

RESOLUTION

WHEREAS, the Board of Supervisors of the County of Santa Clara, acting in accordance with Vehicle Code Section 21107, has held a duly noticed hearing to determine whether or not the privately owned and maintained roads listed below should be subject to the provisions of the Vehicle Code; and

WHEREAS, this Board finds and declares that the private roads listed below are within a residence district and so connect with highways that the public cannot determine that such roads are not highways;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Santa Clara that the following roads are subject to the provisions of the Vehicle Code:

All of Arapahoe Trail, Assiniboine Trail, Blackfoot Trail, Cherokee Trail, Comanche Trail, Crow Trail, Delaware Trail, Kiowa Trail, Modoc Trail, Navajo Trail, Pawnee Trail, Nez Perce or Seminole Trail, Umatilla Trail, Walla Walla Trail and Apache Trail; and that part of Ogallala Warpath and Ogallala Path between Edwards Way and the southernmost intersection of Ogallala and the Old Los Gatos-Santa Cruz Highway.

BE IT FURTHER RESOLVED that the Director of Public Works is directed to post at the entrance to such roads a sign indicating that the road is subject to the Vehicle Code but is not a county maintained road.

BE IT FURTHER RESOLVED that this resolution shall not be effective until signs are posted in accordance with this resolution and no signs shall be posted until the owners of

CC: Pub Works (4)
B. Council
Chemeketa Park Mutual Water Co

1.

Arapahoe Trail (et al) Chemeketa Park Roads

the private roads pay to the Department of Public Works the costs of such signs and the cost of their installation.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Clara, State of California, on FEB 14 1966, by the following vote:

AYES: Supervisors Della Maggiore Spangler Mehrkens ~~Sanchez~~ Quinn

NOES: Supervisors None

ABSENT: Supervisors Sig Sanchez

Charles A. Quinn

ATTEST: JEAN PULLAN, Clerk
Board of Supervisors

Jean Pullan

APPROVED AS TO FORM:

William M. Siegel
Assistant County Counsel

WMS:gec

2-25-66

March 1, 1966

Mr. Douglas Willis, Secretary
Board of Directors
Chemeketa Park Mutual Water Company
17777 Navajo Trail
Los Oatos, California

Subject: Posting of Signs that Private Roads in Chemeketa Park
are Subject to the Vehicle Code

Dear Mr. Willis:

Please be advised that at its regularly scheduled meeting on February 14, 1966, the Board of Supervisors adopted a Resolution declaring that private roads listed thereon are within a residence district and so connect with highways that the public cannot determine that such roads are not highways, and that such roads are subject to the provisions of the Vehicle Code.

Please note that owners of the private roads must pay to the Department of Public Works the costs of the signs and their installation prior to posting of the signs at the entrance of each road indicating it is subject to the provisions of the Vehicle Code.

Very truly yours,


BOARD OF SUPERVISORS

Mrs. Joan Pullan
Clerk of the Board

JP:DMR:gc

Encl

cc: Public Works (4)
County Counsel

	REFERRAL TO DEPARTMENT COUNTY OF SANTA CLARA	TO: COUNTY COUNSEL	FROM <input checked="" type="checkbox"/> BOARD OF SUPERVISORS <input type="checkbox"/> COUNTY EXECUTIVE												
DATE Feb. 16, 1966		AGENDA DATE Feb. 14, 1966	AGENDA ITEM NUMBERS OR DESCRIPTION 025. Chenokota Park Roads												
THE ATTACHED ITEM IS BEING REFERRED TO YOU FOR THE PURPOSE INDICATED.															
<table style="width: 100%; border: none;"> <tr> <td style="width: 25%;"><input type="checkbox"/> STUDY AND RECOMMENDATION</td> <td style="width: 25%;"><input checked="" type="checkbox"/> PREPARE NECESSARY PAPERS</td> <td style="width: 25%;"><input type="checkbox"/> NOTIFY WRITER OF ACTION</td> <td style="width: 25%;"><input type="checkbox"/> REPLY TO WRITER</td> </tr> <tr> <td><input type="checkbox"/> REPORT</td> <td><input type="checkbox"/> POWER TO ACT</td> <td><input type="checkbox"/> CONSIDERATION</td> <td><input type="checkbox"/> SEE NRH <input type="checkbox"/> SEE HWC</td> </tr> <tr> <td><input type="checkbox"/> ATTEND MEETING</td> <td><input type="checkbox"/> APPROPRIATE ACTION</td> <td><input type="checkbox"/> RECONSIDERATION</td> <td><input type="checkbox"/> _____</td> </tr> </table>				<input type="checkbox"/> STUDY AND RECOMMENDATION	<input checked="" type="checkbox"/> PREPARE NECESSARY PAPERS	<input type="checkbox"/> NOTIFY WRITER OF ACTION	<input type="checkbox"/> REPLY TO WRITER	<input type="checkbox"/> REPORT	<input type="checkbox"/> POWER TO ACT	<input type="checkbox"/> CONSIDERATION	<input type="checkbox"/> SEE NRH <input type="checkbox"/> SEE HWC	<input type="checkbox"/> ATTEND MEETING	<input type="checkbox"/> APPROPRIATE ACTION	<input type="checkbox"/> RECONSIDERATION	<input type="checkbox"/> _____
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<input type="checkbox"/> ATTEND MEETING	<input type="checkbox"/> APPROPRIATE ACTION	<input type="checkbox"/> RECONSIDERATION	<input type="checkbox"/> _____												
RE-AGENDIZE FOR:	IF THERE IS AN ENTRY IN THIS SPACE, THE BOARD OF SUPERVISORS HAS ORDERED THAT THE MATTER BE CONSIDERED ON THE DATE SHOWN. YOU MUST HAVE A RESPONSE ON THE AGENDA FOR THAT DATE.														
FOLLOW-UP DATE	IF THERE IS AN ENTRY IN THIS SPACE, THE ITEM WILL BE FOLLOWED UP BY THE COUNTY EXECUTIVE. IF YOU ARE UNABLE TO TAKE ACTION BY THE DATE SHOWN, YOU MUST NOTIFY THE COUNTY EXECUTIVE.														
CHECK PROGRESS ON:															
REMARKS <p style="text-align: center;"> Resolution to be re-written to include a paragraph stating the cost for the signs will be borne by the proponents (petitioners). The resolution was adopted on Feb. 14 with this addition. All copies of the original resolution are attached. </p> <p style="text-align: right;"> E. Owen </p>															
ACTION COMPLETED BY:			DATE												

AGENDA ITEM NO. _____

DATE _____

FEB 14 1966

*Resa - Calif. Veh. Code
Chemeketa Park*

BOARD OF SUPERVISORS' ACTION

Motion *m/s*
or
Order of Chairman _____

Motion _____
or
Order of Chairman _____

Recommendation Approved _____
Rejected _____

Hearing Closed _____

Request Granted _____
Denied _____

Hearing Continued to _____

Adopted Resolution _____
Ordinance _____

Note & File _____

Referred to: CC CE PW PR GS DF FC PD PC

For: Report & Recommendation _____
Further Report _____
Investigation & Report _____
Appropriate Action _____
Contact Petitioner _____
Prepare Papers _____
Other _____

*Re-write Resa to include
condition that proponents
pay costs of signs*

Other: _____


VOTE

Unanimous *✓*

Dissenting _____

Abstaining _____

Absent *Sy*

	REFERRAL TO DEPARTMENT COUNTY OF SANTA CLARA	TO: <i>Pending</i> County Counsel	FROM <i>Roads</i> <input checked="" type="checkbox"/> BOARD OF SUPERVISORS <input type="checkbox"/> COUNTY EXECUTIVE												
DATE <i>2-4-66</i>		AGENDA DATE 2-1-66	AGENDA ITEM NUMBERS OR DESCRIPTION 44 - Roads in Chemeketa Park												
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CHECK PROGRESS ON:															
REMARKS <p style="text-align: center; font-weight: bold;">The Board instructed County Counsel to prepare the resolution to authorize law enforcement officers to enforce provisions of California Vehicle Code on privately maintained roads in Chemeketa Park.</p> <p style="text-align: right; margin-top: 20px;">E. Owen</p>															
ACTION COMPLETED BY:			DATE												

7-4
February 3, 1966

TO: COUNTY COUNSEL, SPENCER M. WILLIAMS

The following is an excerpt from the minutes of the meeting of the Board of Supervisors of the County of Santa Clara held February 1, 1966 as recorded in Minute Book 42, item 4:

4.. This being the time and place regularly fixed for public hearing to consider whether or not the provisions of the California Vehicle Code should be made applicable to certain privately maintained roads located within Chemeketa Park, the Chairman declares the hearing open.

Mr. Douglas Willis, Secretary of the Board of Directors of Chemeketa Park Mututal Water Company, comments on the need for law enforcement officers to have the authority to patrol these narrow, winding roads, if necessary, in order to dispel the belief of some reckless drivers that this area is a haven. After brief discussion it is on motion of Supervisor Sanchez, seconded by Supervisor Mehrkens, unanimously ordered that the hearing be closed. On motion of Supervisor Sanchez, seconded by Supervisor Mehrkens, it is unanimously ordered that the matter be referred to the County Counsel for preparation of the necessary resolution to authorize law enforcement officers to enforce the provisions of the California Vehicle Code on privately maintained roads in Chemeketa Park.

ATTEST: JEAN PULLAN, Clerk
Board of Supervisors

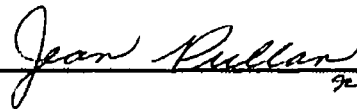

By Eileen Owen, Deputy Clerk

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the County of Santa Clara will conduct a public hearing on the 1st day of February, 1966, at the hour of 9:30 A.M. in the Chambers of said Board, 70 West Hedding Street, San Jose, California, to consider whether or not the provisions of the Vehicle Code should be made applicable to those privately maintained roads within Chemeketa Park.

ALL INTERESTED PERSONS may appear and be heard at said time and place. Written communications may be filed prior to the public hearing.

JEAN PULLAN, Clerk
Board of Supervisors



CC: Each Supervisor
Planning
~~County Executive~~
County Counsel
Public Works
Property owners in
Chemeketa Park

T-4

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JEAN PULLAN, Clerk
Board of Supervisors

Jean Pullan

cc: Each Supervisor
County Executive
County Counsel
Public Works
Planning
Property owners in
Chemeketa Park

We vote to have the provisions of the Vehicle Code applicable to the privately maintained roads in Chemeketa Park. Thank you.

Margaret A. Church

*Property 17675 Nacijo Tr.,
Chemeketa Park
Los Gatos, Calif.*

REPORT OF THE BOARD OF SUPERVISORS

NOTICE TO THE PUBLIC THAT THE BOARD OF SUPERVISORS OF

THE COUNTY OF SANTA CLARA HAS ADOPTED A RESOLUTION

ON THE 27TH DAY OF JANUARY, 1966, TO THE EFFECT THAT

THE BOARD OF SUPERVISORS HAS ADOPTED A RESOLUTION

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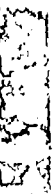
OF SUPERVISORS HAS ADOPTED A RESOLUTION

COUNTY OF
SANTA CLARA

JAN 27 11 56 AM '66

RECEIVED
BOARD OF SUPERVISORS

COPIES OF THIS RESOLUTION
SHALL BE FURNISHED TO THE
CLERK OF THE COUNTY OF SANTA
CLARA AND TO THE CLERK OF THE
CITY OF SAN JOSE.



AFTER 8 DAYS RETURN TO

Margaret K. Church
385 Hidden Valley Road
Watsonville, Calif. 95076

ZIP CODE



County of Santa Clara.
Office of the Board of Supervisors
70 West Hedding St.
San Jose, Calif. 95110

T-4

550 Battery St., Apt. 1701
San Francisco, Calif.
Jan 27th, 1966

94111

To Jean Pullan
Clerk, Board of Supervisors,
County of Santa Clara, Calif,
70 West Hedding St.,
San Jose:

Gentlemen:

Mrs Miklas and I are in hearty accord with having the provisions of the Vehicle Code applicable to the privately owned roads within Chemeketa Park.

It not only will increase the potential value of our property, but give for better law and order, also.

Thank you.

Yours truly

Mrs. J. Miklas
JAN 28 1966
RECEIVED 1966

cc B/s
EXEC
COUNSEL
PW

NOTICE OF PUBLIC HEARING

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ALL INTERESTED PERSONS may appear and be heard at said time and place. Written communications may be filed prior to the public hearing.

JEAN PULLAN, Clerk
Board of Supervisors

Jean Pullan

cc: Each Supervisor
County Executive
County Counsel
Public Works
Planning
Property owners in
Chemeketa Park

RECEIVED
BOARD OF SUPERVISORS

JAN 21 11 43 AM '66

COUNTY OF
SANTA CLARA

RECEIVED
COUNTY OF SANTA CLARA
JAN 21 1966
COUNTY CLERK
COUNTY CLERK
COUNTY CLERK
COUNTY CLERK
COUNTY CLERK

BOARD OF SUPERVISORS
COUNTY OF SANTA CLARA

TO THE BOARD OF SUPERVISORS

FROM THE COUNTY CLERK

YOUR HONORABLE BOARD OF SUPERVISORS

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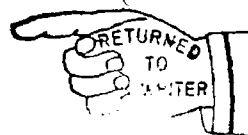
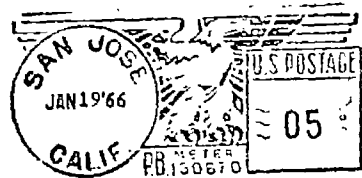
YOUR HONORABLE BOARD OF SUPERVISORS

YOUR HONORABLE BOARD OF SUPERVISORS

county of santa clara

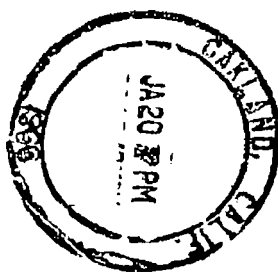


OFFICE OF THE BOARD OF SUPERVISORS
COUNTY ADMINISTRATION BUILDING 70 WEST HEDDING STREET
CIVIC CENTER SAN JOSE, CALIFORNIA 95110



Oakland Bank of Commerce
20974 Pawnee Trl.
Oakland, California

REASON FOR CHECKED
Unclaimed or refused.....
Unknown.....
Insufficient address.....
Moved, left no address.....
No such post office in state.....
Do not remail in this envelope



17721 Umatilla Trail, Los Gatos, Calif. 95031

T-A

Jan 24, 1966

Board of Supervisors
San Jose, California.

Gentlemen - Re Chemeketa Park Roads.

I cannot be present at the hearing on Feb. 1st, but I wish to express myself as being heartily in favor of all possible steps towards minimizing the use of our roads for testing out mopeds and practicing motorcycle stunt riding. Such use, at present uncontrolled, constitutes a frequent menace to the safety of young and old among our residents.

Sincerely yours

Dorothy A. Foster

17721 Umatilla Trail

Miss Dorothy A. Foster
17721 Umatilla Trail
Los Gatos, California

BOARD OF SUPERVISORS
County of Santa Clara, State of California

AFFIDAVIT OF MAILING NOTICES

STATE OF CALIFORNIA)
) ss.
COUNTY OF SANTA CLARA)

Gwen Crockett, declares as follows:

That he is a citizen of the United States, over the age of 18 years; that at all times herein mentioned he was an employee of the County of Santa Clara; that acting for the County of Santa Clara Board of Supervisors on the 19th day of January, 19 66, he deposited in the United States Post Office at San Jose, California, a NOTICE OF HEARING, a copy of which is attached hereto, with postage thereon prepaid, addressed to each of the persons at the addresses shown on mailing list attached hereto.

That said mailing list has been provided by the applicant and lists the owners of property who are entitled to notice of hearing pursuant to Section 21107.5 of the Vehicle Code ~~the Zoning Ordinance of the County of Santa Clara.~~

That on said day there was regular communication by United States mail between San Jose, California, and the addresses shown on the attached mailing list.

I declare under penalty of perjury
that the foregoing is true and correct.

Dated 1-19-66 at County Adminis-
tration Building, 70 West Hedding
Street, San Jose, California 95110

File No.
Chemeketa Park - Vehicle
Code for Private Roads

Gwen Crockett
Signature

PROPERTY OWNERS IN CHEMELI, PAR---(Mailing address in Chemelithis)

Connie Adkins, 17593 Comanche Trl., L.G. (1711 Edgewood Dr., Charleston, W.Va)
Claudia Alexander, 17707 Cherokee, L.G.
Jim Alexander, 17709 Blackfoot, L. G.
Dan Altimus 17739 Cherokee Trl., L. G.
Harold L. Perry, 17569 Comanche Trl (1245 First Western Bldg., Oakland 94612)
E. D. Ashford, 17775 Navajo Trl., L. G.
Judson Aspinwall, 17720 Navajo (1575 Emory St., San Jose 95126
Rev. A. C. Augsburg, 17650 Navajo Trl. , L. G.
E. W. Balcomb, 17677 Cherokee Trl., (338 Bella Vista, L. G.)
Jean Balcomb, 17731 Umatilla (765 Channing Ave., Palo Alto)
Edward Barron, 17989 Ogallala Warpath
J. K. Beadnell & A. E. Whiteside 17676 N. Comanche (P. O. Box 565, Cupertino)
Frank Beatty, 17728 Umatilla
~~Rxxx~~ Frances Bertelsen 17863 Ogallala Warpath (510 Belvedere St., San Francisco)
Henry W. Bollinger, 20860 E. Comanche
Mike Bortolon, 17800 N Kiowa (446 Hull Ave., San Jose)
James C. Boyce, 17999 Apache Trl (2 houses)
Fred Burkhardt, 17763 Navajo Trl, Los Gatos
E. E. Chambers, 17760 Navajo
Chester Chaplaskie, 20940 E. Comanche
Charles Cherk, 17766 Arapahoe
H. B. Clark, 20859 E. Comanche (2641 Senter Rd., San Jose 95111)
H. L. Clark, 20890 E. Comanche (2641 Senter Rd., San Jose 95111)
Geo. Cole, 17781 Cherokee Trl (1520 Thompson Ave, Santa Cruz)
Allan Collett, 17740 Umatilla
R. B. Curtis, 20919 E. Comanche (1779 Woodland Ave, Apt 25, Palo Alto)
Wm. Daley, 17855 N Kiowa
B. G. Davidson, 17756 Ogallala (271 Cotter St., San Francisco 12)
Robert G. DeLong, 17740 S. Comanche (25 Brookwood Lane, Saratoga)
Leo Dolan, 17734 No. Comanche
John T. Elmore, 17520 Comanche Trl

P. W. Estus, 20975 Delaware (Wrangell, Alaska)
 Cecil Evans, 17811 No. Comanche
 Wm. R. Evens, 17784 Arapahoe
 Laura M. Farrar, 17826 No. Comanche
 J. Clyde I Fisk 17751 Cherokee (2 houses)
 E. Fitzgerald, 17700 Navajo (166 Goethe St., San Francisco)
 M. J. Flickinger, 17862 N. Kiowa
 Dorothy A. Foster, 17721 Umatilla
 Carl W. Gerwin, 20837 Nez Perce
 Wilbur Grisham, 17539 So. Comanche (2 houses)
 Joseph Gullo 17629 Comanche (530 N Santa Cruz Ave., L. G.)
 E. J. Hagensen, 20854 Nez Perce (279 14th Ave., San Francisco)
 LeRoy Hall, 17973 Apache (292 N Esther Campbell)
 Ronald J. Hamlin, 17915 Ogallala
 Robert Harrall, 17790 No. Kiowa (5 houses)
 Archie Harrington, 17685 Cherokee (411 Pope St., Menlo Park)
 Adolph Henrickson, 17795 Blackfoot (15680 Linda Max Ave., L. G.)
 W. F. Highwood, 17515 Comanche Trl
 David R. Hollinsed, 20850 Assiniboine
 Peter Howland, 20841 E. Comanche (1102 Richenbacker, San Jose)
 John Inge, 17657 Navajo Trl
 Virginia Johnson, 17670 N. Comanche
 Dorothy J. Kilborn, 20964 E. Comanche
 Royal C. King, 17675 Navajo (M. K. Church, 385 Hidden Valley Rd., Watsonville
 Maxx Theodor Kurico, 17869 N. Kiowa (18921 Bear Creek Rd., L. G.)
 Ruth Laws, 17965 Ogallala
 L. R. Leek, 20973 Pawnee
 Ronald C. Leaster, 20904 E. Comanche
 R. W. MacBride, 17866 Crow
 Beatrice McDonald 17839 Ogallala
 W. H. McKnight, 17931 Ogallala

Charles Mann, 17710 Umatilla

Lawrence Martin, 17769 Navajo Trl.

George J. Mendoz, 17954 Apache (1368 Loyola Dr., Santa Clara)

J. A. Miklas, 17759 No. Comanche (550 Battery St., Apt 1701 San Fran 94111)

Dorothy J. Mize, 17756 Navajo (P. O. Box 814 Los Gatos)

James E. Nelson, 17550 Comanche

Robert J. Murphy, 17800 Navajo

~~Box 444~~ S. A. Netzer, 20870 Assiniboine (4609 Bond St., Apt 105 Oakland 1)

Oakland Bank of Commerce, 20974 Pawnee Trl (Oakland)

Dave Oldbury, 20983 Pawnee

Frank W. Olaszewski, 17565 Comanche

E. R. Payne, 17704 Blackfoot (P. O. Box 284, Sunnyvale)

Gladys Perigo, 17850 N Kiowa

Jack Pierce, 20900 E. Comanche

Hilkka Ramey, 17895 Ogallala

Joseph Ramirez, 17844 N Kiowa

Peggy Reed, 17741 N Comanche

George Rees, 17785 Navajo

John Reid, 20985 E. Comanche

R. Fred Renner, 20868 E. Comanche, (1993 Fallenleaf Lane, Los Altos)

Wm. K. Rentz, 17985 Apache (2262 Summer St., Berkeley)

Hugh F. Riddell, 17939 Apache

Forrest Roche, 17735 Umatilla

Frank E. Roth, 20900 Pawnee

James R. Russell, 20891 Comanche

Moises C. Sada, 20982 Modoc (845 No 11th, San Jose 95112)

Lulu St. John, 17810 No. Comanche

! Rbt G. Schroeder, 17611 Comanche

Wm. H. Scott, 17745 Ogallala (2292 Barlow, San Jose) 2 houses

Ernest Seeman, 17721 Navajo (7069 Phyllis Ave., San Jose)

Earl Simpson, 17666 Navajo (Box 77, Holy City)

O. E. Sivertsen, 20842 Nez Perce
Jerry Slayton, 17805 So. Kiowa
Robert B. Smith, 17759 Navajo
Richard G. Smith, 20941 Nez Perce (2 houses)
Stanley B. Smith, 17849 Apache (14561 Winchester, L. G.)
I. Solomon, 17724 N. Comanche
Harry Spencer, 17512 Comanche
Betty Spiro, 17836 S. Kiowa (4372 26th St., S. F.)
A. W. Standifer, 20965 E. Comanche
John S. Stanich, 17680 Navajo (Box 117, Holy City)
Sidney LaPorte 20970 Modoc
Art Thomas, 20865 Assiniboine (716 Charter, Redwood City)
Robert Thomas 17775 Cherokee
Geo Thomsen, 17975 Ogallala & 17960 Apache
Thomas Townsley, 17690 N. Comanche (2 houses)
Paul Tribon, 17813 S. Kiowa
Paul Vonfelt, 20969 E. Comanche
M. Walters, 17941 Ogallala
Robt. M. Warner, 17785 N. Comanche
Merle Watkins, 17708 Blackfoot
J. O. Watson, 20954 E. Comanche
E. J. Weaver, 17789 N. Kiowa
James N. Whitten, 17865 S. Kiowa
Merle Wickland, 17780 Navajo
Dwight E. Williams, 17779 Cherokee
Roy Williams, 20975 E. Comanche (1801 Elm St., San Carlos)
Douglas Willis, 20915 Comanche (3 houses)
DDRobert Yancey, 20988 Sioux
Albert Young, 17859 N. Kiowa
Ralph Young, 17696 Comanche

*Roads
Pending*

*Hearing
Feb 1*

January 14, 1966

Mr. Douglas Willis, Secretary
Board of Directors
Chemeketa Park Mutual Water Company
P.O. Box 985
Los Gatos, California 95031

Subject: Private Roads in Chemeketa Park

Dear Mr. Willis:

This is to advise that the Board of Supervisors is agreeable to holding a public hearing to determine whether certain private roads should be subject to Section 21107.5 of the California Vehicle Code.

It is requested that you submit to the Board of Supervisors a list of the names of the property owners in Chemeketa Park in order that proper notification of this hearing may be made.

Upon receipt of said list, we shall proceed to schedule the hearing before the Board of Supervisors.

Very truly yours,

BOARD OF SUPERVISORS

Mrs. Jean Pullan
Clerk of the Board

JP:DMR:hb

MEMORANDUM

To:

Jean Pullan

From:

Bill Siegel

SUBJECT:

Item 13 - Jan 10 Agenda

Date:

13. I understand the Board has agreed to hear this matter. You should request Mr. Willis to provide you with a list of all property owners ~~on~~ the road involved and then you mail to each a notice of the time and place at which the Board will hear the matter whether or not the provisions of the Vehicle Code should be made applicable to the designated road. The hearing must be at least 10 days after the written notice is mailed.

COUNTY COUNSEL SPENCER W. WILLIAMS, COUNTY COUNSEL

COUNTY ADMINISTRATION BUILDING 70 WEST HEDDING STREET
CIVIC CENTER SAN JOSE, CALIFORNIA 95110 299-2111

January 3, 1966

Honorable Board of Supervisors
County Administration Building
Room 514, 70 West Hedding Street
San Jose, California 95110

Gentlemen:

Subject: Vehicle Code Application to Chemeketa
Park Private Roads

This is in reply to your request of December 27 for a report on the request of the CHEMEKETA PARK MUTUAL WATER COMPANY that you hold a hearing to determine whether or not certain private roads should be made subject to the Vehicle Code.

After ten days prior written notice to the owners of a privately owned and maintained road, the Board of Supervisors may hold a public hearing on the question whether or not the provisions of the Vehicle Code should be made applicable to such road. After the hearing the Board may adopt a resolution providing that the Vehicle Code shall be applicable to the road if the Board finds that the road qualifies as a residence district.

Section 515 of the Vehicle Code defines residence district as follows:

"A 'residence district' is that portion of a highway and the property contiguous thereto, other than a business district, (a) upon one side of which highway, within a distance of a quarter of a mile, the contiguous property fronting thereon is occupied by 13 or more separate dwelling houses or business structures, or (b) upon both sides of which highway, collectively, within a distance of a quarter of a mile, the contiguous property fronting thereon is occupied by 16 or more separate

JAN 10 1966

Date

APPROVED

RE: CE CC PC DPW FLO

EO:

AESTAINS:

suby to obtaining list

1-19-66
cy: La Supervisor
Co Council
Co Executive
Pub Works
Williams + Press

RECEIVED
BOARD OF SUPERVISORS
JAN 3 4 48 PM '66
COUNTY OF
SANTA CLARA

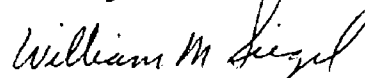
dwelling houses or business structures. A residence district may be longer than one-quarter of a mile if the above ratio of separate dwelling houses or business structures to the length of the highway exists."

If your Board wishes to hear this matter it should direct the Clerk of the Board to fix a time and place of a public hearing after the Water Company has provided the Clerk with a list of all of the owners of the privately owned roads involved.

In addition it is recommended that if you approve such a resolution you instruct the Department of Public Works to post signs at the entrance to such roads reading "Road Subject to Vehicle Code Regulations, Not a Maintained County Highway."

Very truly yours,

SPENCER M. WILLIAMS
County Counsel



WILLIAM M. SIEGEL
Assistant County Counsel

WMS:j

STATE OF CALIFORNIA VEHICLE CODE

PRIVATE ROADS

21107. The provisions of this code shall not prevent any city from adopting rules and regulations by ordinance or resolution, regulating vehicular traffic on privately owned and maintained roads located within the boundary of such city, except that no such ordinance or resolution shall be effective until signs giving notice thereof are posted on the roads affected. The provisions of this section shall not apply to any city in which there are publicly maintained city streets.

PRIVATE ROADS OPEN FOR PUBLIC USE

21107.5. (a) Any city may, by ordinance or resolution, find and declare that there are privately owned and maintained roads as described in said ordinance or resolution within the city that are generally held open for use of the public for purposes of vehicular traffic and which so connect with highways that the public cannot determine that such roads are not highways. Any county may, by ordinance or resolution, find and declare that there are privately owned and maintained roads, as described in said ordinance or resolution, within areas in the county which would be a residence or business district if such roads were highways that are generally held open for use of the public for purposes of vehicular travel and which so connect with highways that the public cannot determine that such roads are not highways. Upon enactment by a city or county of such an ordinance or resolution, the provisions of this code shall apply to any such privately owned and maintained road, except as provided in subdivision (b). *

(b) Notwithstanding the provisions of subdivision (a) no ordinance or resolution enacted thereunder shall apply to any road described therein on which the owner has caused to be erected a notice of such size, shape and color as to be readily legible during daylight hours from a distance of 100 feet, to the effect that the road is privately owned and maintained and that it is not subject to public traffic regulations or control.

(c) No ordinance or resolution shall be enacted under subdivision (a) without a public hearing thereon and 10 days' prior written notice to the owner of the privately owned and maintained road involved. *

(d) The department shall not be required to provide patrol or enforce any provisions of this code on any privately owned and maintained road subjected to the provisions of this code under this section except those provisions applicable to private property other than by action under this section. *

COUNTY OF SANTA CLARA

Roads

Pending

Office of the BOARD OF SUPERVISORS

22.

DATE December 30, 1965

THE BOARD OF SUPERVISORS AT ITS MEETING OF
REFERRED THE ATTACHED COMMUNICATION TO:

December 27, 1965

**Letter re need for enforcement of Vehicle
Code regulations in Chemeketa Park area.**

DIRECTIVE:

COUNTY COUNSEL

DEPARTMENT

- | | |
|-------------------------------------|---------------------------------|
| <input type="checkbox"/> | STUDY AND RECOMMENDATION |
| <input checked="" type="checkbox"/> | REPORT |
| <input type="checkbox"/> | ATTEND MEETING |
| <input type="checkbox"/> | PREPARATION OF NECESSARY PAPERS |
| <input type="checkbox"/> | POWER TO ACT |
| <input type="checkbox"/> | APPROPRIATE ACTION |
| <input type="checkbox"/> | NOTIFY WRITER OF ACTION |
| <input type="checkbox"/> | CONSIDERATION |
| <input type="checkbox"/> | RECONSIDERATION |
| <input type="checkbox"/> | REPLY TO WRITER |

REMARKS: _____

ATTEST: JEAN PULLAN, CLERK OF THE BOARD

By *Eileen*

*Roads Gen
Private*

December 27, 1963

Mrs. Thelma H. Bollinger
Secretary of the Board
Chemeketa Park Mutual Water Company
20868 Comanche Trail
Los Gatos, California

Subject: Enforcement of Traffic Regulations
Within Chemeketa Park.

Dear Mrs. Bollinger:

Please be advised that the Board of Supervisors at its regularly scheduled meeting on December 23, 1963, again considered your request relating to enforcement of traffic regulations on the privately owned roads within Chemeketa Park.

The Office of the County Counsel reported to the Board on its capacity to regulate privately owned roads and the particular situation as it relates to the Chemeketa Park area.

It was the decision of the Board to deny this request at this time. We are enclosing a copy of the report submitted by the County Counsel which may fully explain the Board's position.

Very truly yours,

BOARD OF SUPERVISORS

Mrs. Jean Pullan, Clerk
of the Board.

JP:DMR:mo'd
Encl.

Chemeketa Park Roads

#19

December 18, 1963

The Honorable Board of Supervisors
County Administration Building
70 West Hedding Street
San Jose 10, California

Subject: Traffic Regulations on Chemeketa Park Roads.

Gentlemen:

The Chemeketa Park Mutual Water Company has requested the Board of Supervisors to regulate vehicle traffic over certain privately owned and maintained roads in the Chemeketa Park area. In making the request, the Water Company has referred to Sections 21107.5 and 21107.7 of the Vehicle Code of the State of California. The Board of Supervisors has referred this request to our office to make a report.

The sections referred to relate to the enforcement of traffic regulations on private roads by the adoption of appropriate ordinances or resolutions by the Board of Supervisors. Written notice of the intention to adopt regulations must be given to property owners and a public hearing is required before any ordinance or regulation regulating traffic may be adopted.

If the road is generally held open for public use, the proceedings leading to the adoption of an ordinance may be initiated by the County. If the road is not generally held open for Public use, the proceedings can only be initiated by a majority of the owners of the privately owned and maintained road. There was no information in the request from the Water Company which would indicate

68

The Honorable Board of Supervisors
December 18, 1963
Page 2

whether the roads are or are not generally held open for public use. Thus before any action is taken by the Board of Supervisors, the Water Company should furnish the necessary information as to the exact status of the roads with respect to their use by the public.

Assuming traffic regulations are adopted by the Board of Supervisors, the problem of their enforcement is of some significance. The law relating to this matter expressly provides that the California Highway Patrol shall not be required to provide patrol or enforcement of the traffic regulations. Therefore, unless the Sheriff's Office assumes this responsibility, the result of the adoption of the regulations would become meaningless.

We have informally discussed with the Sheriff's Office the Water Company's request for the establishment of traffic regulations in the area. Because of the lack of information as to the exact area involved, the number and lengths of roads, the type of regulations that might be involved, etc., the Sheriff's Office was unable to estimate what, if any, additional personnel and equipment would be necessary. Accordingly, if the Board of Supervisors desires to further consider the adoption of traffic regulations, it would appear important that the Water Company provide the Sheriff's Office with the precise information mentioned above. On the basis of this information, the Sheriff's Office would be better able to evaluate its needs for proper enforcement of the traffic regulations.

Very truly yours,

SPENCER M. WILLIAMS
County Counsel

By:
John R. Kennedy
Assistant County Counsel

JRK:pt

cc: Mr. James T. Pott
Sheriff's Office - Attn. Capt. John Perusina

22-9-14 CHEMEKETA PARK MUTUAL WATER COMPANY.

Mailing Address:
P.O. Box 985
Los Gatos, Calif. 95031

17777 NAVAJO TRAIL

LOS GATOS, CALIF.,
December 20, 1965

Hearing
7:00/

3/4 REFER
TO COUNSEL
FOR PREP OF
DOCUMENTS

52/
The Hon. Sig Sanchez, chairman
Santa Clara County Board of Supervisors
70 West Hedding Street
San Jose, California

Dear Mr. Sanchez,

The Board of Directors of the Chemeketa Park Mutual Water Company wishes to call your attention to Section 21107.5 of the California Vehicle Code and respectfully requests that the Board of Supervisors hold hearings as described in that section of the Code concerning the privately maintained roads in Chemeketa Park which this company maintains.

The privately owned and maintained roads in our area are the following:

All of Arapahoe Trail, Assiniboine Trail, Blackfoot Trail, Cherokee Trail, Comanche Trail, Crow Trail, Delaware Trail, Kiowa Trail, Modoc Trail, Navajo Trail, Pawnee Trail, Nez Perce or Seminole Trail, Umatilla Trail, Walla Walla Trail and Apache Trail; and that part of Ogallala Warpath and Ogallala Path between Edwards Way and the southernmost intersection of Ogallala and the Old Los Gatos-Santa Cruz Highway.

All of the above-described roads lie entirely on properties that form the Chemeketa Park Mutual Water Company, and the company assesses the owners of these properties to maintain the roads. We can supply, on your request, a complete list of names and addresses of the property owners affected.

The roads in our area, as you may know, are all narrow, winding mountain roads, and they have become in recent years a "safe haven" for reckless and unqualified juvenile drivers and other irresponsible motorists.

It is common knowledge among juveniles in the mountain area that they may not be cited for violations of the vehicle code on our private roads, and the situation has created a hazard to the safety of adults, children and other motorists on our roads. The effect of the vehicle code section we cite above would be to give law enforcement officers the right to cite for vehicle code violations on our roads, although it does not require that they do so.

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BOARD OF SUPERVISORS
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COUNTY OF
SANTA CLARA

We realize that the application of the vehicle code by county resolution, as provided for in the code section above, will not solve all of our traffic problems, and we understand that such a resolution would not oblige the Highway Patrol, the Sheriff's Department, or any other law enforcement agency to patrol our roads or write citations.

We believe, however, that the knowledge that our roads are no longer "off limits" to police officers will have a beneficial effect on irresponsible drivers. We also can point to numerous occasions when officers called to our area on traffic problems creating a danger to life have had to spend long periods of time trying to reason with youths who knew the officers were powerless to stop them. Under these circumstances the issuance of a traffic citation, even only once every five or six months, would be more effective and take less time for deputies.

We have the support of patrol deputies in our area in seeking this resolution. They are convinced, as we are, that such a resolution would be in the best interests of our community and the public in general.

Thank you for your time and consideration.

Yours truly,



DOUGLAS WILLIS, secretary
Board of Directors
Chemeketa Park Mutual Water Company

22 COUNTY OF SANTA CLARA

Office of the BOARD OF SUPERVISORS

DATE October 27, 1962

THE BOARD OF SUPERVISORS AT ITS MEETING OF October 21, 1962
REFERRED THE ATTACHED COMMUNICATION TO:

DIRECTIVE:

- | | |
|-------------------------------------|------------------------------------|
| <input checked="" type="checkbox"/> | STUDY AND RECOMMENDATION
REPORT |
| <input type="checkbox"/> | ATTEND MEETING |
| <input type="checkbox"/> | PREPARATION OF NECESSARY PAPERS |
| <input type="checkbox"/> | POWER TO ACT |
| <input type="checkbox"/> | APPROPRIATE ACTION |
| <input type="checkbox"/> | NOTIFY WRITER OF ACTION |
| <input type="checkbox"/> | CONSIDERATION |
| <input type="checkbox"/> | RECONSIDERATION |
| <input type="checkbox"/> | REPLY TO WRITER |

County Counsel

DEPARTMENT

REMARKS:

Please include comments from
Highway Dept. in report.

ATTEST: JEAN PULLAN, CLERK OF THE BOARD

BY

Margaret Sawyer

October 25, 1963

Mrs. Thelma H. Bollinger
Secretary of the Board
Chemekota Park Mutual Water Company
20868 Comanche Trail
Los Gatos, California

Dear Mrs. Bollinger:

Please be advised that your communication relating to invoking provisions of the Vehicle Code for your area was considered by the Board of Supervisors on October 21, 1963. The Board referred this matter to the Office of the County Counsel for study and report.

Very truly yours,

BOARD OF SUPERVISORS

Mrs. Jean Pullan, Clerk
of the Board.

JP:DMR:mo'd

cc: County Counsel

county of santa clara

#2

COUNTY COUNSEL SPENCER M. WILLIAMS COUNTY COUNSEL


October 28, 1963

The Honorable Board of Supervisors
County Administration Building
San Jose, California

Gentlemen:

Attached is a copy of a letter sent this date to the Highway Patrol relative to Vehicle Code sections 21107.5 and 21107.7. A copy of these sections is attached hereto for your information.

Very truly yours,


SPENCER M. WILLIAMS
County Counsel

SMW:mab - encl.
cc: Each member of the Board

21107.5:

"Any city may, by ordinance or resolution, find and declare that there are privately owned and maintained roads as described in said ordinance within the city that are generally held open for use of the public for purposes of vehicular traffic and which so connect with highways that the public cannot determine that the privately owned and maintained roads are not highways. No such ordinance shall be enacted without a public hearing thereon and prior 10 days written notice to the owner of said privately owned and maintained roads. Upon enactment of such an ordinance or resolution, the provisions of this code shall apply to any such privately owned and maintained road unless there is posted on such road a notice of such size, shape, and color as to be readily legible during daylight hours from a distance of 100 feet to the effect that the road is privately owned and maintained and that it is not subject to public traffic regulation and control."

21107.7:

"(a) Any city or county may, by ordinance or resolution, find and declare that there are privately owned and maintained roads as described in said ordinance or resolution within the city or county that are not generally held open for use of the public for purposes of vehicular travel but by reason of their proximity to or connection with highways the interests of the residents residing along such roads and the motoring public will best be served by application of provisions of this code to such roads. No such ordinance or resolution shall be enacted unless there is first filed with the city or county a petition requesting such by a majority of the owners of any such privately owned and maintained road and without a public hearing thereon and 10 days' prior written notice to all owners of such road. Upon enactment of such ordinance or resolution, the provisions of section 22350 and as provided in Chapter 12 (commencing with section 23100) of this division of this code shall apply to any such privately

owned and maintained road provided appropriate signs are erected at the entrance to the road of such size, shape, and color as to be readily legible during daylight hours from a distance of 100 feet, to the effect that the road is subject to such provisions of this code.

"(b) The department shall not be required to provide patrol or enforce any provisions of this code on any privately owned and maintained road subjected to the provisions of this code under this section, except those provisions applicable to private property other than by action under this section."

county of santa clara

COUNTY COUNSEL SPENCER M. WILLIAMS

October 28, 1963

Captain R. P. Bliss
California Highway Patrol
680 Commercial
San Jose, California

Dear Captain Bliss:

The Board of Supervisors has been asked to implement new Vehicle Code sections 21107.5 and 21107.7 in the Chemeketa Park area of Santa Clara County. They recognize that the granting of this request may stimulate other requests for similar action as to private roads in other areas of the county. Since such action could impose a considerable workload on your department, they would very much appreciate your views before either granting or denying the request.

If you will convey this information to me, I will forward it to the Board for their consideration at an early date.

Very truly yours,

SPENCER M. WILLIAMS
County Counsel

SMW:meb

cc: Each Member of the Board
of Supervisors

22.
20868 Comanche Trail,
Los Gatos, Calif. 95030
Sept. 26, 1963

Secretary,
Santa Clara County Board of Supervisors,
70 W. Hedding,
San Jose, Calif..

Dear Sirs:

It has been called to our attention that we can, upon request of the County Board of Supervisors, have the benefits of the following codes:

21107.5, ch1873, AB2301 and 21107.7, ch1914, SB 1086.

At a recent meeting of the board of the Chemeketa Park Mutual Water Company, it was unanimously decided that we ask the County Board to invoke the above codes in our area.

Thank you for your consideration..

Sincerely yours,

Thelma H. Bollinger

Thelma H. Bollinger
Secretary of the Board

Jean Pullan:

21107.5 provides a method whereby the Board of Supervisors may make provisions of the Vehicle Code applicable to private roads which are open for general public use. It requires 10 days notice to the owners of the private road and a public hearing.

21107.7 permits the Board to do the same thing to private roads not generally held open for public use. The majority of the owners must petition, however, followed by a public hearing after 10 days notice to all the owners.

Spence

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Date OCT 21 1963 OCT 10 1963 (m)
APPROVED SEL SECURITY COOPER
RE: CE CC PC DPW FLD h z
NO: ABSTAINS: h

RECEIVED
BOARD OF SUPERVISORS
OCT 9 10 11 AM '53
COUNTY OF
SANTA CLARA