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1 RESOLUTION NO. RES-06-0117

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3 A RESOLUTION ORDERING THE VACATION OF
4 THE EAST-WEST ALLEY NORTH OF ANAHEIM STREET
5 AND WEST OF ELM AVENUE, IN THE CITY OF LONG
6 BEACH, COUNTY OF LOS ANGELES, STATE OF
7 CALIFORNIA

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9 WHEREAS, the City Council of the City of Long Beach, did heretofore, on the
10 12th day of, September, 2006, by Resolution No. RES-06-0102, declare its
11 intention to order the vacation, pursuant to the provisions of the Public Streets, Highways,
12 and Service Easements Law, The East-West Alley North of Anaheim Street and West of
13 Elm Avenue in the City of Long Beach, County of Los Angeles, State of California,
14 described more particularly as follows:

15 The east-west alley, 10 feet wide, located in Block 11 of the
16 Townsend & Robinson tract, in the City of Long Beach, County
17 of Los Angeles, State of California, as shown on the Map
18 recorded in Book 2, Pages 3 and 4 of Maps, in the Office of
19 the Recorder of said County, bounded on the east by the
20 westerly line of Elm Avenue, 80 feet wide, and bounded on the
21 west by a line 2.00 feet easterly of the easterly line of Alamo
22 Court, 16 feet wide, both as shown on said map of the
23 Townsend & Robinson Tract;

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

1 in, upon and over the part vacated. Access for maintenance
2 of the above-mentioned facilities must be maintained at all
3 times. No improvements shall be constructed within the
4 easement which would impede the operation, maintenance or
5 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.

6 WHEREAS, the City Council did, at said time, fix Tuesday, the 10th day of
7 October, 2006, at the hour of 5:00 p.m., as the time at the City Council
8 Chamber, Plaza Level of the City Hall, 333 West Ocean Boulevard, in the City of Long
9 Beach, California, as the place for hearing for all persons interested in or objecting to the
10 proposed vacation to appear and be heard; and

11 WHEREAS, notice of the resolution of the intention to vacate, stating the time
12 and place of said hearing, were duly posted in the manner prescribed by law; and

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

17 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
18 follows:

19 Section 1. Pursuant to the foregoing resolution of intention, the proceedings
20 had thereunder, the Sketch 954V showing the east-west alley north of Anaheim Street and
21 west of Elm Avenue be vacated by the City of Long Beach attached hereto as Exhibit "A",
22 and the City Council Findings attached hereto as Exhibit "B", said City Council of the City
23 of Long Beach hereby makes its resolution vacating and closing a portion of the drive
24 hereinabove described.

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

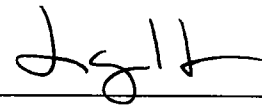
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I hereby certify that the foregoing resolution was adopted by the City Council
of the City of Long Beach at its meeting of October 10, 2006, by the following votes:

Ayes: Councilmembers: B. Lowenthal, S. Lowenthal, Schipske,
Richardson, Reyes Uranga, Gabelich,
Lerch.

Noes: Councilmembers: None.

Absent: Councilmembers: DeLong, O'Donnell.



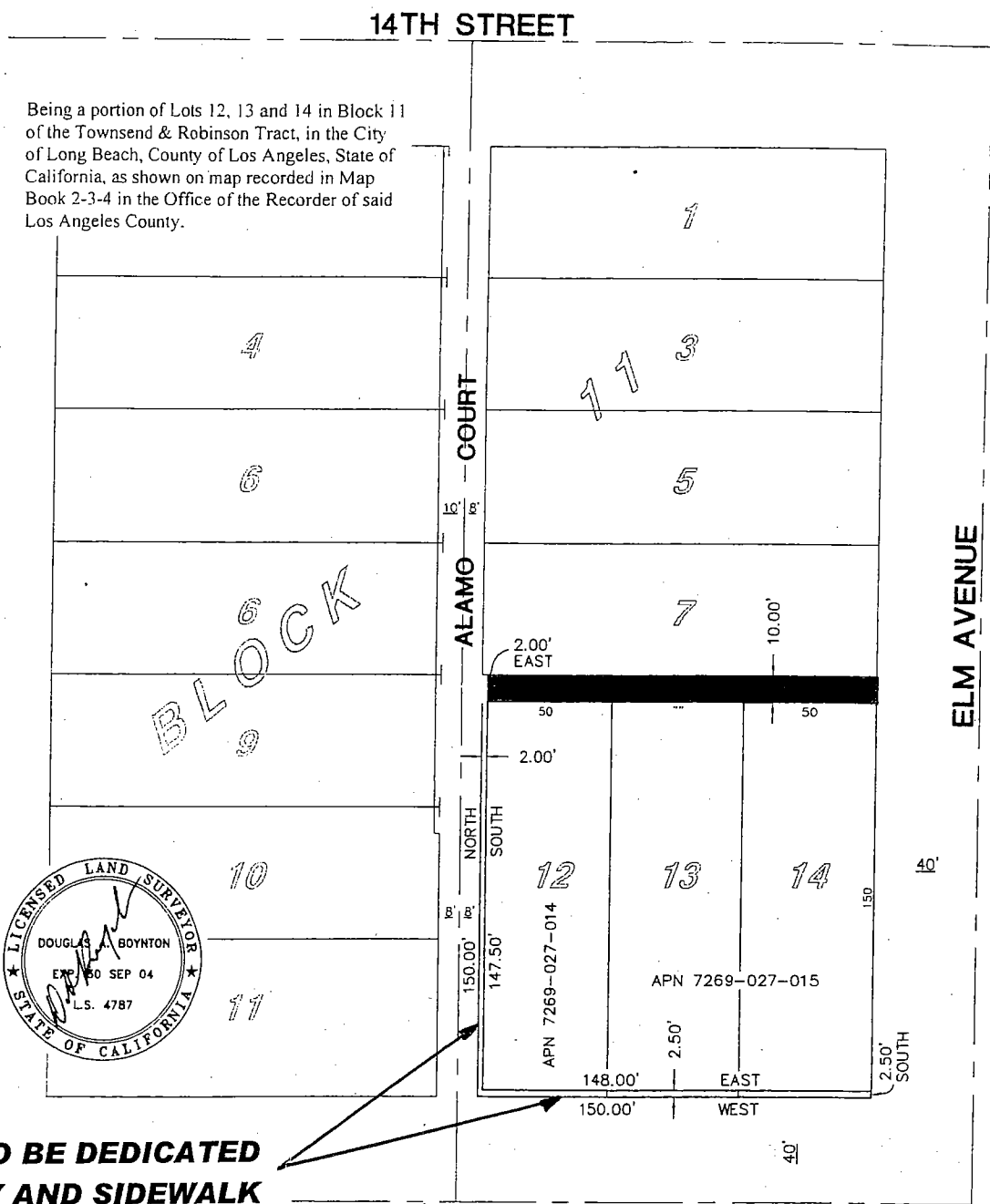
City Clerk

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SKETCH NO. 954V
SKETCH SHOWING THE EAST-WEST ALLEY NORTH OF
ANAHEIM STREET AND WEST OF ELM AVENUE TO BE
VACATED BY THE CITY OF LONG BEACH.

[REDACTED] **SHOWS AREA TO BE VACATED**



AREAS TO BE DEDICATED FOR ALLEY AND SIDEWALK PURPOSES SHOWN ALSO.

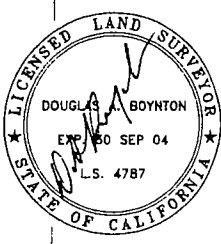


EXHIBIT A

CITY COUNCIL FINDINGS

VACATION OF THE EAST WEST ALLEY NORTH OF ANAHEIM STREET AND WEST OF ELM AVENUE - Reference Sketch No. 954V

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 September 12, 2006 City Council meeting regarding the resolution of intention to vacate the subject right-of-way, adopted as RES-06-0102.
 - 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, Negative Declaration No. 03-06 was certified for this project.