

RESOLUTION NO. RES-05-0013

A RESOLUTION ORDERING THE VACATION OF A PORTION OF THE FIVE-FOOT WIDE ALLEY WEST OF SIXTY-EIGHTH PLACE AND SOUTH OF OCEAN BOULEVARD 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 day of March, 2005 by Resolution No. RES-05-0009, declare its intention to order the vacation, pursuant to the provisions of the Public Streets, Highways, and Service Easements Law, a portion of the five-foot wide alley west of Sixty-Eighth Place and South of Ocean Boulevard, County of Los Angeles, State of California, described more particularly as follows:

That portion of the 5-foot wide alley shown on Block 23 of The Alamitos Bay Tract in the City of Long Beach, County of Los Angeles, State of California, as shown on the map of said Tract filed in Book 5, Pages 137 and 138 of Maps in the Office of the County Recorder of said county, lying easterly of the southerly prolongation of a line 5.00 feet easterly of, measured at right angles and parallel with, the westerly line of Lot 6 of said block and tract.

Reserving unto the City of Long Beach, its successors and assigns a perpetual easement and right-of-way, a 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, all necessary gates, valves, fittings, hydrants and appurtenances for the transportation of 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 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.

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1 WHEREAS, the City Council did, at said time, fix Tuesday, the 5<sup>th</sup> day of  
2 April, 2005 at the hour of 5:00 p.m., as the time at the City Council  
3 Chamber, Plaza Level of the City Hall, 333 West Ocean Boulevard, in the City of Long  
4 Beach, California, as the place for hearing for all persons interested in or objecting to the  
5 proposed vacation to appear and be heard; and

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

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

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

14 Section 1. Pursuant to the foregoing resolution of intention, the proceedings  
15 had thereunder, the "SKETCH SHOWING A PORTION OF THE FIVE-FOOT WIDE ALLEY  
16 WEST OF 68<sup>TH</sup> PLACE AND SOUTH OF OCEAN BOULEVARD PROPOSED TO BE  
17 VACATED BY THE CITY OF LONG BEACH" attached hereto as Exhibit "A", and the City  
18 Council Findings attached hereto as Exhibit "B", said City Council of the City of Long  
19 Beach hereby makes its resolution vacating and closing a portion of the drive hereinabove  
20 described.

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

25 I hereby certify that the foregoing resolution was adopted by the City Council

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27 ///  
28 ///

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1 of the City of Long Beach at its meeting of April 5, 2005 by the following votes:

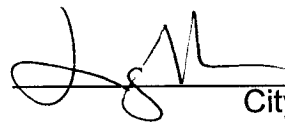
2 Ayes: Councilmembers: Lowenthal, Baker, O'Donnell,  
3 Kell, Richardson, Reyes Uranga,  
4 Gabelich, Lerch.

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6 Noes: Councilmembers: None.

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8 Absent: Councilmembers: None.

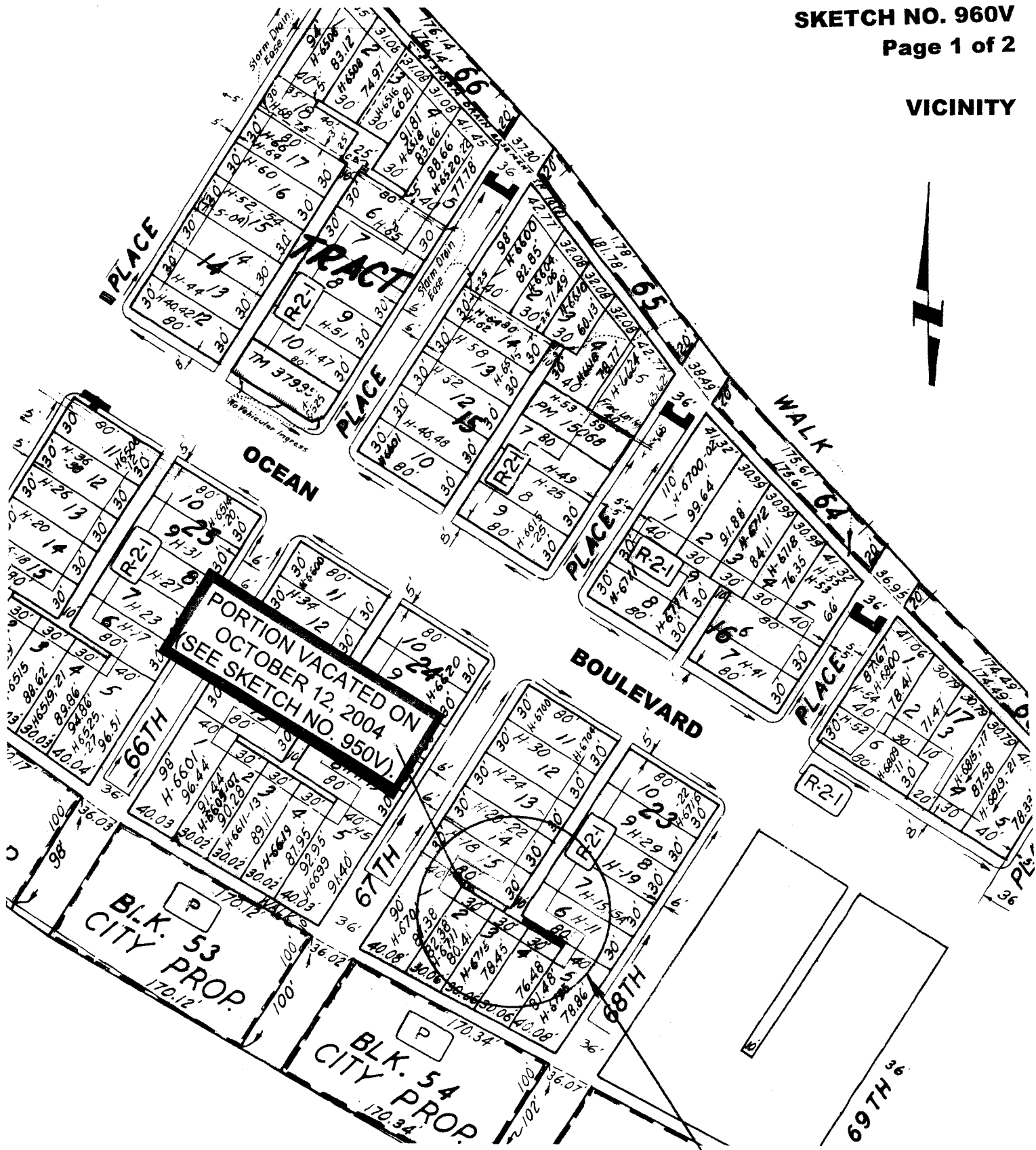
9 Abstained: Councilmembers: Colonna.

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City Clerk

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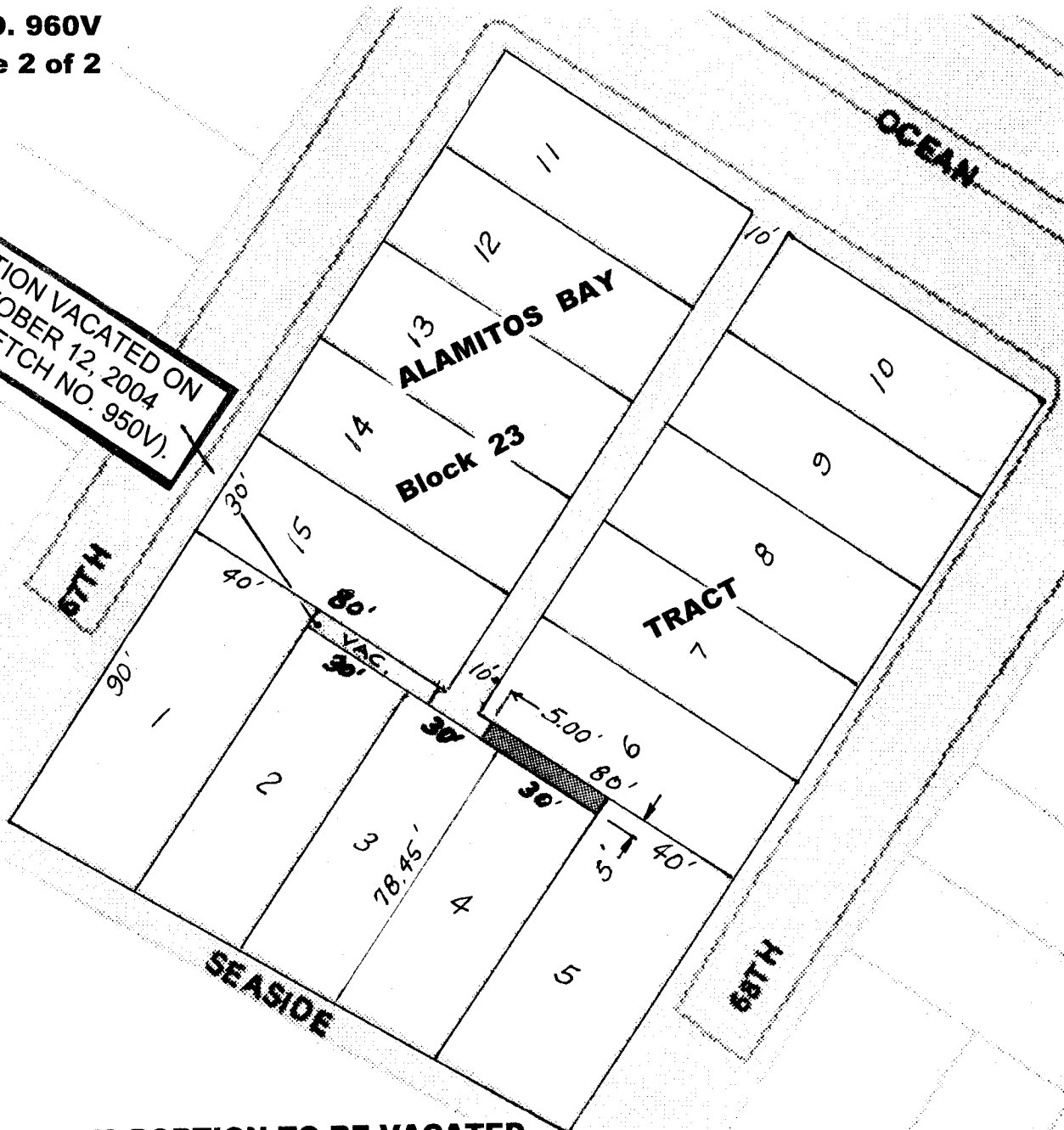
VICINITY



FIVE-FOOT WIDE ALLEY WEST OF 68TH PLACE  
AND SOUTH OF OCEAN BOULEVARD  
PROPOSED TO BE VACATED BY THE CITY OF LONG BEACH.

DETAIL

PORTION VACATED ON  
OCTOBER 12, 2004  
(SEE SKETCH NO. 950V).



 SHOWS PORTION TO BE VACATED  
5 FT x 40 FT



## **CITY COUNCIL FINDINGS**

### **VACATION OF A PORTION OF THE FIVE-FOOT WIDE ALLEY WEST OF SIXTY-EIGHTH PLACE AND SOUTH OF OCEAN BOULEVARD Reference Sketch No. 960V**

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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 March 8, 2005, City Council meeting regarding the resolution of intention to vacate the subject right-of-way, adopted as RES-05-0009.
- 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, Categorical Exemption No. 494-04 was issued for this project.

SC