

RESOLUTION NO. RES-10-0001

A RESOLUTION ORDERING THE VACATION OF
DAISY AVENUE AND THE ALLEYS BOUNDED BY THIRD
STREET, BROADWAY, AND MAINE AND MAGNOLIA
AVENUES, 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 8th of December, 2009, by Resolution No. RES-09-0156,
declare its intention to order the vacation, pursuant to the provisions of the Public Streets,
Highways, and Service Easements Law, Daisy Avenue and the alleys bounded by Third
Street, Broadway and Maine and Magnolia Avenues, in the City of Long Beach, County
of Los Angeles, State of California, described more particularly as follows:

The rights-of-way in Blocks 121 and 122, Town Site of Long
Beach, in the City of Long Beach, County of Los Angeles,
State of California, as per map recorded in Book 19, Pages
91 through 96, inclusive, of Miscellaneous Records in the
Office of the County Recorder of said county, described as
follows:

PARCEL 1 (DAISY AVENUE)

That portion of Daisy Avenue bordered on the north by the
easterly prolongation of the northerly line of Lot 1 in said
Block 122, Town Site of Long Beach, and on the south by
the easterly prolongation of the southerly line of Lot 28 in
said Block 122, Town Site of Long Beach.

1
2 PARCEL 2 (MAPLE WAY AND CRYSTAL COURT)

3 The alleys within said Block 121 of the Town Site of Long
4 Beach, bounded on the north by the north line of said block,
5 and on the east by the east line of said block, and on the
6 south by the south line of said block and on the west by the
7 west line of said block.

8
9 PARCEL 3 (MAPLE WAY AND NYLIC COURT)

10 The alleys within said Block 122 of the Town Site of Long
11 Beach, bounded on the north by the north line of said block,
12 and on the east by the east line of said block, and on the
13 south by the south line of said block and on the west by the
14 west line of said block.

15
16 Reserving unto the City of Long Beach, its successors and
17 assigns a perpetual easement and right-of-way, at any time
18 or from time to time, to lay, construct, maintain, operate,
19 repair, renew, replace, change the size of and remove the
20 existing utility lines, including, but not limited to, sanitary
21 sewers, storm drains and appurtenant structures, together
22 with all necessary gates, valves, fittings, hydrants and
23 appurtenances for the transportation of water and gas, with
24 the right of ingress to and egress from the same, over,
25 through, under, along and across that certain property
26 vacated herewith; and pursuant to any existing franchises or
27 renewals thereof, or otherwise, to construct, maintain,
28 operate, replace, remove, renew and enlarge lines of

1 conduits, cables, wires, poles and other convenient
2 structures, equipment and fixtures for the operation of
3 telephone lines and other communication lines, and for the
4 transportation or distribution of electric energy, and
5 incidental purposes including access and the right to keep
6 the property free from inflammable materials, and wood
7 growth, and otherwise protect the same from all hazards in,
8 upon and over the part vacated. Access for maintenance of
9 the above-mentioned facilities must be maintained at all
10 times. No improvements shall be constructed within the
11 easement which would impede the operation, maintenance
12 or repair of said facilities. Construction of any improvements,
13 including changes of grade, shall be subject to the prior
14 written approval of all the City departments and public
15 utilities responsible for the above said facilities.
16

17 WHEREAS, the City Council did, at said time, fix Tuesday, the 5th
18 day of January, 2010, at the hour of 5:00 p.m., as the time and the
19 City Council Chamber, Plaza Level of the City Hall, 333 West Ocean Boulevard, in the
20 City of Long Beach, California, as the place for hearing for all persons interested in or
21 objecting to the proposed vacation to appear and be heard; and

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

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

28 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, Vacation Sketch No. 995V showing Daisy Avenue and alleys bounded by Third Street, Broadway, and Maine and Magnolia Avenues to 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 street hereinabove described.

Section 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.

I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of January 5, 2010 by the following vote:

Ayes: Councilmembers: Garcia, Lowenthal, O'Donnell,
Schipske, Andrews, Reyes Uranga,
Gabelich, Lerch.

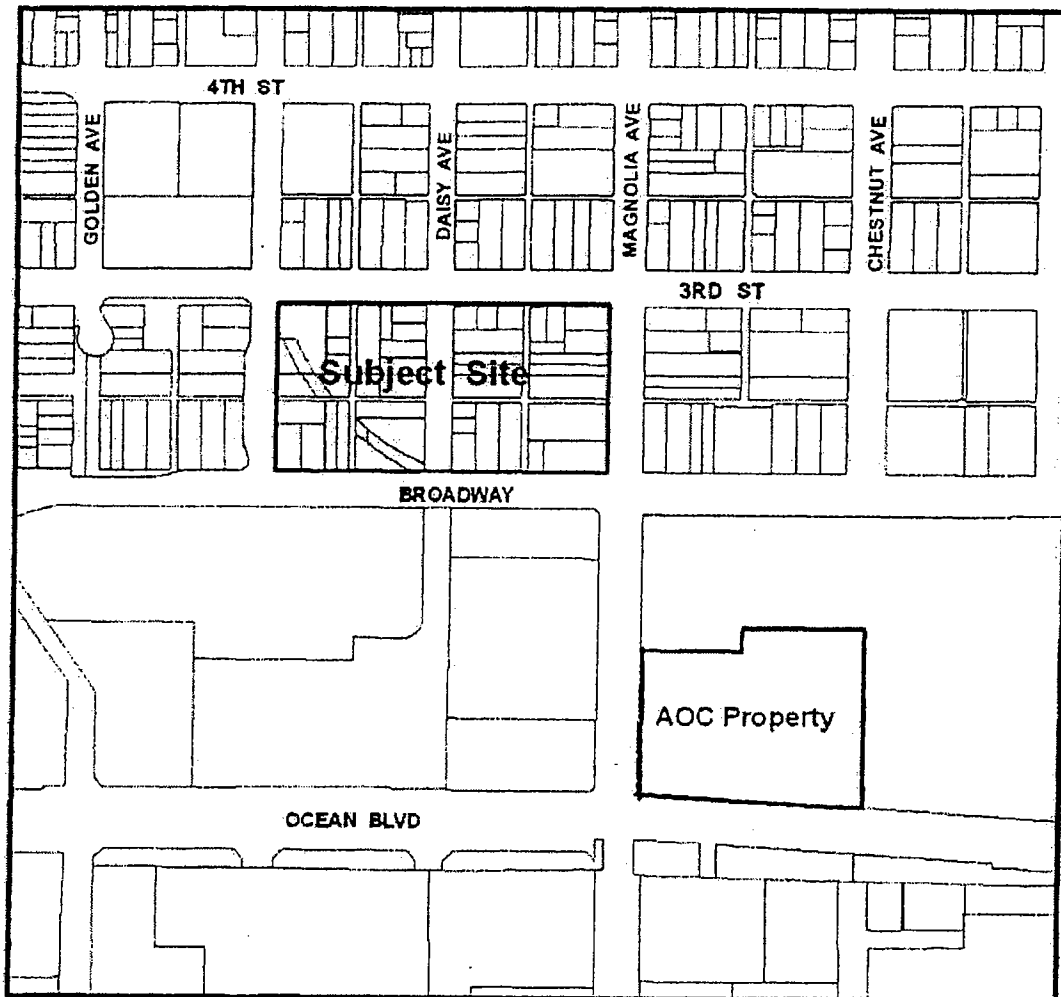
Noes: Councilmembers: None.

Absent: Councilmembers: DeLong.

28h

City Clerk

SITE MAP



CITY COUNCIL FINDINGS

VACATION OF DAISY AVENUE AND THE ALLEYS BOUNDED BY THIRD STREET, BROADWAY, AND MAINE AND MAGNOLIA AVENUES Reference Sketch No. 995V

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 December 8, 2009, City Council meeting regarding the resolution of intention to vacate the subject right-of-way, adopted as RES-09-0156.
 - 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, Mitigated Negative Declaration No. 2009051102 was accepted for this project.