



## Legislation Details (With Text)

<b>File #:</b>	08-0698	<b>Version:</b>	1	<b>Name:</b>	PW - RES of Intent to vacate alley 7th St/Dawson Ave.
<b>Type:</b>	Resolution	<b>Status:</b>		<b>Status:</b>	Adopted
<b>File created:</b>	7/2/2008	<b>In control:</b>		<b>In control:</b>	City Council
<b>On agenda:</b>	7/22/2008	<b>Final action:</b>		<b>Final action:</b>	7/22/2008
<b>Title:</b>	Recommendation to adopt Resolution of Intention to vacate the east-west alley north of Seventh Street and west of Dawson Avenue, and set a date for a public hearing on the vacation for Tuesday, August 19, 2008 at 5:00 p.m. (District 2)				
<b>Sponsors:</b>	Public Works				
<b>Indexes:</b>	Alleys				
<b>Code sections:</b>					
<b>Attachments:</b>	1. 072208-C-12sr&att.pdf, 2. RES-08-0078				

Date	Ver.	Action By	Action	Result
7/22/2008	1	City Council	approve recommendation and adopt	Pass

Recommendation to adopt Resolution of Intention to vacate the east-west alley north of Seventh Street and west of Dawson Avenue, and set a date for a public hearing on the vacation for Tuesday, August 19, 2008 at 5:00 p.m. (District 2)

The owners of the four properties adjacent to an unpaved, 10-foot wide alley right-of-way have requested that the City vacate it due to crime and other nuisance activities occurring within this right-of-way. These are all residential properties which have vehicular access to on-site parking from either Seventh Street, Dawson Avenue, or the north-south alley in this block. The alley portion to be vacated is shown on the attached Exhibit A.

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. The Department of Public Works supports this action based on the following evidence, facts, conditions and findings, establishing that the dedicated right-of-way to be vacated is unnecessary for present or prospective public use.

1. The alley lies adjacent to the four residential properties along East Seventh Street and Dawson Avenue as shown on Exhibit B.
2. Signed statements were submitted from the owners of the four properties confirming that they do not need the east-west alley for access, and all are in agreement as to vacating the alley.
3. On June 5, 2008, 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 Number CE 08-08 was issued for this project. The Planning Department staff report is included as Exhibit C.

4. 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 August 19, 2008, will allow all persons interested in, or objecting to, the proposed vacation to appear and be heard. This matter was reviewed by Budget Management Officer Victoria Bellon July 3, 2008. The proposed resolution of intention to vacate was prepared by Deputy City Attorney Linda Trang on June 24, 2008.

City Council action on this matter is not time critical.

A vacation processing fee of \$2,000 was deposited to the General Fund (GP) in the Department of Public Works (PW).

Approve recommendation.

A RESOLUTION OF INTENTION TO VACATE THE EAST-WEST ALLEY NORTH OF SEVENTH STREET AND WEST OF DAWSON AVENUE, 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

Michael P. Conway  
Director of Public Works

NAME  
TITLE

APPROVED:

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PATRICK H. WEST  
CITY MANAGER