

RESOLUTION NO. RES-08-0132

A RESOLUTION OF INTENTION TO VACATE A PORTION OF EDISON AVENUE IN THE VICINITY OF THE LONG BEACH LINE RAIL RIGHT-OF-WAY SOUTH OF NINTH STREET, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, PURSUANT TO THE PUBLIC STREET, HIGHWAYS AND SERVICE EASEMENTS LAW (DIVISION 9, PART 3, CALIFORNIA STREETS AND HIGHWAYS CODE); FIXING A TIME AND PLACE FOR HEARING ALL PERSONS INTERESTED IN OR OBJECTING TO THE PROPOSED VACATION

The City Council of the City of Long Beach resolves as follows:

Section 1. The City Council of the City of Long Beach hereby elects to proceed under Division 9, Part 3, Chapter 3, of the California Streets and Highways Code, as amended, generally known and referred as the "Public Street, Highways and Service Easements Law", and hereby declares its intention to vacate a portion of Edison Avenue in the vicinity of the Long Beach Lead Line Rail right-of-way south of Ninth Street, in the City of Long Beach, County of Los Angeles, State of California, described more particularly as follows:

Parcel 1: Dedicated portion of Edison Avenue.

A portion of Parcel 5, in the City of Long Beach, County of Los Angeles, State of California, as shown on a Record of Survey filed in Book 49, Page 43, of Record of Surveys, said portion also being a portion of Parcel I of that certain property granted to the City of Long Beach per document

1 recorded December 31, 1957 in Book 56335, Page 163,
2 Official Records, both in the office of the County Recorder of
3 said Los Angeles County, more particularly described as
4 follows:

5
6 The most Northerly 33.00 feet of said Parcel 5, also known
7 as Edison Avenue (58.28 feet wide).

8
9 Parcel 2: Existing traveled way of Edison Avenue.

10 A portion of Rancho Los Cerritos, in the City of Long Beach,
11 County of Los Angeles, State of California, as shown on a
12 map filed in Book 2, Page 202, of Patents; said portion also
13 being a portion of Parcel III, of that certain document
14 recorded May 31, 1924 in Book 3107, Page 315, Official
15 Records, both in the office of the County Recorder of said
16 Los Angeles County, more particularly described as follows:

17
18 The Easterly 50.00 feet of the Northerly 33.00 feet of said
19 Parcel III, the Northerly line of said Parcel III being the
20 Southerly line of the City of Los Angeles/City of Long Beach
21 Right-of-Way (50.00 feet wide) per Instrument No. 94-
22 2282145, Official Records of said Los Angeles County, said
23 Right-of-Way formerly the Southern Pacific Railroad Right-
24 of-Way (50.00 feet wide) per document recorded in Book
25 539, Page 34, of Deeds, records of said Los Angeles
26 County. The Easterly line of said Parcel III being the
27 Westerly line of Parcel 5 as shown on a Record of Survey
28 filed in Book 49, Page 43, of Records of Surveys, in the

1 office of the County Recorder of said Los Angeles County.

2
3 Reserving unto the City of Long Beach, its successors and
4 assigns a perpetual easement and right-of-way for
5 emergency access, and a perpetual easement and right of
6 way, at any time or from time to time, to lay, construct,
7 maintain, operate, repair, renew, replace, change the size of
8 and remove the existing utility lines, including, but not limited
9 to, sanitary sewers, storm drains and appurtenant structures,
10 together with all necessary gates, valves, fittings, hydrants
11 and appurtenances for the transportation of water and gas,
12 with the right of ingress to and egress from the same, over,
13 through, under, along and across that certain property
14 vacated herewith; and pursuant to any existing franchises or
15 renewals thereof, or otherwise, to construct, maintain,
16 operate, replace, remove, renew and enlarge lines of
17 conduits, cables, wires, poles and other convenient
18 structures, equipment and fixtures for the operation of
19 telephone lines and other communication lines, and
20 incidental purposes including access and the right to keep
21 the property free from inflammable materials, and wood
22 growth, and otherwise protect the same from all hazards in,
23 upon and over the part vacated. Access for maintenance of
24 the above-mentioned facilities must be maintained at all
25 times. No improvements shall be constructed within the
26 easement which would impede the operation, maintenance
27 or repair of said facilities. Construction of any improvements,
28 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.

Section 2. All of the foregoing real property is shown on the map or plan thereof, attached hereto as Exhibit "A", and on file in the office of the City Clerk, which map or plan is known and referred to as "City of Long Beach Department of Public Works Vacation Sketch No. 987V".

Section 3. The City Council hereby fixes the 18th day of November, 2008 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 all persons interested in or objecting to the proposed vacation.

Section 4. The City Council hereby directs that notice of this street vacation be posted conspicuously along the street to be vacated at least two (2) weeks before the date set for hearing and in the manner provided by Section 8323 of the State Streets and Highways Code.

Section 5. This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify to the vote adopting this resolution.

///

///

///

///

///

///

///

///

///

///

I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of October 14, 2008 by the following vote:

Ayes: Councilmembers: B. Lowenthal, S. Lowenthal, DeLong,
O'Donnell, Schipske, Andrews,
Reyes Uranga, Gabelich, Lerch.

Noes: Councilmembers: None.

Absent: Councilmembers: None.

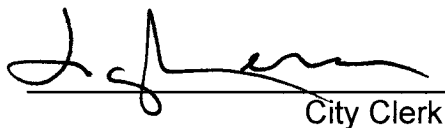
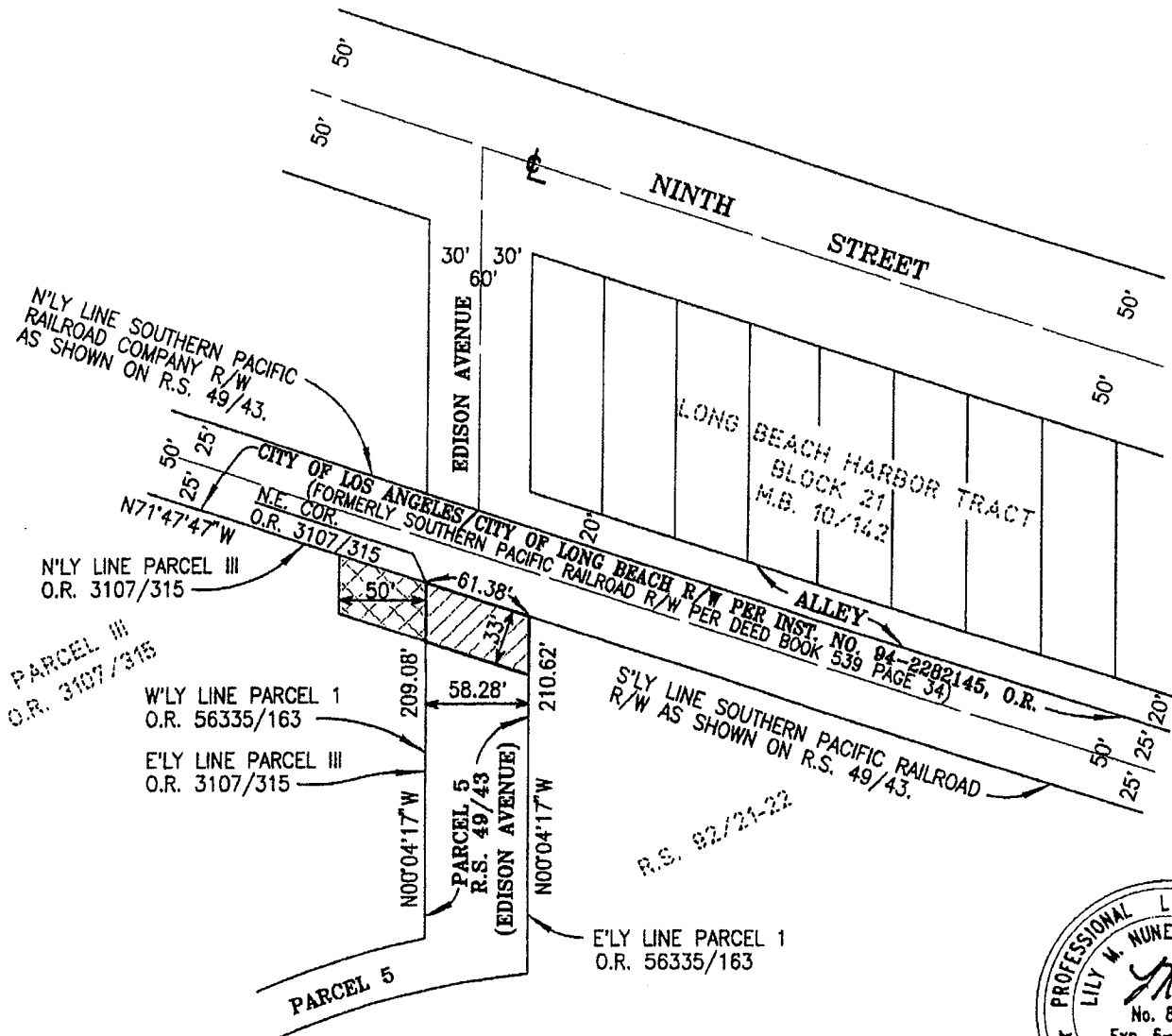
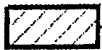

City Clerk

EXHIBIT A

SCALE: 1" = 100'



PARCEL 1



INDICATES PORTION OF EDISON AVENUE TO BE VACATED.

PARCEL 2



INDICATES THE PORTION OF THE EXISTING TRAVELED WAY OF EDISON AVENUE TO BE VACATED. (NON-DEDICATED PORTION OF STREET)

PREPARED BY ME OR UNDER MY SUPERVISION:

Lily M. Nunez Sandberg
LILY M. NUNEZ SANDBERG, P.L.S 8402
REGISTRATION EXPIRES: 6-30-08

5-13-08

DATE



BUREAU
VERITAS

Bureau Veritas, N.A., Inc.

1565 MacArthur Boulevard
Costa Mesa, CA 92626
Tel: (714) 431-4100
Fax: (714) 825-1669
www.us.bureauveritas.com

CITY OF LONG BEACH

VACATION OF A PORTION OF
EDISON AVENUE

DATE: 4-15-08

DRAWN BY: A.B./L.S.

SHEET 1 OF 1

EXHIBIT A