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05 3221643

RECORDED/FILED IN OFFICIAL RECORDS RECORDER'S OFFICE LOS ANGELES COUNTY CALIFORNIA 4:41 PM DEC 29 2005
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TITLE(S) :



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D.T.T.

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CODE
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CODE
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Assessor's Identification Number (AIN)

To be completed by Examiner OR Title Company in black ink.

Number of AIN's Shown

THIS FORM IS NOT TO BE DUPLICATED

RECORDING REQUEST BY

WHEN RECORDED MAIL TO

NAME

MAILING ADDRESS

CITY, STATE ZIP CODE

CITY CLERK
Plaza Level City Hall
333 West Ocean Blvd.
Long Beach, California 90802

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SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

TITLE(S)

RESOLUTION NO. RES-05-0141

A RESOLUTION ORDERING THE VACATION OF PORTIONS OF FOURTH STREET AND ELM AVENUE IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

3

RESOLUTION NO. RES-05-0141

A RESOLUTION ORDERING THE VACATION OF PORTIONS OF FOURTH STREET AND ELM AVENUE IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

WHEREAS, the City Council of the City of Long Beach, did heretofore, on the 15th day of, November, 2005, by Resolution No. RES-05-0133, declare its intention to order the vacation, pursuant to the provisions of the Public Streets, Highways, and Service Easements Law, portions of Fourth Street and Elm Avenue in the City of Long Beach, County of Los Angeles, State of California, described more particularly as follows:

Those portions of Fourth Street and Elm Avenue, in the City of Long Beach, County of Los Angeles, State of California, lying adjacent to and abutting the southerly and easterly lines of Lot 1 of Tract No. 53306, as shown on the map filed in Book 1261, Page 31 through 34, inclusive, of maps, in the office of the county recorder of said county, more particularly described as follows:

Beginning at the Southwest corner of said Lot 1; thence North 89°58'36" East 381.32 feet to the Southeast corner thereof; thence North 00°00'04" West 348.32 feet to the Northeast corner thereof; thence East 3.00 feet; thence parallel to the East line of Lot 1, South 00°00'04" East 347.15; thence South 44°59'16" West 5.89 feet to a line parallel with and Southerly of Lot 1; thence South 89°58'36" West 380.15 feet; thence North 3.00 feet to the Point of Beginning.

WHEREAS, the City Council did, at said time, fix Tuesday, the 13th day of December, 2005, at the hour of 5:00 p.m., as the time at the City Council Chamber, Plaza Level of the City Hall, 333 West Ocean Boulevard, in the City of Long Beach, California, as the place for hearing for all persons interested in or objecting to the proposed vacation to appear and be heard; and

WHEREAS, notice of the resolution of the intention to vacate, stating the time

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1 and place of said hearing, were duly posted in the manner prescribed by law; and

2 WHEREAS, said hearing was called and held before the City Council at the
3 time and place so fixed and evidence taken and received on the matter of said proposed
4 vacation, and the City Council, upon said evidence, now make those findings of fact set
5 forth in said Exhibit "B", attached hereto and by this reference made a part hereof;

6 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
7 follows:

8 Section 1. Pursuant to the foregoing resolution of intention, the proceedings
9 had thereunder, the SKETCH 946V showing portions of Fourth Street and Elm Avenue
10 to be vacated by the City of Long Beach attached hereto as Exhibit "A", and the City
11 Council Findings attached hereto as Exhibit "B", said City Council of the City of Long
12 Beach hereby makes its resolution vacating and closing a portion of the drive hereinabove
13 described.

14 Sec. 2. That this resolution shall take effect immediately upon its adoption
15 by the City Council, and the City Clerk is hereby instructed to certify to the adoption
16 thereof, and to cause a certified copy to be recorded in the Office of the County Recorder
17 of the County of Los Angeles, California.

18 I hereby certify that the foregoing resolution was adopted by the City Council

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1 of the City of Long Beach at its meeting of December 13, 2005, by the following votes:

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Ayes: Councilmembers: Lowenthal, Baker, Colonna,
O'Donnell, Richardson, Reyes Uranga,
Gabelich, Lerch.

Noes: Councilmembers: None.

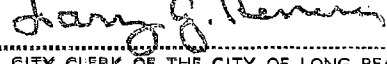
Absent: Councilmembers: Kell.




City Clerk

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City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
Telephone (562) 570-2200

CERTIFIED AS A TRUE AND CORRECT COPY



CITY CLERK OF THE CITY OF LONG BEACH

DATE: DEC. 16 2005

LPM:ET
10/10/05
05-04810;
L:\APPS\CtyLaw32\WPDOCS\10\10\004\100080659.WPD

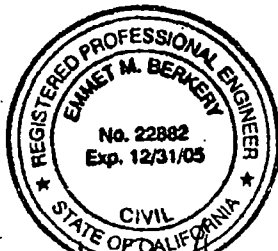
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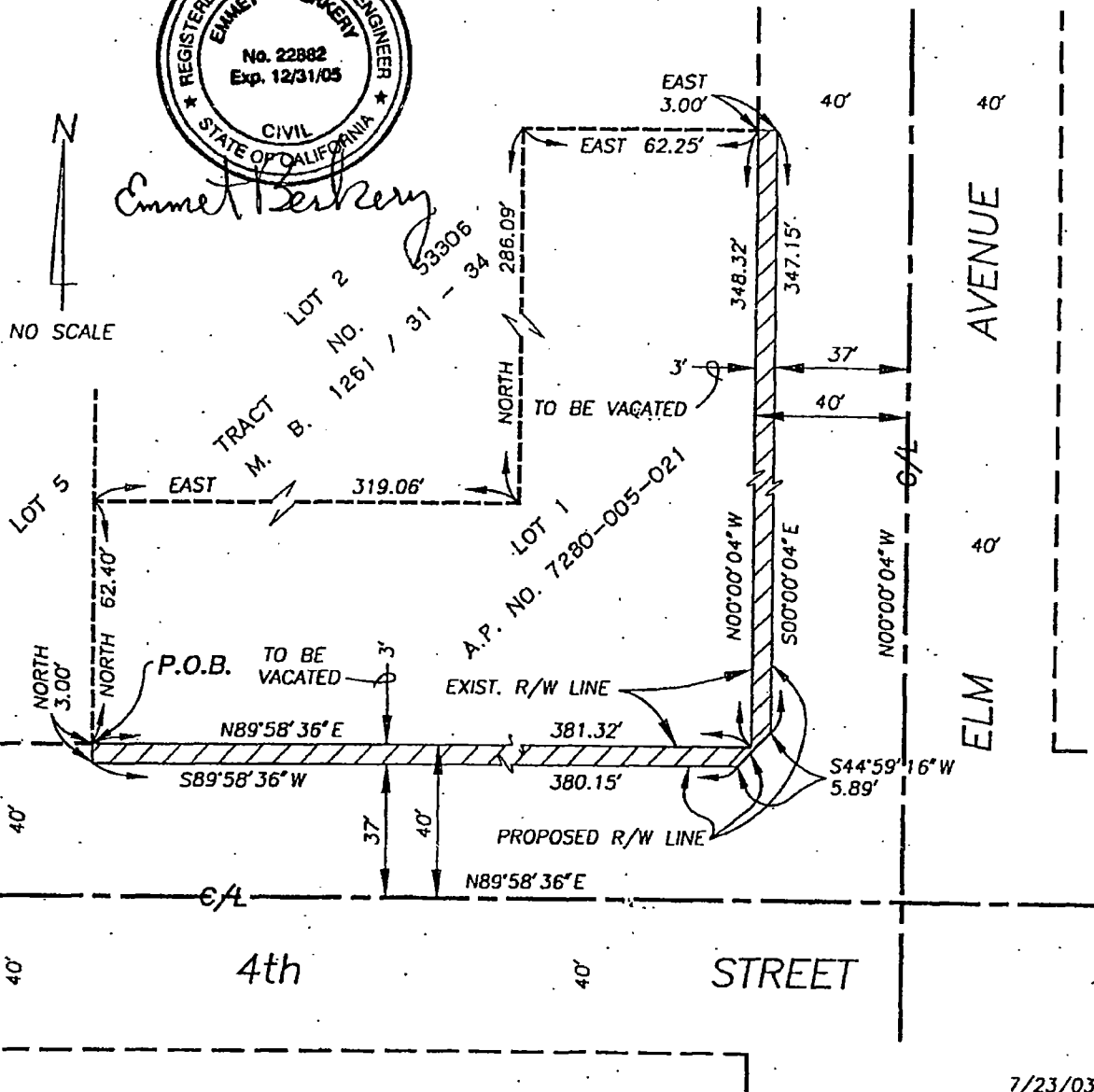
EXHIBIT 'A' STREET VACATION - 4th STREET/ELM AVENUE

THOSE PORTIONS OF 4th STREET AND ELM AVENUE, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, LYING ADJACENT TO AND ABUTTING THE SOUTHERLY AND EASTERLY LINES OF LOT 1 OF TRACT NO. 53306, AS SHOWN ON THE MAP FILED IN BOOK 1261, PAGES 31 THROUGH 34, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 89°58'36" EAST 381.32 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 00°00'04" WEST 348.32 FEET TO THE NORTHEAST CORNER THEREOF; THENCE EAST 3.00 FEET; THENCE PARALLEL TO THE EAST LINE OF LOT 1, SOUTH 00°00'04" EAST 347.15 FEET; THENCE SOUTH 44°59'16" WEST 5.89 FEET TO A LINE PARALLEL WITH AND SOUTHERLY OF LOT 1; THENCE SOUTH 89°58'36" WEST 380.15 FEET; THENCE NORTH 3.00 FEET TO THE POINT OF BEGINNING.



Emmet Berkery



7/23/03

EXHIBIT A

05 3221643

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CITY COUNCIL FINDINGS

VACATION OF PORTIONS OF FOURTH STREET AND ELM AVENUE ADJACENT TO 395 EAST FOURTH STREET - Reference Sketch No. 946V

1. The subject right-of-way is unnecessary for present or prospective public use.

This finding is based upon the following subfindings:

- a) Those findings stated in the City Manager's letter submitted for the November 15, 2005, City Council meeting regarding the resolution of intention to vacate the subject right-of-way, adopted as Resolution No. RES-05-0133.
- b) The rights-of-way would not be useful for exclusive bikeway purposes.

2. The vacation of said rights-of-way will not have a significantly adverse environmental effect.

This finding is based upon the following subfindings:

- a) The right-of-way is not and will not be needed for public use.
- c) In conformance with the California Environmental Quality Act, an Environmental Impact Report was completed for this project, filed as report number 20000011097.

EXHIBIT B

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