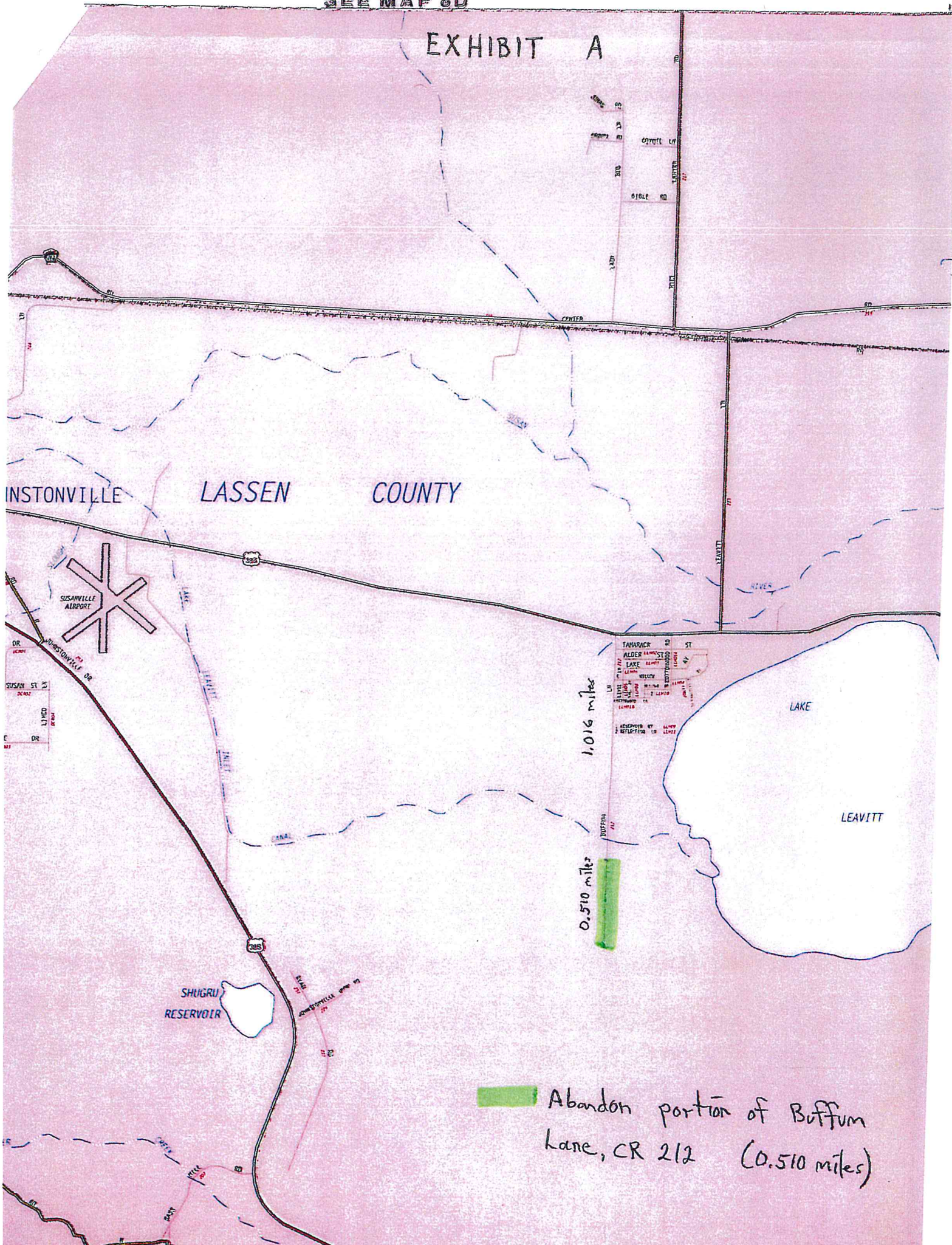
BY: \_\_\_\_\_  
Michele Yderraga, Deputy Clerk of the Board

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, 2017.

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



# EXHIBIT A



Abandon portion of Buffum Lane, CR 212 (0.510 miles)