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LOS ANGELES COUNTY  
CALIFORNIA

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06 2629788

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NAME

CITY CLERK

MAILING ADDRESS

Plaza Level City Hall  
333 West Ocean Blvd.

CITY, STATE  
ZIP CODE

Long Beach, California 90802

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**TITLE(S)**

RESOLUTION NO. RES-06-0117

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

RESOLUTION NO. RES-06-0117

A RESOLUTION ORDERING THE VACATION OF THE EAST-WEST ALLEY NORTH OF ANAHEIM STREET AND WEST OF 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 12th day of, September, 2006, by Resolution No. RES-06-0102, declare its intention to order the vacation, pursuant to the provisions of the Public Streets, Highways, and Service Easements Law, The East-West Alley North of Anaheim Street and West of Elm Avenue in the City of Long Beach, County of Los Angeles, State of California, described more particularly as follows:

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

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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 10<sup>th</sup> day of October, 2006, 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 and place of said hearing, were duly posted in the manner prescribed by law; and

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

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

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

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

Jerry G. Hansen  
City Clerk

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CERTIFIED AS A TRUE AND CORRECT COPY  
Jerry G. Hansen  
CITY CLERK OF THE CITY OF LONG BEACH  
Rachael M. ...  
DATE: OCT 12 2006

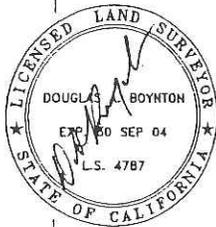
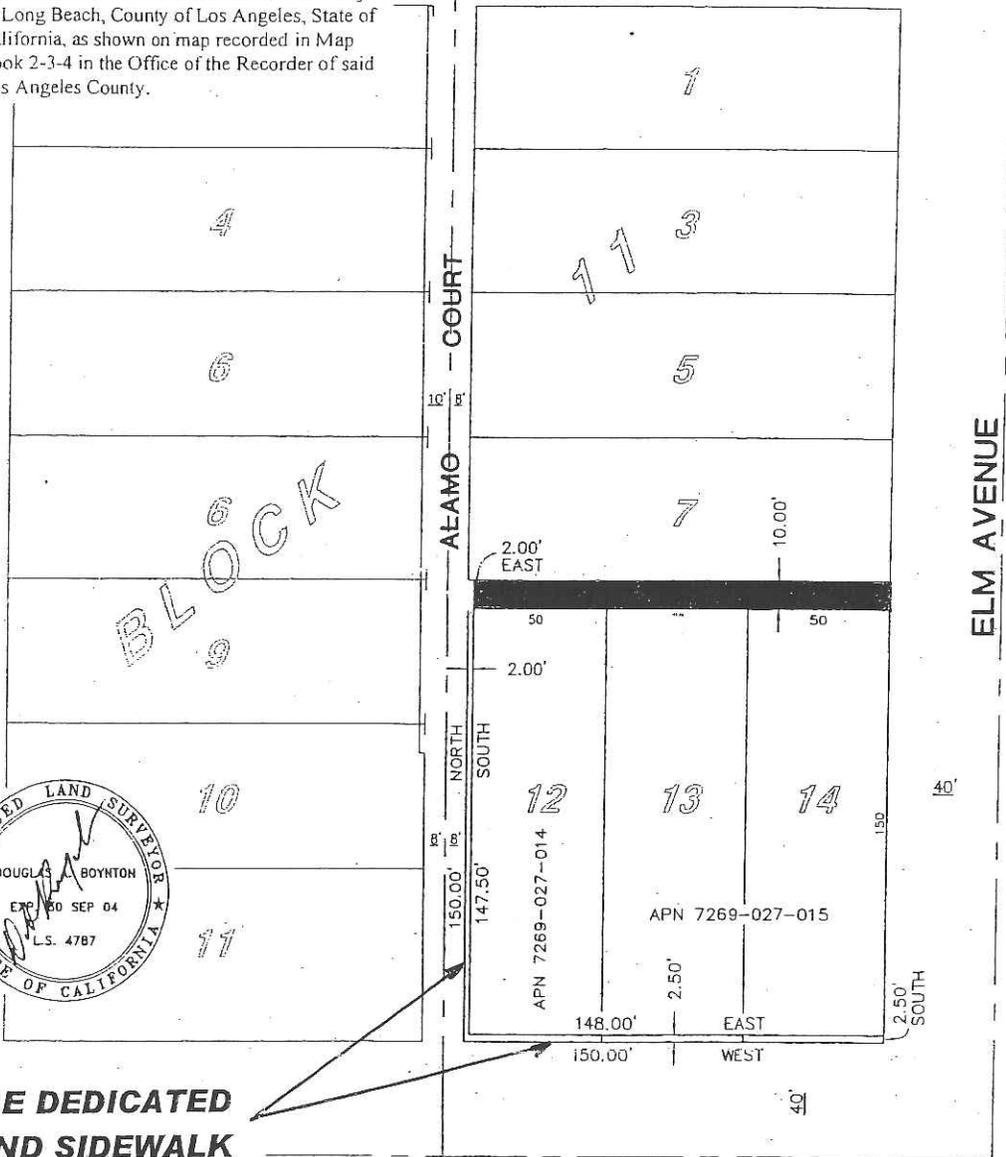
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# SKETCH NO. 954V SKETCH SHOWING THE EAST-WEST ALLEY NORTH OF ANAHEIM STREET AND WEST OF ELM AVENUE TO BE VACATED BY THE CITY OF LONG BEACH.

**SHOWS AREA TO BE VACATED**

14TH STREET

Being a portion of Lots 12, 13 and 14 in Block 11 of the Townsend & Robinson Tract, in the City of Long Beach, County of Los Angeles, State of California, as shown on map recorded in Map Book 2-3-4 in the Office of the Recorder of said Los Angeles County.



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

ANAHEIM STREET



**EXHIBIT A**

**06 2629788**

## CITY COUNCIL FINDINGS

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

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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) 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.

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