

~~H-18~~
CH-3

August 18, 2020

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Continue the public hearing to vacate the portion of Elm Avenue, between Spring Street and the unnamed east-west public alley south of 31st Street, the unnamed east-west public alley between Elm Avenue and Pasadena Avenue, north of Spring Street and south of 31st Street, and the unnamed north-south public alley between Spring Street and 31st Street, east of Elm Avenue and west of Pasadena Avenue, to October 6, 2020. (District 7)

DISCUSSION

On July 14, 2020, the City Council adopted Resolution No. RES-20-0082 (Attachment A), setting August 18, 2020 as the date for a public hearing to vacate the portion of Elm Avenue, between Spring Street and the unnamed east-west public alley south of 31st Street, the unnamed east-west public alley between Elm Avenue and Pasadena Avenue, north of Spring Street and south of 31st Street, and the unnamed north-south public alley between Spring Street and 31st Street, east of Elm Avenue and west of Pasadena Avenue.

City Council action to continue the hearing to October 6, 2020, to allow for additional time for public noticing is requested.

This matter was reviewed by Deputy City Attorney Erin Weesner-McKinley on August 4, 2020. Due to time constraints, no Budget Office review was able to be conducted.

TIMING CONSIDERATIONS

City Council action is requested on August 18, 2020, to allow for the public hearing to be continued to October 6, 2020.

FISCAL IMPACT

There is no fiscal or local job impact associated with this recommendation. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities.

HONORABLE MAYOR AND CITY COUNCIL

August 18, 2020

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SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



ERIC LOPEZ
DIRECTOR OF PUBLIC WORKS

APPROVED:



THOMAS B. MODICA
CITY MANAGER

EL:JH:BP:md:ll

ATTACHMENTS: A – RESOLUTION No. RES-20-0082

RESOLUTION NO. RES-20-0082

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2
3 A RESOLUTION OF INTENTION TO VACATE THE
4 PORTION OF ELM AVENUE BETWEEN SPRING STREET
5 AND THE UNNAMED EAST-WEST PUBLIC ALLEY SOUTH
6 OF 31ST STREET, THE UNNAMED EAST-WEST PUBLIC
7 ALLEY BETWEEN ELM AVENUE AND PASADENA
8 AVENUE, NORTH OF SPRING STREET AND SOUTH OF
9 31ST STREET, AND THE UNNAMED NORTH-SOUTH
10 PUBLIC ALLEY BETWEEN SPRING STREET AND 31ST
11 STREET EAST OF ELM AVENUE AND WEST OF
12 PASADENA AVENUE, IN THE CITY OF LONG BEACH,
13 COUNTY OF LOS ANGELES, STATE OF CALIFORNIA,
14 PURSUANT TO THE PUBLIC STREET, HIGHWAYS AND
15 SERVICE EASEMENTS LAW (DIVISION 9, PART 3,
16 CALIFORNIA STREETS AND HIGHWAYS CODE); FIXING A
17 TIME AND PLACE FOR HEARING ALL PERSONS
18 INTERESTED IN OR OBJECTING TO THE PROPOSED
19 VACATION

20
21 The City Council of the City of Long Beach resolves as follows:

22 Section 1. The City Council of the City of Long Beach hereby elects to
23 proceed under Division 9, Part 3, Chapter 3, of the California Streets and Highways Code
24 (Section 8320 *et seq.*), as amended, generally known and referred as the "Public Street,
25 Highways and Service Easements Law", and hereby declares its intention to vacate the
26 portion of Elm Avenue between Spring Street and the unnamed east-west public alley
27 south of 31st Street, the unnamed east-west public alley between Elm Avenue and
28 Pasadena Avenue north of Spring Street and south of 31st Street, and the unnamed

1 north-south public alley between Spring Street and 31st Street east of Elm Avenue and
2 west of Pasadena Avenue, in the City of Long Beach, County of Los Angeles, State of
3 California, as described on the attached Exhibit "A-1" and "A-2", and as shown on the
4 attached Exhibit "B-1" and "B-2".

5 Section 2. All of the foregoing real property is shown on the map or plan
6 thereof, attached hereto as Exhibit "C", and on file in the office of the City Clerk, which
7 map or plan is known and referred to as "City of Long Beach Department of Public Works
8 Vacation Sketch No. 1025 (V)".

9 Section 3. The City Council hereby fixes August 18, 2020 at the hour of
10 5:00 p.m., as the time and the Civic Chamber, 411 West Ocean Boulevard, in the City of
11 Long Beach, California, as the place for hearing all persons interested in or objecting to
12 the proposed vacation.

13 Section 4. The City Council hereby directs that notice of said hearing on
14 this proposed street vacation be published for at least two (2) successive weeks prior to
15 the hearing and in the manner provided by Section 8322 of the State Streets and
16 Highways Code.

17 Section 5. The City Council hereby directs that notice of this street
18 vacation be posted conspicuously along the street proposed to be vacated at least two
19 (2) weeks before the date set for hearing and in the manner provided by Section 8323 of
20 the State Streets and Highways Code.

21 Section 6. This resolution shall take effect immediately upon its adoption
22 by the City Council, and the City Clerk shall certify to the vote adopting this resolution.

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OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Lona Beach, CA 90802-4664

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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of July 14, 2020 by the following vote:

Ayes: Councilmembers: Zendejas, Pearce, Price, Supernaw,
Mungo, Andrews, Uranga, Austin,
Richardson.

Noes: Councilmembers: None.

Absent: Councilmembers: None.


City Clerk

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Lona Beach, CA 90802-4664

EXHIBIT "A1"
STREET, ALLEY AND EASEMENT VACATION
(LEGAL DESCRIPTION)

BEGINNING AT THE SOUTH WEST CORNER OF LOT 12, IN BLOCK B, OF TRACT NO. 3207, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 33, PAGE 7 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF BLOCK B AND BLOCK A OF SAID TRACT 3207 A DISTANCE OF 60.00 FEET TO THE SOUTH EAST CORNER OF LOT 24, IN BLOCK A, OF SAID TRACT NO. 3207; THENCE NORTHERLY ALONG THE EASTERLY LINE OF BLOCK A, OF SAID TRACT NO. 3207 TO THE INTERSECTION OF THE PROLONGATION OF THE SOUTHERLY LINE OF LOT 8, IN BLOCK B, OF SAID TRACT; THENCE EASTERLY ALONG THE PROLONGATION OF THE SOUTH LINE OF LOT 8, IN BLOCK B, OF SAID TRACT 3207 A DISTANCE OF 60.00 FEET TO THE SOUTH WEST CORNER OF LOT 8, IN BLOCK B, OF SAID TRACT NO. 3207; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF BLOCK B, OF SAID TRACT NO. 3207, TO THE SOUTHWEST CORNER OF LOT 12, IN BLOCK B, OF SAID TRACT NO. 3207 AND THE POINT OF BEGINNING.

TOGETHER WITH A STRIP OF LAND, 10 FEET WIDE, THAT LIES NORTH OF LOTS 9 AND 21 AND SOUTH OF LOTS 8 AND 20, IN BLOCK B, OF SAID TRACT NO. 3207.

AND THE NORTH 10 FEET OF A STRIP OF LAND, 10 FEET WIDE, THAT LIES EAST OF LOT 9 AND WEST OF LOT 21, IN BLOCK B, OF SAID TRACT NO. 3207.

AND THE NORTH 10 FEET OF LOT 9, IN BLOCK B, OF SAID TRACT NO. 3207.

AND THE NORTH 10 FEET OF LOT 21, IN BLOCK B, OF SAID TRACT NO. 3207.

TOGETHER WITH THAT PORTION OF LOT 12, IN BLOCK B, OF SAID TRACT NO. 3207 WITHIN THE FOLLOWING DESCRIBED BOUNDARIES:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY LINE OF THE ABOVE DESCRIBED EXCEPTION WITH THE WESTERLY LINE OF SAID LOT 12; THENCE NORTHERLY ALONG SAID WESTERLY LINE TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 15 FEET, TANGENT TO SAID WESTERLY LINE AND TANGENT TO SAID NORTHERLY LINE; THENCE SOUTHEASTERLY ALONG SAID CURVE 23.56 FEET TO SAID NORTHERLY LINE; THENCE WESTERLY ALONG SAID NORTHERLY LINE TO THE POINT OF BEGINNING.

SAID PORTION OF LOT 12 BEING A PORTION OF THE EASEMENT RECORDED FEBRUARY 8, 2001 AS INSTRUMENT NO. 01-0209983, OF OFFICIAL RECORDS.

DESCRIPTION CONTINUED ON PAGE 2 OF 2.....

EXHIBIT "A1"
STREET, ALLEY AND EASEMENT VACATION
(LEGAL DESCRIPTION)

DESCRIPTION CONTINUED FROM PAGE 1 OF 2.....

ALSO TOGETHER WITH THAT PORTION OF LOT 24, IN BLOCK A, OF SAID TRACT NO. 3207 WITHIN THE FOLLOWING DESCRIBED BOUNDARIES:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY LINE OF THE ABOVE DESCRIBED EXCEPTION WITH THE WESTERLY LINE OF SAID LOT 24; THENCE NORTHERLY ALONG SAID EASTERLY LINE TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 15 FEET, TANGENT TO SAID EASTERLY LINE AND TANGENT TO SAID NORTHERLY LINE; THENCE SOUTHWESTERLY ALONG SAID CURVE 23.56 FEET TO SAID NORTHERLY LINE; THENCE EASTERLY ALONG SAID NORTHERLY LINE TO THE POINT OF BEGINNING.

SAID PORTION OF LOT 24 BEING A PORTION OF THE EASEMENT RECORDED FEBRUARY 7, 2002 AS INSTRUMENT NO. 02-0295110, OF OFFICIAL RECORDS.

EXCEPT THAT PORTION OF ELM STREET THAT LIES WITHIN THE RIGHT OF WAY OF SPRING STREET (50 FOOT HALF WIDTH).


THE ABOVE DESCRIBED PARCEL CONTAINS 16,597 SQUARE FEET, MORE OR LESS.

SUBJECT TO COVENANTS, CONDITIONS, RESERVATIONS, RESTRICTIONS, RIGHTS-OF-WAY AND EASEMENTS OF RECORD, IF ANY.

RESERVING THEREFROM AN EASEMENT FOR UNDERGROUND UTILITIES AND ACCESS TO THE EXISTING UNIMPROVED ALLEY AND PRIVATE GARAGE ON THE NORTH SIDE OF THE EXISTING ALLEY.

ALL AS MORE PARTICULARLY SHOWN ON EXHIBIT "B1" ATTACHED HERETO AND MADE PART HEREOF.

THIS DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.


MICHAEL FURLONG, PLS 8899
LICENSE EXPIRES: 12-31-19

1-14-19
DATE



EXHIBIT "A2"
ALLEY VACATION
(LEGAL DESCRIPTION)

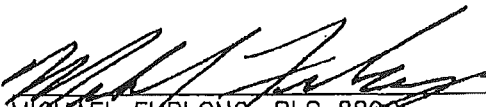
THE 10 FOOT WIDE ALLEY THAT LIES EAST OF LOTS 1 THROUGH 8 AND WEST OF LOTS 13 THROUGH 20, IN BLOCK B, OF TRACT NO. 3207, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 33, PAGE 7 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BOUNDED ON THE NORTH BY THE SOUTH LINE OF 31ST STREET (30.00 FOOT HALF WIDTH) AND ON THE SOUTH BY THE NORTH LINE OF THE 10.00 FOOT WIDE ALLEY RUNNING EAST/WEST LOCATED NORTH OF SPRING STREET.

THE ABOVE DESCRIBED PARCEL CONTAINS 3,950 SQUARE FEET, MORE OR LESS.

SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY, IF ANY.

ALL AS MORE PARTICULARLY SHOWN ON EXHIBIT "B2" ATTACHED HERETO AND MADE PART HEREOF.

THIS DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.


MICHAEL FURLONG, PLS 8899
LICENSE EXPIRES: 12-31-19

1-14-19
DATE

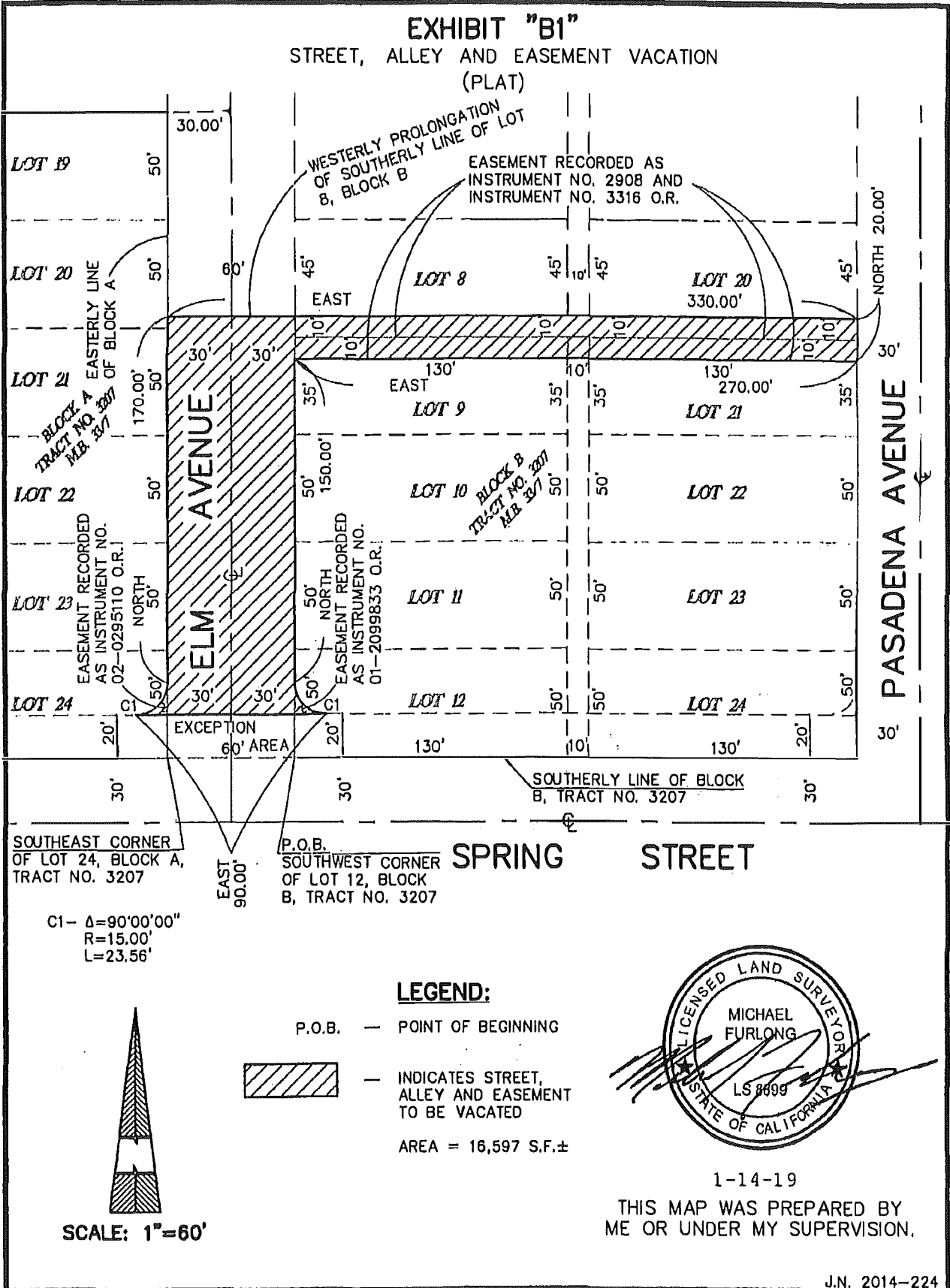
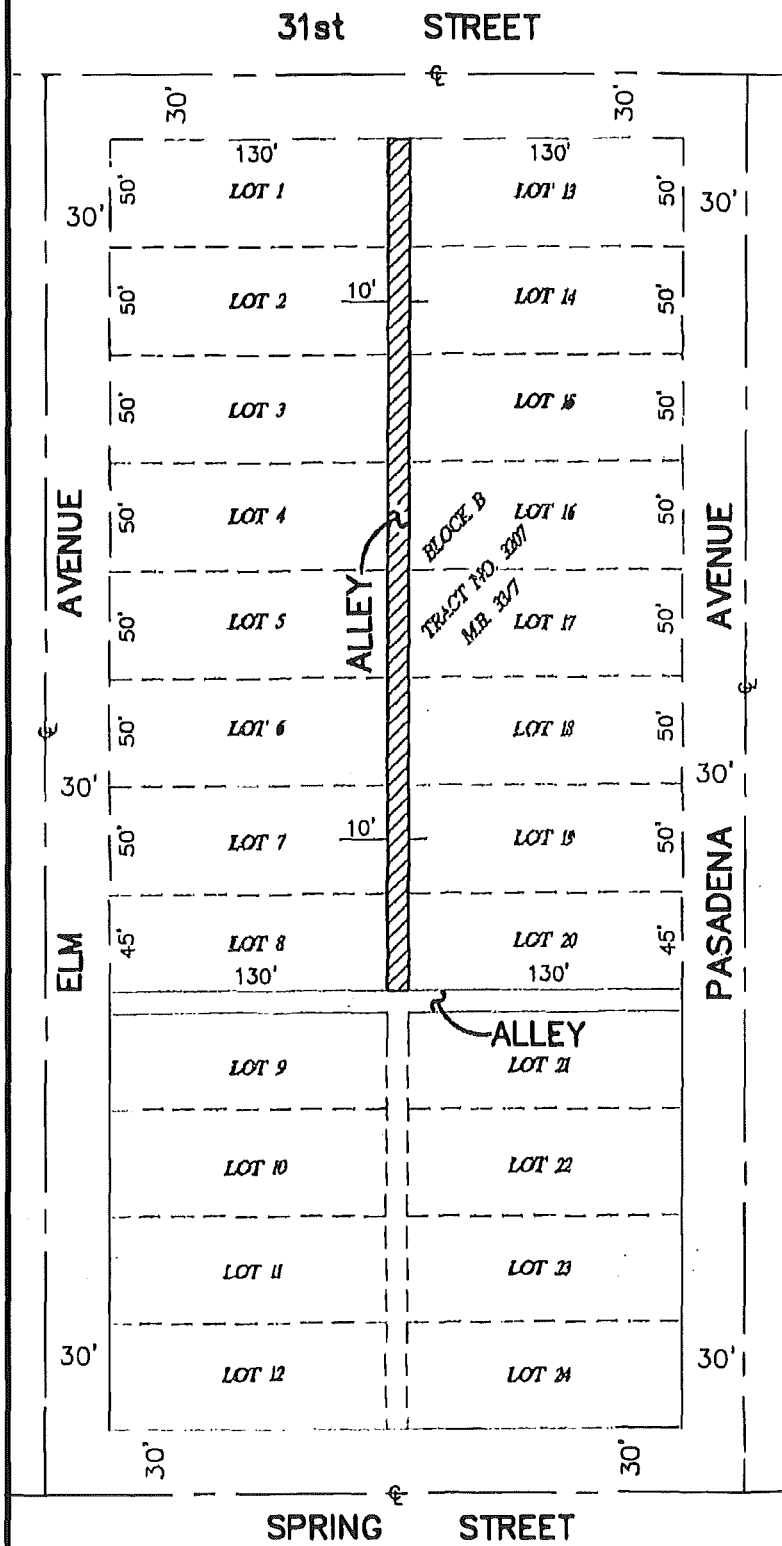


EXHIBIT "B2"
ALLEY VACATION
(PLAT)



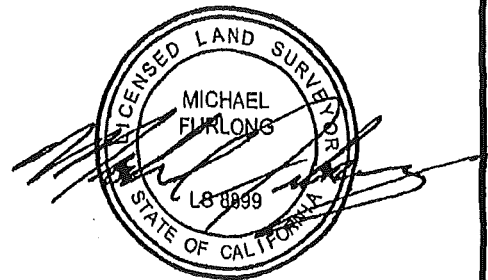
SCALE: 1"=80'

LEGEND:



— INDICATES STREET,
ALLEY AND EASEMENT
TO BE VACATED

AREA = 3,950 S.F.±



1-14-19

THIS MAP WAS PREPARED BY
ME OR UNDER MY SUPERVISION.

