

CITY OF LONG BEACH

C-10

DEPARTMENT OF PUBLIC WORKS

333 West Ocean Boulevard 9th Floor • Long Beach, CA 90802 • (562) 570-6383 • Fax (562) 570-6012

June 1, 2010

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt a resolution of intention to vacate the alley east of Temple Avenue and north of Fourteenth Street, and set a date for a public hearing on the vacation for July 6, 2010. (District 4)

DISCUSSION

The Redevelopment Agency (RDA) of the City of Long Beach is seeking to expand Orizaba Park into the area southwest of the old Pacific Electric rail right-of-way, and requests the vacation of the alley as shown on the attached Exhibit A. RDA owns all of the parcels adjacent to the alley to be vacated except for the single family home at 1446 Temple Avenue; therefore, most of the vacated alley will become a part of the park. As indicated on attached Exhibit B, the portion of the alley adjacent to 1446 Temple Avenue will become a part of that lot, consistent with California land reversion practices.

Proceedings for this vacation are being conducted in accordance with Chapter Three, General Vacation Procedure, of the Public Streets, Highways and Service Easements Vacation Law of the California Streets and Highways Code. Findings must establish that the subject right-of-way is unnecessary for present or prospective public use. The Department of Public Works supports this action based on the following evidence, facts, conditions and findings, establishing that the dedicated right-of-way to be vacated is unnecessary for present or prospective public use.

1. The portion of the alley adjacent to 1446 Temple Avenue is used for access to the garage serving this single-family residence. As a part of this action, the portion of the alley indicated on Exhibit B will be converted to a private driveway.
2. The Planning Commission approved the plans for the expansion of Orizaba Park on November 19, 2009, and made a General Plan Conformity Finding for the required alley vacation as required in Section 8313 of the Public Streets, Highways and Service Easements Vacation Law. In conformance with the California Environmental Quality Act, a Categorical Exemption was issued.
3. The interested City Departments, including Fire and Police, have reviewed the proposed land development and right-of-way vacation and have no objections to this action. No utility easement reservation will be necessary.

HONORABLE MAYOR AND CITY COUNCIL

June 1, 2010

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The public hearing on this matter to be held on July 6, 2010 will allow all persons interested in, or objecting to, the proposed vacation to appear and be heard.

This matter was reviewed by Deputy City Attorney Linda Trang on March 22, 2010 and by Budget Management Officer Victoria Bell on May 14, 2010.

TIMING CONSIDERATIONS

City Council action is requested on June 1, 2010 to set the July 6, 2010 public hearing date of this matter.

FISCAL IMPACT

The estimated cost of processing this action is \$3,000, which will be charged to the Redevelopment Agency (RDA).

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,




MICHAEL P. CONWAY
DIRECTOR OF PUBLIC WORKS

MPC:MAC:GMM:SDJ
P\CL\ROW Orizaba Park CL.doc

Attachments: Exhibit A
Exhibit B

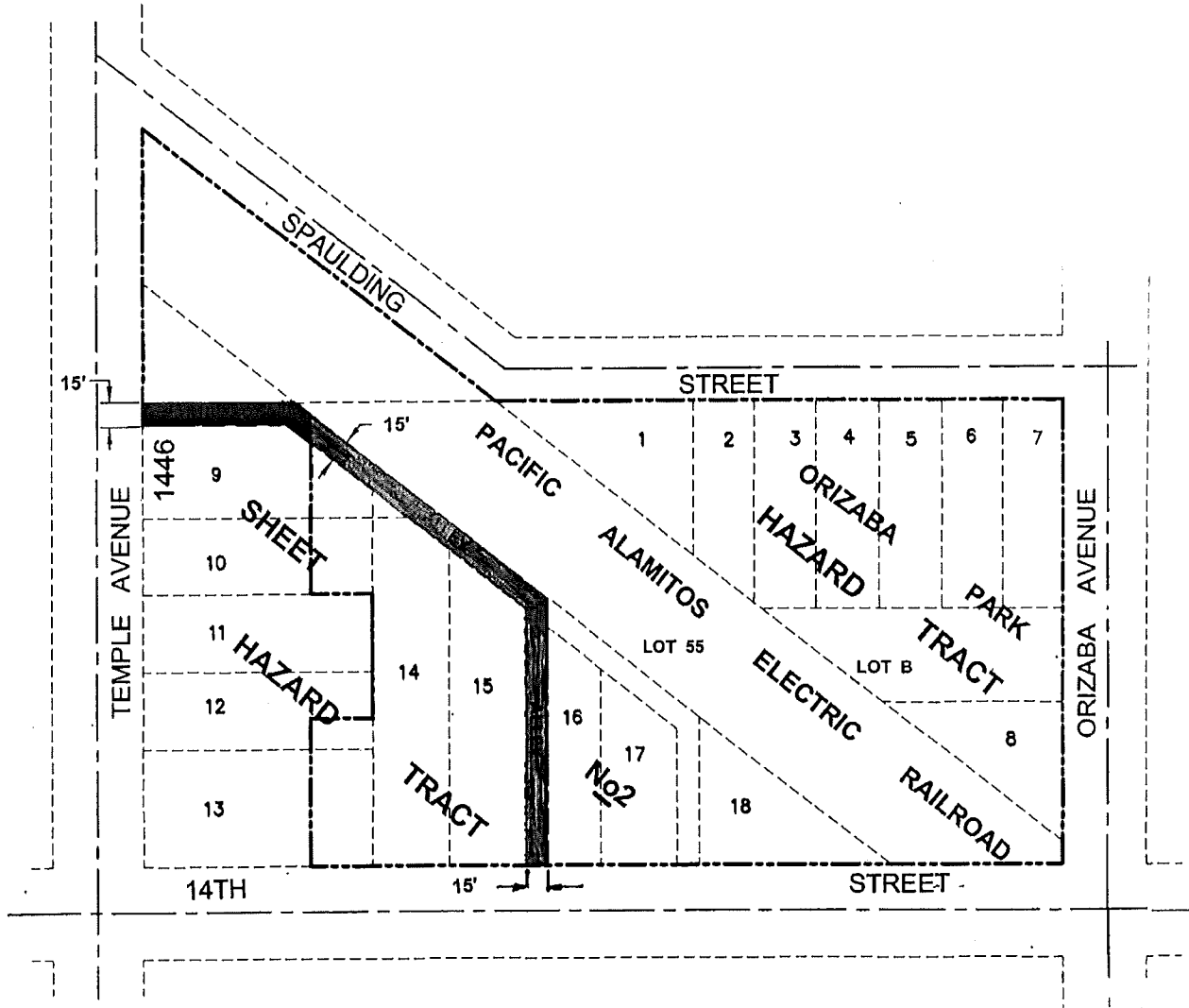
APPROVED:



PATRICK H. WEST
CITY MANAGER

SKETCH NO. 993V

**SKETCH SHOWING THE ALLEY EAST OF TEMPLE AVENUE
AND NORTH OF FOURTEENTH STREET
TO BE VACATED BY THE CITY OF LONG BEACH.**




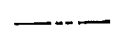
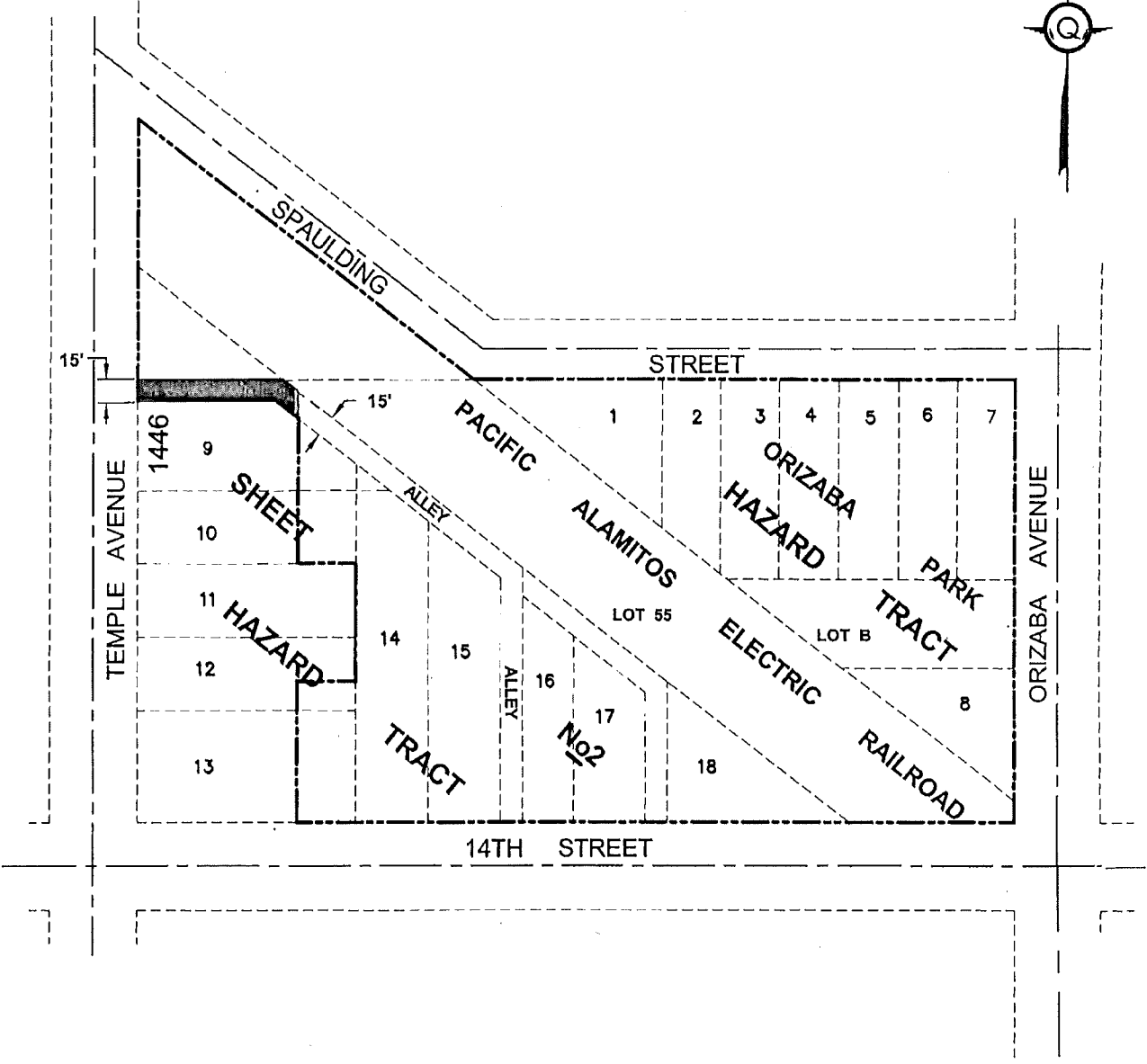
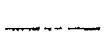
-  Indicates Area to be Vacated
-  Indicates New Orizaba Park Boundary



EXHIBIT A



Indicates Area to be attached to Lot 9



Indicates New Orizaba Park Boundary

EXHIBIT B

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RESOLUTION NO.

A RESOLUTION OF INTENTION TO VACATE THE ALLEY EAST OF TEMPLE AVENUE AND NORTH OF FOURTEENTH STREET, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, PURSUANT TO THE PUBLIC STREET, HIGHWAYS AND SERVICE EASEMENTS LAW (DIVISION 9, PART 3, CALIFORNIA STREETS AND HIGHWAYS CODE); FIXING A TIME AND PLACE FOR HEARING ALL PERSONS INTERESTED IN OR OBJECTING TO THE PROPOSED VACATION

The City Council of the City of Long Beach resolves as follows:

Section 1. The City Council of the City of Long Beach hereby elects to proceed under Division 9, Part 3, Chapter 3, of the California Streets and Highways Code (Section 8320 *et seq.*), as amended, generally known and referred as the "Public Street, Highways and Service Easements Law", and hereby declares its intention to vacate the alley east of Temple Avenue and north of Fourteenth Street, in the City of Long Beach, County of Los Angeles, State of California, described more particularly as follows:

Parcel 1.

The alley, 15 feet wide, as shown on map entitled Sheet No. 2 Hazard Tract, in the City of Long Beach, County of Los Angeles, and State of California as per map recorded in Book 14 page 126 of Map Book, in the office of the Los Angeles County Recorder.

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Parcel 2.

The westerly 15 feet of said Lot 16 of said Sheet No. 2 Hazard Tract, being an alley dedicated per book D2768, page 586 of Deeds, in the office of the Los Angeles County Recorder.

Section 2. All of the foregoing real property is shown on the map or plan thereof, attached hereto as Exhibit "A", and on file in the office of the City Clerk, which map or plan is known and referred to as "City of Long Beach Department of Public Works Vacation Sketch No. 993V".

Section 3. The City Council hereby fixes the _____ day of _____, 2010 at the hour of _____ p.m., as the time and 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 all persons interested in or objecting to the proposed vacation.

Section 4. The City Council hereby directs that notice of said hearing on this proposed street vacation be published for at least two (2) successive weeks prior to the hearing and in the manner provided by Section 8322 of the State Streets and Highways Code.

Section 5. The City Council hereby directs that notice of this street vacation be posted conspicuously along the street proposed to be vacated at least two (2) weeks before the date set for hearing and in the manner provided by Section 8323 of the State Streets and Highways Code.

Section 6. This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify to the vote adopting this resolution.

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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of _____, 20__ by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

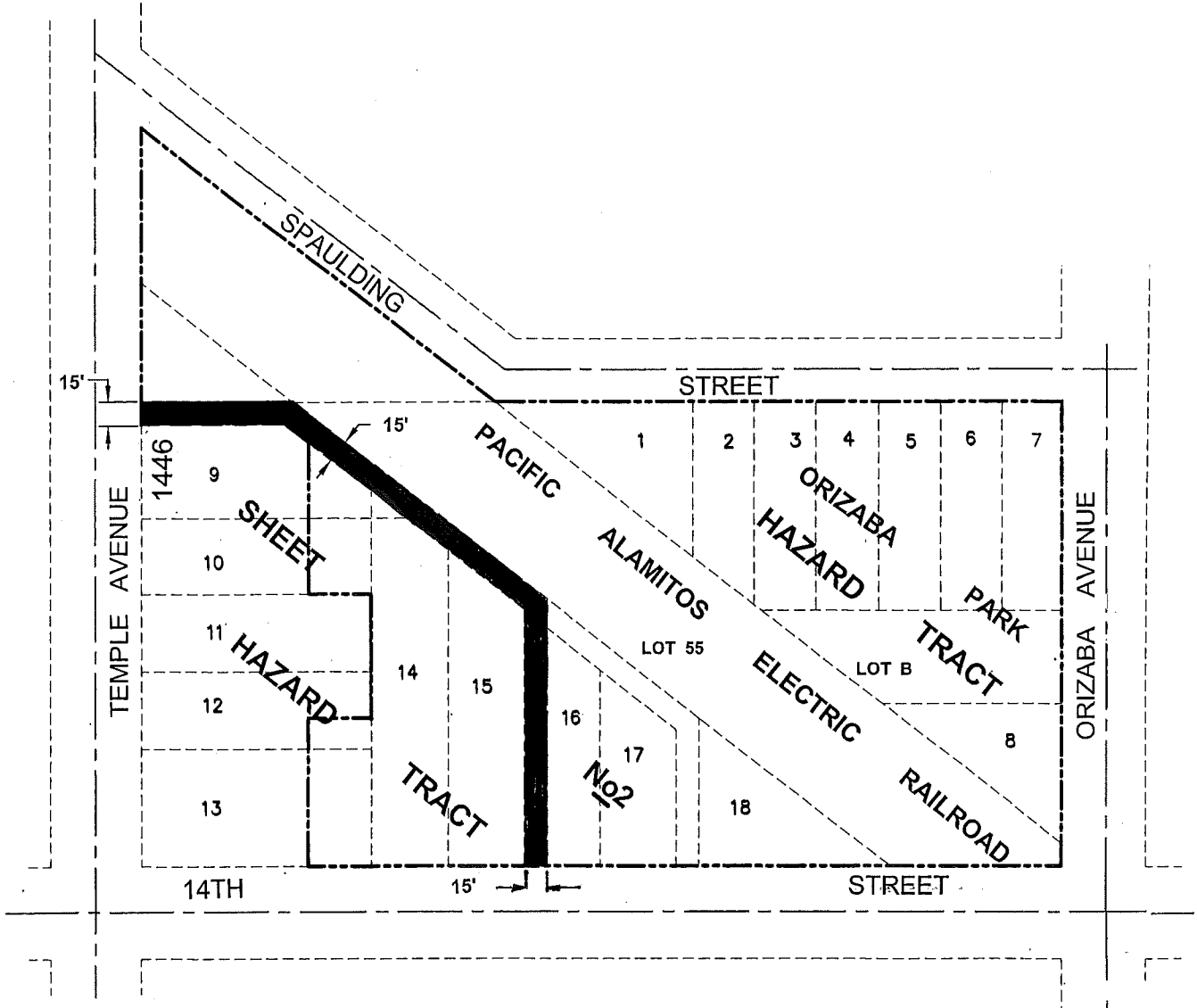
Absent: Councilmembers: _____

City Clerk

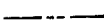
OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

SKETCH NO. 993V

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Indicates Area to be Vacated



Indicates New Orizaba Park Boundary



EXHIBIT A