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California

01/06/14 AT 11:01AM

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CITY CLERK  
LONG BEACH, CA  
14 JAN 28 AM 11:28

RECORDING REQUEST BY

**WHEN RECORDED MAIL TO**

**NAME** CITY OF LONG BEACH  
**MAILING** CITY CLERK DEPARTMENT  
**ADDRESS** 333 WEST OCEAN BLVD.,  
PLAZA LEVEL  
**CITY, STATE** LONG BEACH, CA 90802  
**ZIP CODE**



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SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

**TITLE(S)**

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RESOLUTION NO. RES-09-0080

A RESOLUTION ORDERING THE VACATION OF A  
PORTION OF THE ALLEY NORTH OF ARTESIA  
BOULEVARD AND WEST OF ORANGE AVENUE IN  
THE CITY OF LONG BEACH, COUNTY OF LOS  
ANGELES, STATE OF CALIFORNIA

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RESOLUTION NO. RES-09-0080

A RESOLUTION ORDERING THE VACATION OF A PORTION OF THE ALLEY NORTH OF ARTESIA BOULEVARD AND WEST OF ORANGE 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 14th of July, 2009, by Resolution No. RES-09-0070,

declare its intention to order the vacation, pursuant to the provisions of the Public Streets, Highways, and Service Easements Law, a portion of the alley north of Artesia Boulevard and west of Orange Avenue, in the City of Long Beach, County of Los Angeles, State of California, described more particularly as follows:

All those certain alleys lying within Tract No. 14098, in the City of Long Beach, County of Los Angeles, State of California, as shown on the map recorded in Book 292, Page 32 of Maps, recorded in the office of the County Recorder of said County, lying southerly of a line parallel with and 20.00 feet southerly of the northerly line of Lot 19 of said Tract.

Reserving unto the City of Long Beach, its successors and assigns a perpetual easement and right-of-way, at any time or from time to time, to lay, construct, maintain, operate, repair, renew, replace, change the size of and remove the existing utility lines, including, but not limited to, sanitary sewers and appurtenant structures, together with all

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necessary gates, valves, fittings, hydrants and appurtenances for the transportation of water and gas, with the right of ingress to and egress from the same, over, through, under, along and across that certain property vacated herewith; and pursuant to any existing franchises or renewals thereof, or otherwise, to construct, maintain, operate, replace, remove, renew and enlarge lines of conduits, cables, wires, poles and other convenient structures, equipment and fixtures for the operation of telephone lines and other communication lines, and for the transportation or distribution of electric energy, and incidental purposes including access and the right to keep the property free from inflammable materials, and wood growth, and otherwise protect the same from all hazards in, upon and over the part vacated. Access for maintenance of the above-mentioned facilities must be maintained at all times. No improvements shall be constructed within the easement which would impede the operation, maintenance or repair of said facilities. Construction of any improvements, including changes of grade, shall be subject to the prior written approval of all the City departments and public utilities responsible for the above said facilities.

WHEREAS, the City Council did, at said time, fix Tuesday, the 11th day of August, 2009, at the hour of 5:00 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 for all persons interested in or objecting to the proposed vacation to appear and be heard; and

1 WHEREAS, notice of the resolution of the intention to vacate, stating the  
2 time and place of said hearing, was duly posted in the manner prescribed by law; and

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

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

9 Section 1. Pursuant to the foregoing resolution of intention, the  
10 proceedings had thereunder, Vacation Sketch No. 990V showing a portion of the alley  
11 north of Artesia Boulevard and west of Orange Avenue to be vacated by the City of Long  
12 Beach attached hereto as Exhibit "A", and the City Council Findings attached hereto as  
13 Exhibit "B", said City Council of the City of Long Beach hereby makes its resolution  
14 vacating and closing a portion of the alley hereinabove described.

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

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OFFICE OF THE CITY ATTORNEY  
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Long Beach, CA 90802-4664

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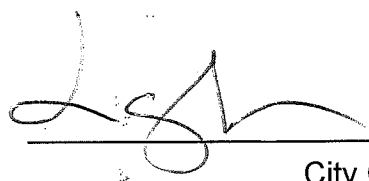
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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of August 11, 2009 by the following vote:

Ayes: Councilmembers: DeLong, O'Donnell, Andrews,  
Reyes Uranga, Lerch.

Noes: Councilmembers: None.

Absent: Councilmembers: Garcia, Lowenthal, Schipske, Gabelich.

  
\_\_\_\_\_  
City Clerk

CERTIFIED AS A TRUE AND CORRECT COPY  
  
\_\_\_\_\_  
CITY CLERK OF THE CITY OF LONG BEACH  
BY   
DATE: December 30, 2013

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



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## CITY COUNCIL FINDINGS

### VACATION OF A PORTION OF THE ALLEY NORTH OF ARTESIA BOULEVARD AND WEST OF ORANGE AVENUE

Reference Sketch No. 990V

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

This finding is based upon the following subfindings:

- a) On December 4, 2008, the City of Long Beach Planning Commission approved plans for a new 15,712 square foot fire station at 1199 E. Artesia Boulevard and determined that the subject alley vacation is consistent with the City's General Plan.
- b) A new 20-foot wide branch alley will be dedicated and constructed to maintain through alley access to all of the private properties in this block.
- c) The interested City departments, including Fire and Police, have reviewed the proposed right-of-way vacation and have no objections to this action. A utility easement will be reserved as a condition of approval, to be quitclaimed upon satisfactory relocation of the public utilities.
- d) 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.
- e) In conformance with the California Environmental Quality Act, Negative Declaration Number ND 14-08 was issued for this project.

EXHIBIT B