



# CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

333 WEST OCEAN BOULEVARD, 9<sup>th</sup> Floor LONG BEACH, CA 90802 562.570.6383 FAX 562.570.6012

December 16, 2014

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Receive supporting documentation into the record, conclude the public hearing, find that the area to be vacated is not needed for present or prospective public use, and adopt the attached Resolution ordering the vacation of the remaining portion of Esther Street, located west of Judson Avenue. (District 1)

## DISCUSSION

In 1978, the City of Long Beach vacated the westerly portion of Esther Street located west of Judson Avenue. The current request is for the City of Long Beach to vacate the remaining portion of Esther Street, located west of Judson Avenue, as depicted in Exhibit A, to allow for more consistent repair and maintenance of this portion of the roadway. Consistent with California land reversion practices, the vacated portion of Esther Street will revert back to the original property owners. An easement for utility purposes is being reserved. No building may be constructed within the easement area.

On November 18, 2014, the City Council adopted Resolution No. RES-14-0102 declaring its intention to vacate the subject right-of-way, and set December 16, 2014, as the date for the public hearing. A copy of the November 18, 2014, City Council is attached as Exhibit B.

This matter was reviewed by Deputy City Attorney Linda Vu on December 1, 2014, and by Budget Management Officer Victoria Bell on November 25, 2014.

## TIMING CONSIDERATIONS

The date of this public hearing was set by City Council action.

## FISCAL IMPACT

A tentative fee of \$8,780 and a final fee of \$8,780 were deposited into the General Fund (GF) in the Public Works Department (PW). Approval of this matter will provide continued support for the local economy.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



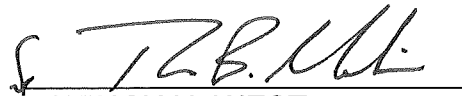
ARA MALOYAN, PE  
DIRECTOR OF PUBLIC WORKS

P:\CL\ROW Intent to vacate Esther Street CL.doc  
AM:GMM:SDJ:st

Attachment:

- Exhibit A – Site Sketch
- Exhibit B – Council Letter intention to vacate
  - Resolution ordering vacation

APPROVED:



PATRICK H. WEST  
CITY MANAGER

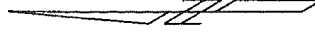
Exhibit A

SKETCH 1004V

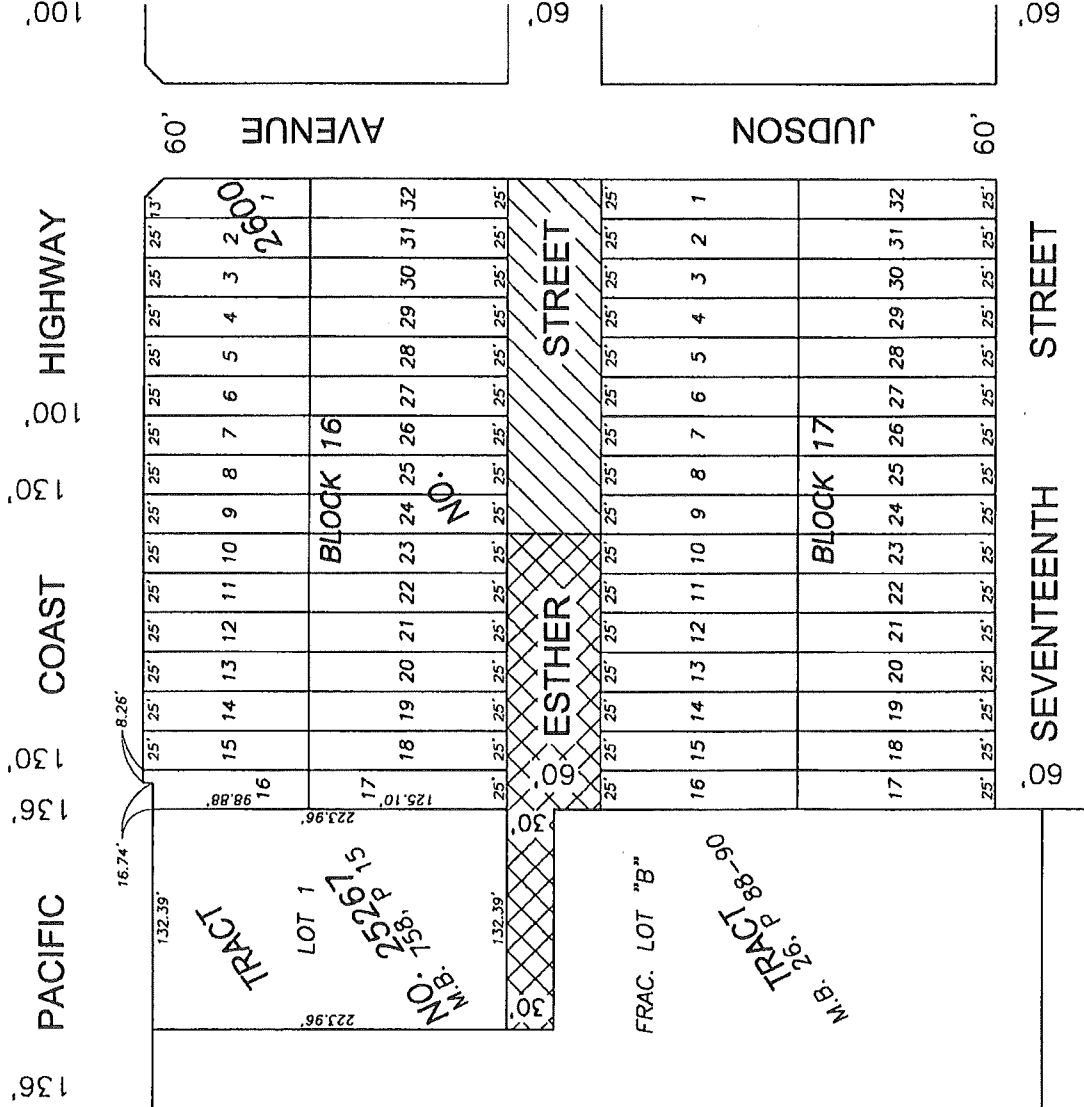
SKETCH SHOWING  
A PORTION OF ESTHER STREET  
WEST OF JUDSON AVENUE  
TO BE VACATED BY  
THE CITY OF LONG BEACH

PORTION OF ESTHER STREET VACATED BY  
THE CITY OF LONG BEACH, RESOLUTION  
NO. C-23449 RECORDED OCTOBER 12, 1978  
AS INSTRUMENT NO. 78-1135628 OF OFFICIAL  
RECORDS OF LOS ANGELES COUNTY

PORTION OF ESTHER STREET TO BE VACATED



NOT TO SCALE





# CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

**C-5**

333 WEST OCEAN BOULEVARD, 9<sup>th</sup> Floor LONG BEACH, CA 90802 562.570.6383 FAX 562.570.6012

November 18, 2014

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Adopt a Resolution of Intention to vacate the remaining portion of Esther Street located west of Judson Avenue, and set a date for a public hearing on the vacation for December 16, 2014; and adopt and accept the Categorical Exemption CE-12-003 . (District 1)

## DISCUSSION

In 1978, the City of Long Beach vacated the westerly portion of Esther Street located west of Judson Avenue. The current request is for the City of Long Beach to vacate the remaining portion of Esther Street located west of Judson Avenue, as depicted in Exhibit A, to allow for more consistent repair and maintenance of this portion of the roadway. Consistent with California land reversion practices, the vacated portion of Esther Street will revert back to the original property owners.

Proceedings for this vacation are being conducted in accordance with Chapter 3, General Vacation Procedure, of the Public Streets, Highways and Service Easements Vacation law of the California Streets and Highways Code. Findings must establish that the subject right-of-way is unnecessary for present or prospective public use. Findings are attached as Exhibit B.

The Public Works Department supports this action based on the associated evidence, facts, conditions and findings, establishing that the dedicated right-of-way to be vacated is unnecessary for present or prospective public use. On March 1, 2012, the 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. In conformance with the California Environmental Quality Act, Categorical Exemption CE-12-003 was issued for this vacation. The Planning Commission staff report is attached as Exhibit C.

The interested City Departments, including Fire and Police, have reviewed the proposed right-of-way vacation and have no objections to this action. Conditions of approval, satisfying the concerns of the public utility companies are shown on Exhibit D.

The public hearing on this matter to be held on December 16, 2014, will allow all persons interested in, or objecting to, the proposed vacation to appear and be heard.

This matter was reviewed by Deputy City Attorney Linda Vu on April 16, 2013 and by Budget Management Officer Victoria Bell on October 27, 2014.

TIMING CONSIDERATIONS

City Council action is requested on November 18, 2014 in order to set the public hearing date for December 16, 2014.

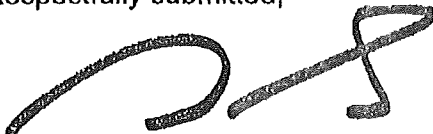
FISCAL IMPACT

A tentative fee of \$8,780 and a final fee of \$8,780 were deposited into the General Fund (GF) in the Public Works Department (PW). There is no local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



ARA MALOYAN, PE  
DIRECTOR OF PUBLIC WORKS

APPROVED:



PATRICK H. WEST  
CITY MANAGER

P:\CL\ROW Intent to vacate Esther Street CL.doc  
AM:GMM:SDJ:st

Attachments:

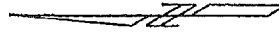
- Exhibit A – Area to Vacated
- Exhibit B – City Council Findings
- Exhibit C – Planning Commission Findings
- Exhibit D – Conditions of Approval

SKETCH 1004V

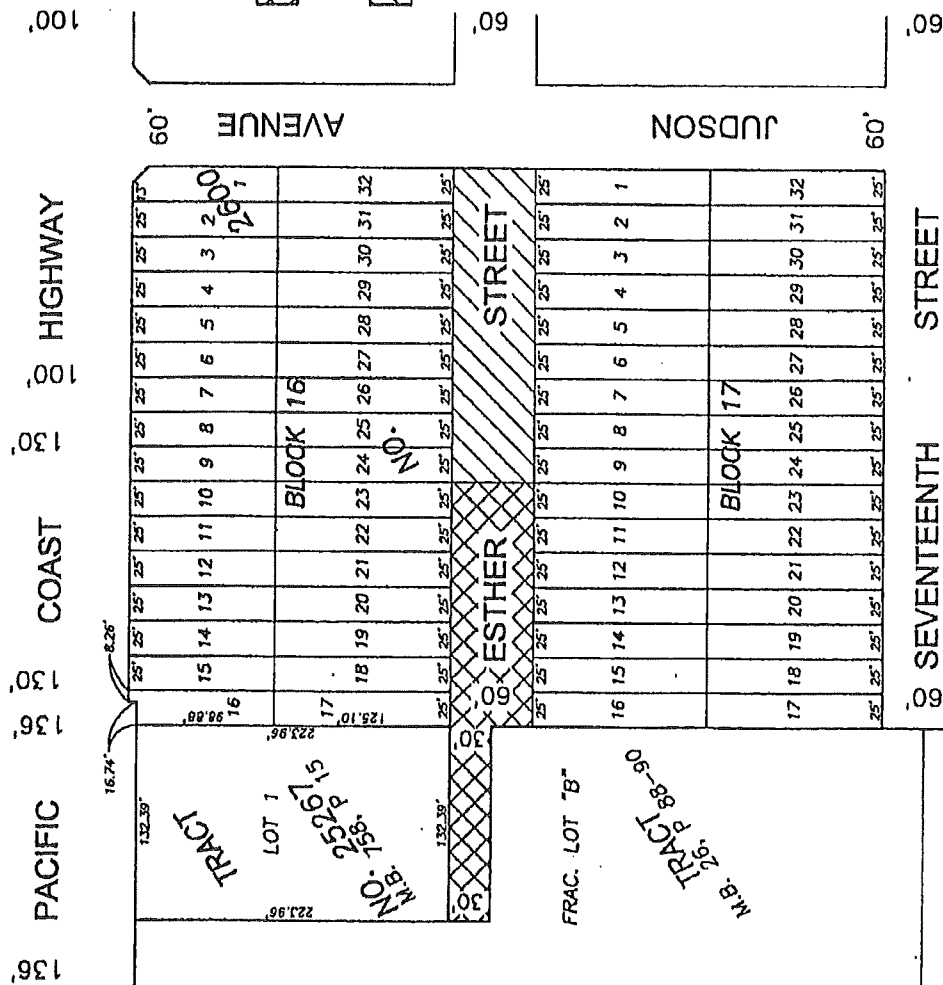
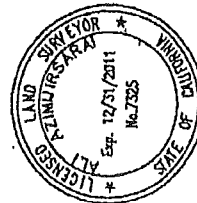
**SKETCH SHOWING  
A PORTION OF ESTHER STREET  
WEST OF JUDSON AVENUE  
TO BE VACATED BY  
THE CITY OF LONG BEACH**

PORTION OF ESTHER STREET VACATED BY  
THE CITY OF LONG BEACH, RESOLUTION  
NO. C-22498 RECORDED OCTOBER 12, 1978  
AS INSTRUMENT NO. 78-1133628 OF OFFICIAL  
RECORDS OF LOS ANGELES COUNTY

PORTION OF ESTHER STREET TO BE VACATED



NOT TO SCALE



1 RESOLUTION NO.

2  
3 A RESOLUTION ORDERING THE VACATION OF A  
4 PORTION OF ESTHER STREET WEST OF JUDSON  
5 AVENUE, IN THE CITY OF LONG BEACH, COUNTY OF  
6 LOS ANGELES, STATE OF CALIFORNIA  
7

8 WHEREAS, the City Council of the City of Long Beach, did heretofore, on  
9 the 18th of November, 2014, by Resolution No. RES-14-0102, declare its intention to  
10 order the vacation, pursuant to the provisions of the Public Streets, Highways, and  
11 Service Easements Vacation Law (California Streets and Highways Code, Section 8300  
12 *et seq.*), a portion of Esther Street west of Judson Avenue, in the City of Long Beach,  
13 County of Los Angeles, State of California, described more particularly as follows:

14 That portion of Esther Street as shown on the map of Tract  
15 No. 2600, recorded in Book 26, pages 88 through 90 of  
16 Maps, in the County of Los Angeles, lying easterly of the  
17 southerly prolongation of the easterly line of lot 23, block 16  
18 of said Tract No. 2600 and westerly of the west line of  
19 Judson Avenue, 60 feet wide, as shown on said Tract No.  
20 2600.

21 Reserving an easement for public utility purposes over the  
22 above described parcel of land.

23 The above described parcel of land contains 13,500 square  
24 feet, more or less.

25 WHEREAS, the City Council did, at said time, fix Tuesday, the 16th day of  
26 December, 2014, at the hour of 5:00 p.m., as the time and the City Council Chamber,  
27 Plaza Level of the City Hall, 333 West Ocean Boulevard, in the City of Long Beach,  
28 California, as the place for hearing for all persons interested in or objecting to the

1 proposed vacation to appear and be heard; and

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

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

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

10 Section 1. Pursuant to the foregoing resolution of intention, the  
11 proceedings had thereunder, Vacation Sketch No. 1004V showing a portion of Esther  
12 Street west of Judson Avenue to be vacated by the City of Long Beach attached hereto  
13 as Exhibit "A", and the City Council Findings attached hereto as Exhibit "B", said City  
14 Council of the City of Long Beach hereby makes its resolution vacating and closing a  
15 portion of the street hereinabove described.

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

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///



I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of \_\_\_\_\_, 20\_\_ by the following vote:

Ayes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Noes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

Absent: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_


City Clerk

136'  
PACIFIC  
136'  
130'  
COAST  
130'  
100'  
HIGHWAY

100' SKETCH SHOWING A PORTION OF  
ESTHER STREET WEST OF JUDSON  
AVENUE TO BE VACATED BY THE  
CITY OF LONG BEACH

# SKETCH 1004V

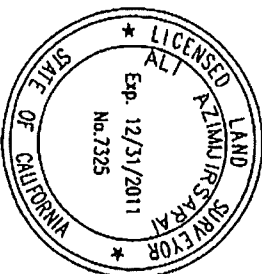
PORTION ESTHER STREET VACATED  
BY CITY OF LONG BEACH RESOLUTION  
NO. C-22449 RECORDED OCTOBER 12, 1978  
AS INSTRUMENT NO. 78-1133628 OF OFFICIAL  
RECORDS OF LOS ANGELES COUNTY



**PORTION OF ESTHER STREET TO BE VACATED**



**NOT TO SCALE**



## **CITY COUNCIL FINDINGS**

### **VACATION OF THE EASTERN PORTION OF ESTHER STREET WEST OF JUDSON AVENUE**

**Reference Sketch No. 1004V**

---

1. The subject right-of-way is unnecessary for present or prospective public use.

This finding is based upon the following subfindings:

- a) On March 1, 2012, the Planning Commission determined that the subject vacation is consistent with the General Plan, as required in Section 8313 of the Public Streets, Highways and Service Easements Vacation Law.
- b) The interested City departments, including Fire and Police, have reviewed the proposed right-of-way vacation and have no objections to this action.
- c) The rights-of-way would not be useful for exclusive bicycle pathway 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.
- d) In conformance with the California Environmental Quality Act, Categorical Exemption Number 12-003 was issued for this project.

**EXHIBIT B**