

RESOLUTION NO. 25-136

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS VACATING THE PORTION OF WILDERNESS LODGE ROAD (COUNTY ROAD 320) WITHIN ASSESSOR'S PARCEL NUMBER 013-520-33 IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 22 NORTH, RANGE 16 WEST (BRANSCOMB AREA) AND FINDING THAT SAID ROAD VACATION IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO THE CATEGORICAL AND/OR COMMON SENSE EXEMPTIONS IDENTIFIED IN SECTIONS 15061 AND 15312 OF THE CEQA GUIDELINES

WHEREAS, the authority for the vacation of County Roads is Chapter 3 of Part 3 of Division of the California Streets and Highways Code (Section 8320, et seq.); and

WHEREAS, by Resolution Number (No.) 84-199, the Mendocino County Board of Supervisors (Board) established and set forth procedures, pursuant to provisions of the California Streets and Highways Code, for the vacation of County Highways; and

WHEREAS, Streets and Highways Code Section 8324 provides that, upon proper notice and hearing, the Board may vacate roads that are unnecessary for present or prospective public use; and

WHEREAS, the Board has considered said Road Vacation request and County staff memoranda related thereto; and

WHEREAS, the Mendocino County Department of Transportation (**MCDOT**) has complied with the notice requirements established by California Streets and Highways Code Sections 8322 and 8324; and

WHEREAS, in accordance with the applicable provisions of law, the Board held a public hearing regarding this matter on July 29, 2025, at which time the Board heard and received all relevant testimony and evidence presented orally or in writing regarding this matter, and all interested parties were given an opportunity to hear and be heard regarding this matter; and

WHEREAS, Wilderness Lodge Road (CR 320) (**Road**) is a County-owned road that ends within Mendocino County Assessor's Parcel Number 013-520-33 (**Parcel**); and

WHEREAS, the Parcel is part of the Angelo Coast Range Reserve (**Reserve**), which is owned and operated by the Regents of the University of California, a public entity, as part of the University of California's Natural Reserve System; and

WHEREAS, the Parcel is not located within an area of statewide concern as identified in Section 15206 of Title 14 of the California Code of Regulations; and

WHEREAS, the Reserve has asked the County to vacate the portion of the Road that lies within the confines of the Parcel, and has agreed to assume responsibility for the maintenance of this segment of the Road; and

WHEREAS, the Road does not continue as a public road beyond the Parcel, does not provide public access to any other public roads and/or rights-of-way beyond the Parcel, and does not provide access to any publicly accessible recreational facilities and/or lands beyond the Parcel; and

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WHEREAS, the Road is currently gated at the end of the County-maintained road and this road vacation will only move the gate to the edge of the Reserve property, and will not extinguish any public or private easements or otherwise restrict or sever the access of those who use the Road to access Property beyond the Reserve; and

WHEREAS, the vacation of the portion of Wilderness Lodge Road that lies in the Parcel would serve the public benefits of eliminating the County's requirement to maintain this portion of Wilderness Lodge Road and eliminating the County's liability for any future injuries arising from the maintenance and/or conditions of this portion of Wilderness Lodge Road; without injuring public access to public recreational areas.

NOW THEREFORE, BE IT RESOLVED by the Mendocino County Board of Supervisors (**Board**), based on all of the evidence in the record before it, as follows:

1. The portion of Wilderness Lodge Road (County Road (CR) 320) (**Road**) to be vacated is described as follows:

The portion of Wilderness Lodge Road (CR 320) that lies within the parcel boundaries of the Angelo Coast Range Reserve (**Reserve**) as described in Exhibit A (**Parcel**):

EXCEPTING AND RESERVING therefrom, under the authority of California Streets and Highways Code Sections 8340 and 8341, an easement and right, at any time or from time to time, upon, over, and across the herein-described portion of Wilderness Lodge Road (CR 320), to be vacated, and pursuant to any existing franchise or renewals thereof, for utilities, facilities, and appurtenances thereto installed within said portion of Wilderness Lodge Road, for use by public utilities facilities that may now exist or may be developed in the future by companies regulated by the California Public Utilities Commission; and the right to construct, maintain, and reconstruct any such facilities mentioned above, and for incidental purposes, including access to protect such facilities from all hazards in, upon, and over the portion of road to be vacated.

EXCEPTING AND RESERVING therefrom any and all previous ownerships of rights of way that exist for furnishing ingress and egress to and from the portion of the County Road to be vacated.

2. The authority for the vacation of the portion of the Road is Chapter 3 of Part 3 of Division 9 of the California Streets and Highways Code (Section 8320, et seq.).
3. The County of Mendocino has provided all notice required by California Streets and Highways Code Sections 8322 and 8324.
4. The Board hereby determines that vacation of the portion of the Road that falls within the Parcel is categorically exempt from the California Environmental Quality Act (**CEQA**) pursuant to CEQA Guidelines Sections 15061(b)(2) and 15312, inasmuch as said portion of the Road constitutes surplus County property, and said portion of the Road is not located in an area of statewide, regional, or areawide concern identified in Section 15206(b)(4) of the CEQA Guidelines.
5. The Board hereby also determines that the vacation of the portion of the Road within the Parcel is exempt from CEQA pursuant to the "common sense exception" in CEQA Guidelines Section 15061(b)(3). Said determination is based on the Board's inasmuch as there is no reasonable possibility that the vacation will cause a significant effect on the environment. Said finding is based on the fact that the vacation consists of the transfer of ownership of the above-stated portion of Wilderness Lodge Road (CR 320) from the County to another public entity; that the continued use of the Road, once vacated, will be consistent with the current use; and that the transfer will preserve all extant public and private easements that rely on this portion of the Road.

6. Pursuant to Government Code Section 65402 and Streets and Highways Code Section 8313, the Board of Supervisors hereby determines that the vacation of the portion of Wilderness Lodge Road (CR 320) is consistent with the County's General Plan and active Transportation Plan.
7. The portion of Wilderness Lodge Road (CR 320) to be vacated only provides access to privately owned parcels, does not provide access between Branscomb Road and any other public road or thoroughfare, is not in an area intended for future development, and does not provide access to any publicly accessible recreational areas or facilities.
8. The Mendocino County Board of Supervisors hereby finds that the portion of the Road that lies within the Parcel is eligible for vacation because it is unnecessary for present or prospective public use, inasmuch as it lies within property under a single private ownership, does not provide access to any publicly accessible roads, rights-of-way, or recreational facilities and/or lands beyond the Parcel, and because all private and public easements that rely on this portion of the Road will be preserved as a term of the vacation. The Mendocino County Board of Supervisors further finds that vacating this portion of the Road would be publicly beneficial because it would eliminate the County's need to perform further maintenance on this portion of the Road, and because it would reduce or eliminate the County's future liability for any injuries arising from the conditions of this portion of the Road.
9. Pursuant to the requirements of California Streets and Highways Code Sections 8314 and 892, the Mendocino County Board of Supervisors has considered and determined that this portion of the Road is not suitable for nonmotorized travel, because of its short length and lack of access to publicly accessible recreational facilities and/or lands.
10. From and after the date of recordation of this Resolution, the above-described portion of the Road shall be considered vacated and shall no longer constitute a street, highway, or public service easement, except as reserved herein.

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11. The Department of Transportation and the Clerk of the Board are hereby directed to submit this Resolution to the County Assessor-Clerk Recorder for recordation pursuant to the Streets and Highways Code.

The foregoing Resolution introduced by Supervisor Mulheren, seconded by Supervisor Williams, and carried this 29<sup>th</sup> day of July 2025, by the following vote:

AYES: Supervisors Cline, Mulheren, Haschak, Norvell, and Williams  
NOES: None  
ABSENT: None

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

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ATTEST: DARCIE ANTLE  
Clerk of the Board

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Deputy

*APPROVED AS TO FORM:*  
CHARLOTTE E. SCOTT  
County Counsel

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JOHN HASCHAK, Chair  
Mendocino County Board of Supervisors

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

BY: DARCIE ANTLE  
Clerk of the Board

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Deputy