

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

RESOLUTION NO. RES-13-0106

A RESOLUTION ORDERING THE VACATION OF A PORTION OF 12TH STREET, LOCATED WEST OF JACKSON AVENUE AND SOUTH OF ANAHEIM STREET, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA PURSUANT TO CHAPTER 4, PART 3 OF DIVISION 9 OF THE CALIFORNIA STREET AND HIGHWAYS CODE

WHEREAS, the City Council of the City of Long Beach adopts this resolution pursuant to Chapter 4 of the Public Streets, Highways and Service Easements Vacation law (Streets and Highways Code Sections 8330 et seq.); and

WHEREAS, this resolution vacates a portion of 12th Street, located west of Jackson Avenue and south of Anaheim Street described more particularly as follows:

That portion of 12th Street, formerly named Commercial Avenue, located in the Harbor District of the City of Long Beach, County of Los Angeles, State of California, as per map of the Long Beach Harbor Tract, recorded in book 10, page 142 of maps of said County, lying west of the southerly prolongation of the east line of block 1 of said Long Beach Harbor Tract, and lying northerly of the northerly line of the strip of land, 60 feet in width, as described in deed to H. E. Huntington, Trustee, recorded in book 3155, pages 170 through 181, inclusive of deeds, records of said County. All as shown on Exhibit "A" attached hereto and by this reference made a part hereof.

Reserving unto the City of Long Beach, its successors and assigns, the perpetual easement and right-of-way and right at any time or from time to time to lay, construct, maintain, operate, repair, renew, replace, change

1 the size of and remove the existing utility lines, including, but not limited to,
2 water pipes and sanitary sewers, together with all necessary gates, valves,
3 fittings, fire hydrants, and appurtenances for the transportation of water with
4 the right of ingress to and egress from the same, over, through, under,
5 along and across that certain property vacated herewith. Access for
6 maintenance of the above-mentioned facilities must be maintained at all
7 times. No improvements shall be constructed within the easement which
8 would impede the operation, maintenance or repair of said facilities.
9 Construction of any improvements, including changes of grade, shall be
10 subject to the prior written approval of all the City departments and public
11 utilities responsible for the above said facilities.

12 WHEREAS, the above-described property is excess right-of-way and is not
13 required for street or highway purposes; and

14 WHEREAS, the vacation of this right-of-way will not cut off all access to any
15 adjoining property;

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

18 Section 1. Pursuant to Chapter 4, Part 3 of Division 9 of the California
19 Streets and Highways Code (Sections 8330 et seq.), the following findings are made
20 regarding the above-described property:

21 A. That the document entitled "Sketch No. 1007V," attached
22 hereto as Exhibit "A", accurately depicts the property to be vacated.

23 B. That the findings of fact made by the City Council for the
24 purposes of this summary vacation of excess right-of-way pursuant to
25 California Streets and Highways Code Section 8334, set forth in the
26 document entitled "City Council Findings" and attached hereto as Exhibit
27 "B", are incorporated herein and made a part of this resolution by this
28 reference.

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1 Section 2. The above-described portion of the right-of-way is hereby
2 vacated and closed. From and after the date this resolution is recorded, such vacated
3 right-of-way shall no longer constitute a street or highway.

4 Section 3. The City Clerk is hereby instructed to certify to the adoption of
5 this resolution, and to cause a certified copy to be recorded in the Office of the County
6 Recorder of the County of Los Angeles, California.

7 Section 4. This resolution shall take effect immediately upon its adoption
8 by the City Council, and the City Clerk shall certify to the vote adopting this resolution.

9 I hereby certify that the foregoing resolution was adopted by the City
10 Council of the City of Long Beach at its meeting of November 5, 2013,
11 by the following vote:

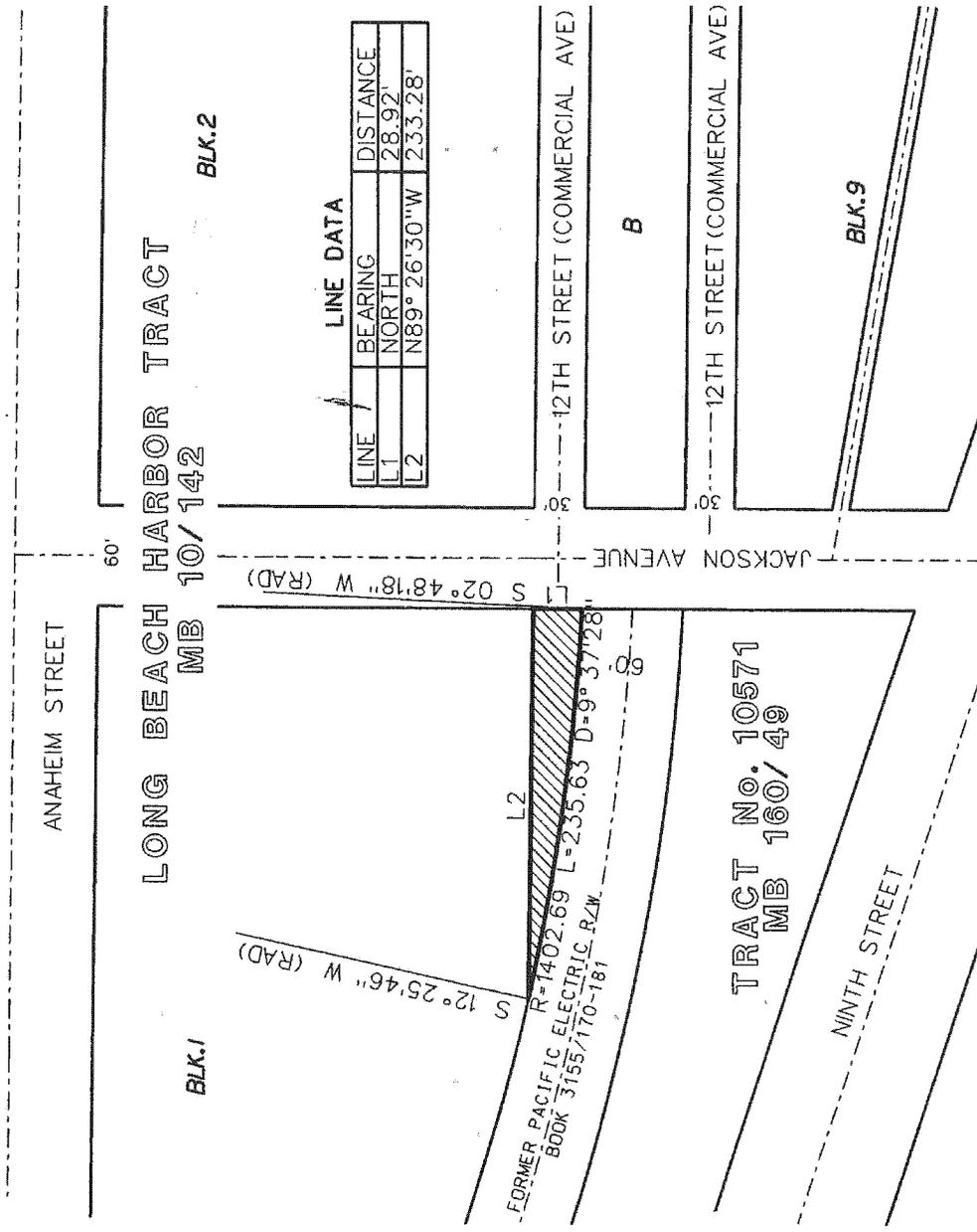
12
13 Ayes: Councilmembers: Garcia, Lowenthal, DeLong, O'Donnell,
14 Schipske, Andrews, Johnson, Austin,
15 Neal.

16
17 Noes: Councilmembers: None.

18
19 Absent: Councilmembers: None.

20
21
22 
23 _____
24 City Clerk

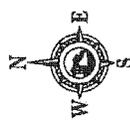
SKETCH NO. 1007V
SKETCH SHOWING THE WESERLY 233.28
FEET OF 12TH STREET, WEST OF
JACKSON AVENUE TO BE VACATED BY
THE CITY OF LONG BEACH



LINE DATA

LINE	BEARING	DISTANCE
L1	NORTH	28.92'
L2	N89° 26' 30" W	233.28'

PORTION OF 12TH STREET TO BE VACATED
 4150 SQUARE FEET MORE OR LESS



1"=100'

CITY COUNCIL FINDINGS

SUMMARY VACATION OF THE 12TH STREET REMNANT RIGHT OF WAY WEST OF JACKSON AVENUE Reference Sketch No. 1007V

The subject portion of right-of-way is unnecessary for present or prospective public street or alley purposes, and the vacation of said right-of-way will not have a significantly adverse environmental effect. This finding is based upon the following subfindings:

- a) The subject right-of-way is excess right-of-way and unnecessary for present or prospective public use.
- b) On April 29, 2013, the City of Long Beach Planning Commission determined that the subject vacation action is consistent with the General Plan, as required in Section 8313 of the Public Streets, Highways and Service Easements Vacation Law.
- c) In conformance with the California Environmental Quality Act, Categorical Exemption class 1, "Existing facilities exemption" was declared for this action.
- d) The interested City Departments, including Fire and Police, have reviewed the proposed right-of-way vacation and land development, and have no objections to this action.
- e) The reservation of a Utility Easement was requested by the Water Department until the existing public utility has been removed or relocated and a Quitclaim of Easement recorded.
- f) The right-of-way would not be useful for exclusive bikeway purposes.

GM:BP

EXHIBIT B