

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1 RESOLUTION NO. RES-16-0044

2
3 A RESOLUTION ORDERING THE VACATION OF A
4 PORTION OF ALTA WAY EAST OF MARIETTA COURT
5 AND A PORTION OF OLIVE AVENUE NORTH OF FIRST
6 STREET, IN THE CITY OF LONG BEACH, COUNTY OF LOS
7 ANGELES, STATE OF CALIFORNIA

8
9 WHEREAS, the City Council of the City of Long Beach, did heretofore, on
10 the 3rd of May, 2016, by Resolution No. RES-16-0038, declare its intention to order the
11 vacation, pursuant to the provisions of the Public Streets, Highways, and Service
12 Easements Law, a portion of Alta Way east of Marietta Court and a portion of Olive
13 Avenue north of First Street, in the City of Long Beach, County of Los Angeles, State of
14 California, described more particularly as follows:

15
16 BEING PORTIONS OF LOT 15, OLIVE AVENUE AND
17 10.00 FOOT WIDE ALLEY IN BLOCK 98, OF THE MAP OF
18 TOWN SITE OF LONG BEACH THE NEW SEA SIDE
19 RESORT ON THE AMERICAN COLONY TRACT, IN THE
20 CITY OF LONG BEACH, COUNTY OF LOS ANGELES,
21 STATE OF CALIFORNIA, AS SHOWN ON A MAP FILED IN
22 BOOK 19, PAGES 91 THROUGH 96 OF MISCELLANEOUS
23 RECORDS, IN THE OFFICE OF THE COUNTY RECORDER
24 OF SAID COUNTY, MORE PARTICULARLY DESCRIBED
25 AS FOLLOWS:

26 BEGINNING AT A POINT ON THE EASTERLY LINE
27 OF SAID BLOCK 98, SAID POINT BEING ON A LINE
28 PARALLEL WITH AND 25.00 FEET NORTHERLY OF THE

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SOUTHERLY LINE OF LOT 15 IN SAID BLOCK 98, SAID
PARALLEL LINE ALSO BEING THE SOUTHERLY LINE OF
THE PARCEL DESCRIBED IN THE RESOLUTION
ORDERING THE VACATION OF A PORTION OF OLIVE
AVENUE, RECORDED SEPTEMBER 8, 1982 AS
INSTRUMENT NO. 82-914054, OFFICIAL RECORDS;
THENCE EASTERLY ALONG THE EASTERLY
PROLONGATION OF SAID PARALLEL LINE AND SAID
SOUTHERLY LINE, TO A POINT ON A LINE PARALLEL
WITH AND 7.50 FEET WESTERLY OF THE EASTERLY
LINE OF SAID TOWN SITE OF LONG BEACH; THENCE
SOUTHERLY ALONG SAID PARALLEL LINE TO A POINT
ON THE EASTERLY PROLONGATION OF THE
SOUTHERLY LINE OF SAID BLOCK 98; THENCE
WESTERLY ALONG SAID PROLONGATION TO THE
SOUTHEASTERLY CORNER OF SAID BLOCK 98, SAID
POINT ALSO BEING THE SOUTHEASTERLY CORNER OF
LOT 28 IN SAID BLOCK 98; THENCE NORTHERLY ALONG
THE EASTERLY LINE OF SAID BLOCK 98 TO THE
NORTHEASTERLY CORNER OF LOT 28 OF SAID BLOCK
98, SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT
OF WAY OF A 10.00 FOOT WIDE ALLEY AS SHOWN ON
SAID MAP; THENCE WESTERLY ALONG SAID
SOUTHERLY RIGHT OF WAY TO THE NORTHWESTERLY
CORNER OF LOT 23 OF SAID BLOCK 98, SAID POINT
ALSO BEING ON THE EASTERLY RIGHT OF WAY OF A
16.00 FOOT WIDE ALLEY AS SHOWN ON SAID MAP;
THENCE NORTHERLY ALONG THE NORTHERLY

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PROLONGATION OF SAID EASTERLY RIGHT OF WAY TO
A POINT ON A LINE PARALLEL WITH AND 10.00 FEET
NORTHERLY OF THE SOUTHERLY LINE OF SAID LOT 15;
THENCE EASTERLY ALONG SAID PARALLEL LINE TO A
POINT IN THE EASTERLY LINE OF SAID BLOCK 98;
THENCE NORTHERLY ALONG SAID EASTERLY LINE TO
THE POINT OF BEGINNING.

RESERVING UNTO THE CITY OF LONG BEACH, ITS
SUCCESSORS AND ASSIGNS A PERPETUAL EASEMENT
AND RIGHT-OF-WAY, AT 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, SANITARY SEWERS, STORM DRAINS
AND APPURTENANT STRUCTURES, TOGETHER WITH
ALL NECESSARY GATES, VALVES, FITTINGS,
HYDRANTS AND APPURTENANCES FOR THE
TRANSPORTATION OF WATER AND 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

1 COMMUNICATION LINES, AND FOR THE
2 TRANSPORTATION OR DISTRIBUTION OF ELECTRIC
3 ENERGY, AND INCIDENTAL PURPOSES INCLUDING
4 ACCESS AND THE RIGHT TO KEEP THE PROPERTY
5 FREE FROM INFLAMMABLE MATERIALS, AND WOOD
6 GROWTH, AND OTHERWISE PROTECT THE SAME FROM
7 ALL HAZARDS IN, UPON AND OVER THE PART
8 VACATED. ACCESS FOR MAINTENANCE OF THE ABOVE-
9 MENTIONED FACILITIES MUST BE MAINTAINED AT ALL
10 TIMES. NO IMPROVEMENTS SHALL BE CONSTRUCTED
11 WITHIN THE EASEMENT WHICH WOULD IMPEDE THE
12 OPERATION, MAINTENANCE OR REPAIR OF SAID
13 FACILITIES. CONSTRUCTION OF ANY IMPROVEMENTS,
14 INCLUDING CHANGES OF GRADE, SHALL BE SUBJECT
15 TO THE PRIOR WRITTEN APPROVAL OF ALL THE CITY
16 DEPARTMENTS AND PUBLIC UTILITIES RESPONSIBLE
17 FOR THE ABOVE SAID FACILITIES.

18
19 WHEREAS, the City Council did, at said time, fix Tuesday, the 24th day of
20 May, 2016, at the hour of 5:00 p.m., as the time and the City Council Chamber, Plaza
21 Level of the City Hall, 333 West Ocean Boulevard, in the City of Long Beach, California,
22 as the place for hearing for all persons interested in or objecting to the proposed vacation
23 to appear and be heard; and

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

26 WHEREAS, said hearing was called and held before the City Council at the
27 time and place so fixed and evidence taken and received on the matter of said proposed
28 vacation, and the City Council, upon said evidence, now makes those findings of fact set

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1 forth in said Exhibit "B", attached hereto and by this reference made a part hereof;

2 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
3 follows:

4 Section 1. Pursuant to the foregoing resolution of intention, the
5 proceedings had thereunder, Vacation Sketch No. 1016V showing a portion of Alta Way
6 east of Marietta Court and a portion of Olive Avenue north of First Street, to be vacated
7 by the City of Long Beach attached hereto as Exhibit "A", and the City Council Findings
8 attached hereto as Exhibit "B", said City Council of the City of Long Beach hereby makes
9 its resolution vacating and closing a portion of the street hereinabove described.

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

14 I hereby certify that the foregoing resolution was adopted by the City
15 Council of the City of Long Beach at its meeting of May 24, 2016
16 by the following vote:

17
18 Ayes: Councilmembers: Gonzalez, Supernaw, Mungo, Andrews,
19 Uranga, Austin, Richardson, Lowenthal.

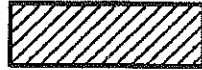
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21
22 Noes: Councilmembers: None.

23
24 Absent: Councilmembers: Price.

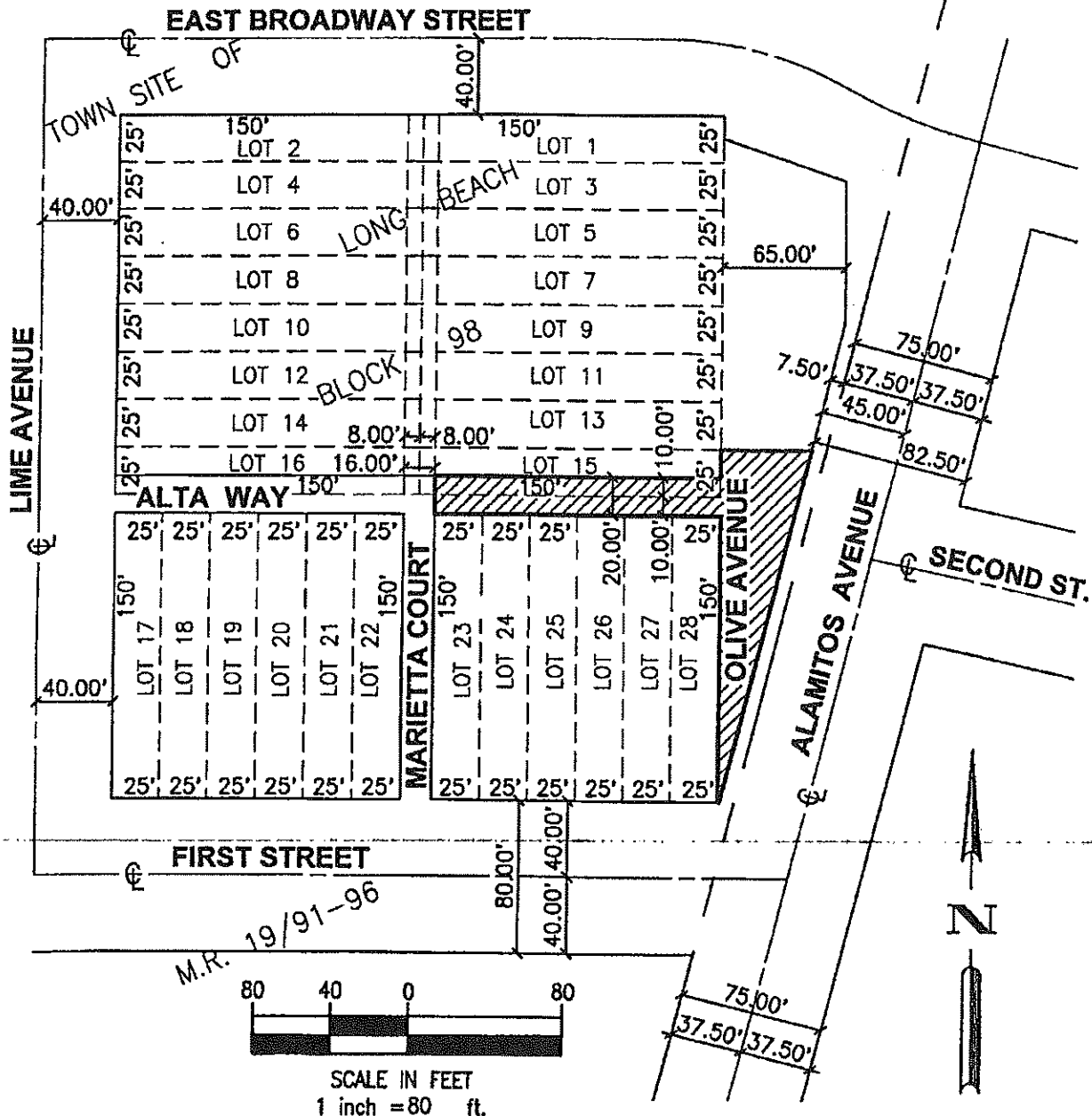
25
26
27 Maia de L. Garcia
28 City Clerk

EXHIBIT "A"
PLOT PLAN FOR STREET VACATION
IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, NO. 1016V
STATE OF CALIFORNIA

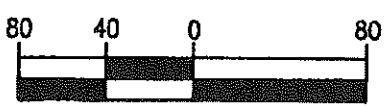
SKETCH



AREA TO BE VACATED



M.R. 19/91-96



SCALE IN FEET
 1 inch = 80 ft.

BY: B.J.W.
 DATE: 11-18-2015
 SCALE: 1"=80'

WALDEN & ASSOCIATES
 CIVIL ENGINEERS - LAND SURVEYORS - PLANNERS
 2552 WHITE ROAD, SUITE B • IRVINE, CA 92614-6236
 (949) 660-0110 FAX: 660-0418

STREET AND ALLEY VACATION
CITY OF LONG BEACH
EXHIBIT "A"



CITY COUNCIL FINDINGS

VACATION OF A PORTION OF ALTA WAY EAST OF MARIETTA COURT AND REMNANT OLIVE AVENUE RIGHT-OF-WAY NORTH OF 1ST STREET

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

This finding is based upon the following subfindings:

- a) On December 3, 2015, 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 Traffic Engineering, 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 15-148 was issued for this project.

EXHIBIT B