

RESOLUTION NO. C- 28389

A RESOLUTION ORDERING THE VACATION OF A
PORTION OF PINE AVENUE BETWEEN OCEAN
BOULEVARD AND SEASIDE WAY 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
11th day of May, 2004 by Resolution No. C-28371, declare its intention
to order the vacation, pursuant to the provisions of the Public Streets, Highways, and
Service Easements Law, a portion of Pine Avenue between Ocean Boulevard and Seaside
Way in the City of Long Beach, County of Los Angeles, State of California, described more
particularly as follows:

Being a portion of Pine Avenue, as shown on Tract No. 604, in the City of
Long Beach, County of Los Angeles, State of California, as shown on the
map recorded in Book 15, Page 96 of Maps, in the office of the County
Recorder of said County described as follows:

Beginning at the Southwest corner of Lot A of said Tract No. 604; thence
South 0°05'42" East 62.46 feet along the Southerly prolongation of the
Westerly line of said Lot A, said Southerly prolongation also being the
Westerly line of that portion of Seaside Way, formerly Seaside Boulevard,
vacated by the City of Long Beach Resolution No. C-23085, a certified copy
of which recorded August 4, 1981 as Instrument No. 81-778334, in the office
of said County Recorder; thence continuing along the Southwesterly line of
said Instrument No. 81-778334, South 45°05'42" East 14.14 feet to the
Southerly line of said Instrument No. 81-778334; thence South 89°52'02"
West 14.00 feet along the Westerly prolongation of said Southerly line;
thence leaving said Westerly prolongation North 45°06'50" West 14.14 feet
to a line parallel with and distant 36.00 feet Easterly of the centerline of Pine
Street, being 100.00 feet wide, as shown on said Tract No. 604; thence North
0°05'42" West 233.18 feet along said parallel line to the Southerly line of Lot
F, Ocean Front of the City of Long Beach, as shown on the map recorded in
Book 39, Page 18 of Miscellaneous Records, in the office of said County
Recorder; thence South 87°42'07" East 14.01 feet along said Southerly line
of Lot F to the Northwesterly corner of said Lot A, Tract No. 604; thence
South 0°05'42" East 170.12 feet along said Westerly line of Lot A to the point
of beginning.

Reserving unto the City of Long Beach, its successors and assigns, over the
westerly 9 feet of the area vacated herein, a perpetual easement and right-of-

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1 way, at any time or from time to time, to lay, construct, maintain, operate,
2 repair, renew, replace, change the size of and remove storm drains and
3 appurtenant structures, with the right of ingress to and egress from the same,
4 over, through, under, along and across that certain property vacated
5 herewith, and, pursuant to any existing franchises or renewals thereof, or
6 otherwise, to construct, maintain, operate, replace, remove, renew and
7 enlarge lines of conduits, cables, wires, poles and other convenient
8 structures, equipment and fixtures for the transportation or distribution of
9 electric energy, and incidental purposes including access and the right to
10 keep the property free from inflammable materials, and wood growth, and
11 otherwise protect the same from all hazards in, upon and over the part
12 vacated. Access for maintenance of the above-mentioned facilities must be
13 maintained at all times. No improvements shall be constructed within the
14 easement which would impede the operation, maintenance or repair of said
15 facilities. Construction of any improvements, including changes of grade,
16 shall be subject to the prior written approval of all the City departments and
17 public utilities responsible for the above said facilities.

18 WHEREAS, the City Council did, at said time, fix Tuesday, the 22nd day of
19 June, 2004 at the hour of 5:00 p.m., as the time at the City Council
20 Chamber, Plaza Level of the City Hall, 333 West Ocean Boulevard, in the City of Long
21 Beach, California, as the place for hearing for all persons interested in or objecting to the
22 proposed vacation to appear and be heard; and

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

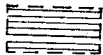
25 WHEREAS, said hearing was called and held before the City Council at the
26 time and place so fixed and evidence taken and received on the matter of said proposed
27 vacation, and the City Council, upon said evidence, now make those findings of fact set
28 forth in said Exhibit "B", attached hereto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

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

Section 1. Pursuant to the foregoing resolution of intention, the proceedings
had thereunder, the "SKETCH SHOWING A PORTION OF PINE AVENUE BETWEEN
OCEAN BOULEVARD AND SEASIDE WAY TO BE VACATED BY THE CITY OF LONG
BEACH" attached hereto as Exhibit "A", and the City Council Findings attached hereto as
Exhibit "B", said City Council of the City of Long Beach hereby makes its resolution

903V
SKETCH SHOWING A PORTION OF
PINE AVENUE BETWEEN OCEAN
BOULEVARD AND SEASIDE WAY
TO BE VACATED BY THE CITY
OF LONG BEACH.

ENGINEERING BUREAU
 CITY OF LONG BEACH, CALIFORNIA



SHOWS PORTION TO BE VACATED

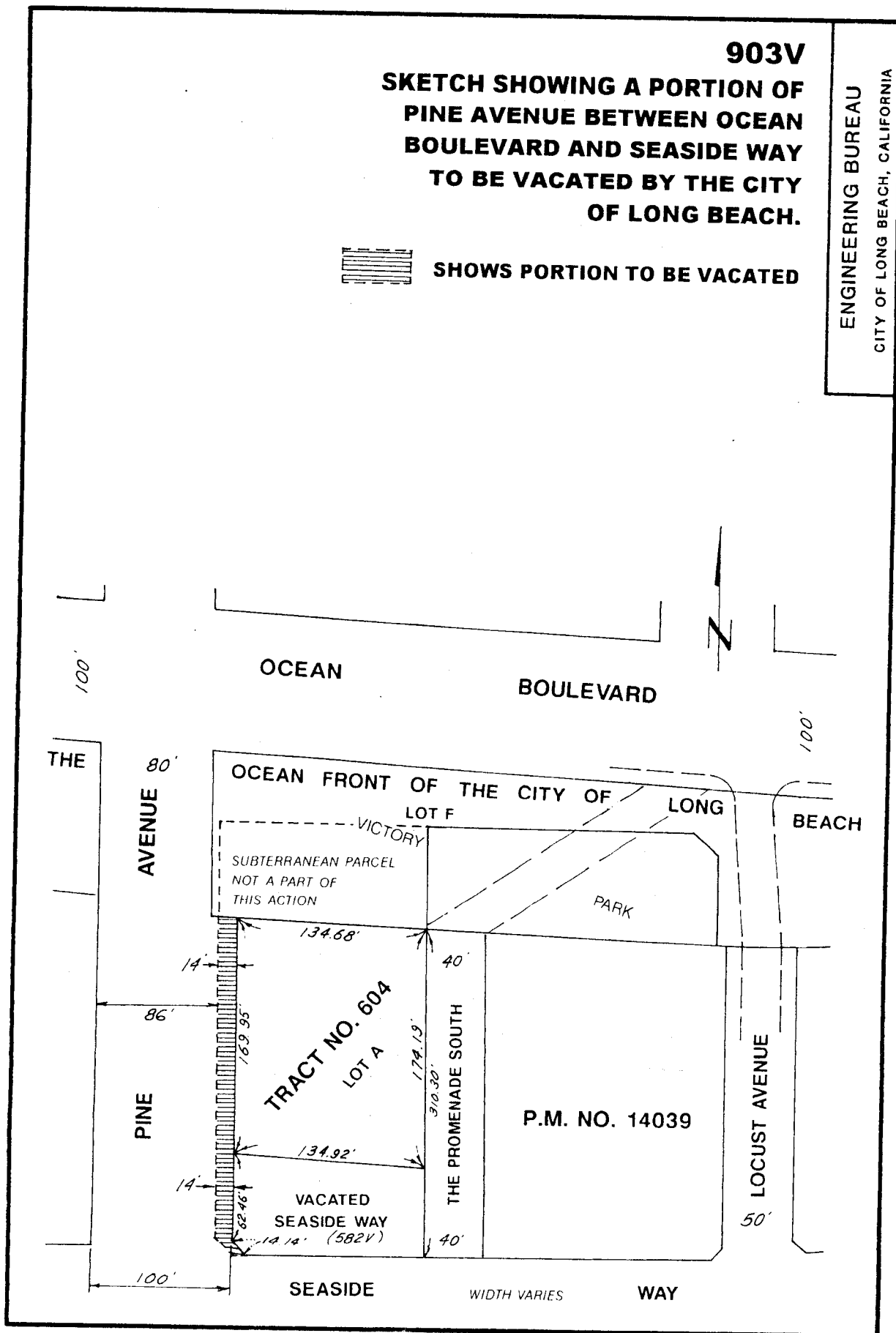
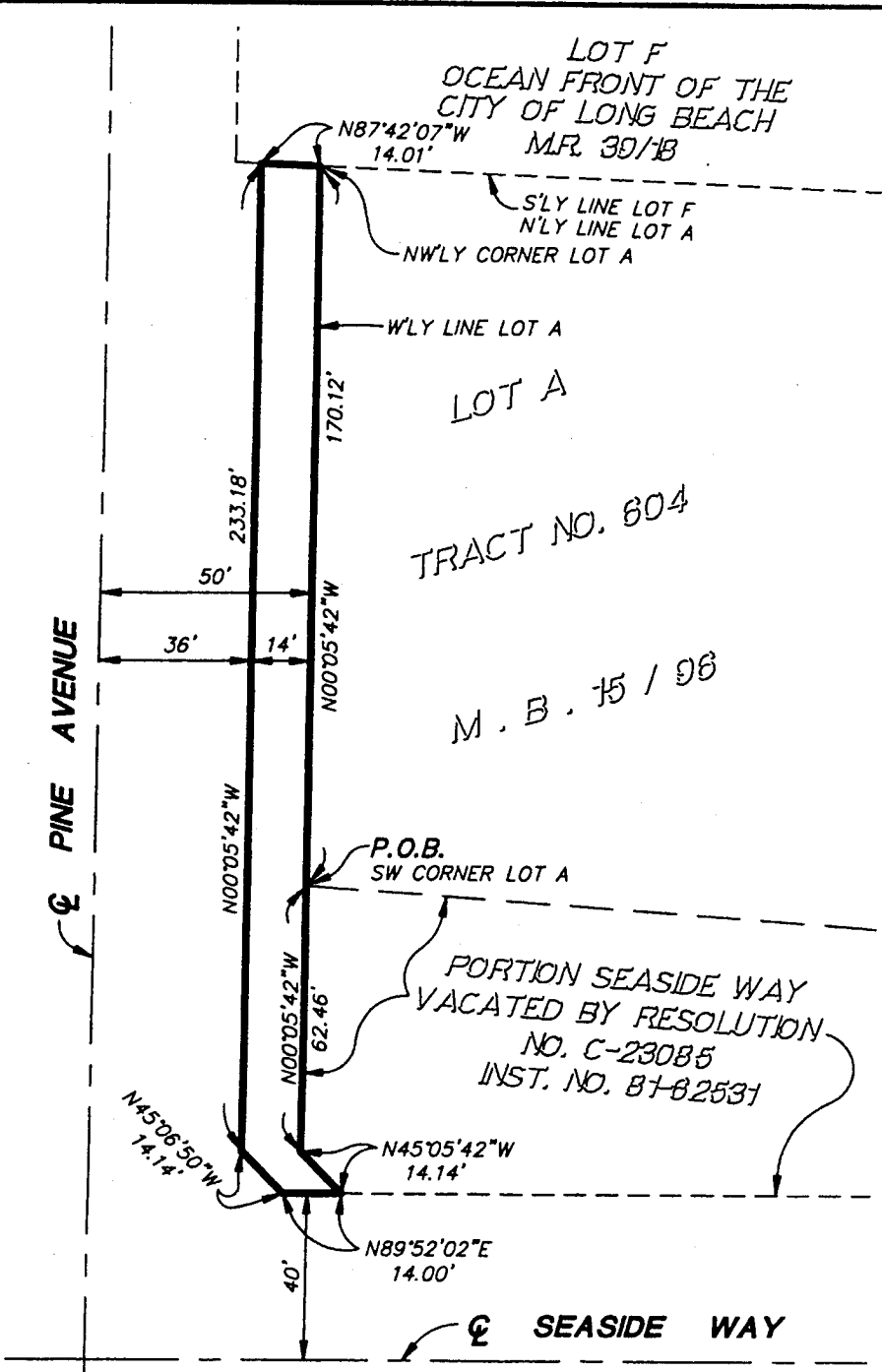


EXHIBIT A
 Page 1 of 2

DIETERICH POST REORDER NO 149520

DETAIL



REVISED: 6/23/03

HUITT-ZOLLARS
 Huitt-Zollars, Inc. Irvine
 430 Exchange, Suite 200, Irvine, CA 92602-1309
 Phone (714) 734-5100 Fax (714) 734-5155

SKETCH TO ACCOMPANY
 A LEGAL DESCRIPTION

SCALE	1"=40'
DRAWN BY	DWM
CHECKED BY	JFG
DATE	6/18/03
JOB NO.	10-1027-01

APPROVED BY: 6/23/03

**STREET
 ABANDONMENT**

CITY COUNCIL FINDINGS

VACATION OF A PORTION OF PINE AVENUE BETWEEN OCEAN BOULEVARD AND SEASIDE WAY

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 May 11, 2004, City Council meeting regarding the resolution of intention to vacate the subject right-of-way, adopted as C-28371.
 - 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, Environmental Impact Report No. EIR-47-02 was certified for this project.

GMM:SC/C