

OFFICE OF THE CITY ATTORNEY  
ROBERT E. SHANNON, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

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RESOLUTION NO. RES-10-0150

A RESOLUTION ORDERING THE VACATION OF  
FOURTEENTH, COWLES, FIFTEENTH, AND SIXTEENTH  
STREETS, ALL LOCATED WEST OF SAN FRANCISCO  
AVENUE, IN THE CITY OF LONG BEACH, COUNTY OF  
LOS ANGELES, STATE OF CALIFORNIA PURSUANT TO  
CHAPTER 4, PART 3 OF DIVISION 9 OF THE  
CALIFORNIA STREET AND HIGHWAYS CODE

WHEREAS, the City Council of the City of Long Beach adopts this  
resolution pursuant to Chapter 4 of the Public Streets, Highways and Service Easements  
Vacation law (Streets and Highways Code Sections 8330 et seq.); and

WHEREAS, this resolution vacates Fourteenth, Cowles, Fifteenth, and  
Sixteenth Streets, all west of San Francisco Avenue described more particularly as  
follows:

Those portions of Fourteenth Street (formerly Chicago Avenue),  
Cowles Street (formerly Kansas Avenue), Fifteenth Street (formerly  
California Avenue), and Sixteenth Street (formerly Pacific Avenue),  
as shown on the map titled "Blocks in the Town of Seabright", in the  
City of Long Beach, County of Los Angeles, State of California, as  
per map recorded in Book 55, Page 2 of Miscellaneous Records, in  
the office of the County Recorder of said County;

Said portions lying westerly of the easterly line of Block 8 as shown  
on said map and the northerly prolongation of said easterly line;  
and, lying easterly of the westerly line of said Block 8 and the

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northerly prolongation of said westerly line.

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 communication lines, and for the transportation or distribution of electric energy, and incidental purposes including access and the right to keep the property free from inflammable materials, and wood growth, and otherwise protect the same from all hazards in, upon and over the part vacated. Access for maintenance of the above-mentioned facilities must be maintained at all times. No improvements shall be constructed within the easement which would impede the operation, maintenance or repair of said facilities. Construction of any improvements, including changes of grade and excavations of over 2 feet deep, shall be subject to the prior written approval of all the City departments and public utilities responsible for the above said facilities.

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WHEREAS, the above-described property is excess right-of-way and is not required for street or highway purposes; and

WHEREAS, the vacation of this right-of-way will not cut off all access to any adjoining property; and

WHEREAS, this property is an excess right-of-way of a street or highway not required for street or highway purposes;

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

Section 1. Pursuant to Chapter 4, Part 3 of Division 9 of the California Streets and Highways Code (Sections 8330 et seq.), the following findings are made regarding the above-described property:

A. That the document attached hereto as Exhibit "A", accurately depicts the property to be vacated.

B. That the findings of fact made by the City Council for the purposes of this summary vacation of excess right-of-way pursuant to California Streets and Highways Code Section 8334(a), set forth in the document entitled "City Council Findings" and attached hereto as Exhibit "B", are incorporated herein and made a part of this resolution by this reference.

Section 2. The above-described portion of the right-of-way is hereby vacated and closed. From and after the date this resolution is recorded, such vacated right-of-way shall no longer constitute a street or highway.

Section 3. The City Clerk is hereby instructed to certify to the adoption of this resolution, and to cause a certified copy to be recorded in the Office of the County Recorder of the County of Los Angeles, California.

Section 4. This resolution shall take effect immediately upon its adoption by the City Council.

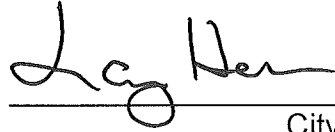
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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of December 14, 2010, by the following vote:

Ayes: Councilmembers: Garcia, O'Donnell, Schipske, Andrews,  
Johnson, Gabelich, Neal, Lowenthal.

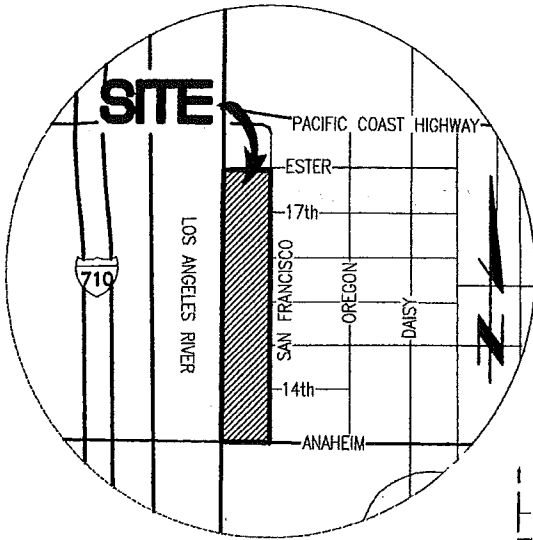
Noes: Councilmembers: None.

Absent: Councilmembers: DeLong.

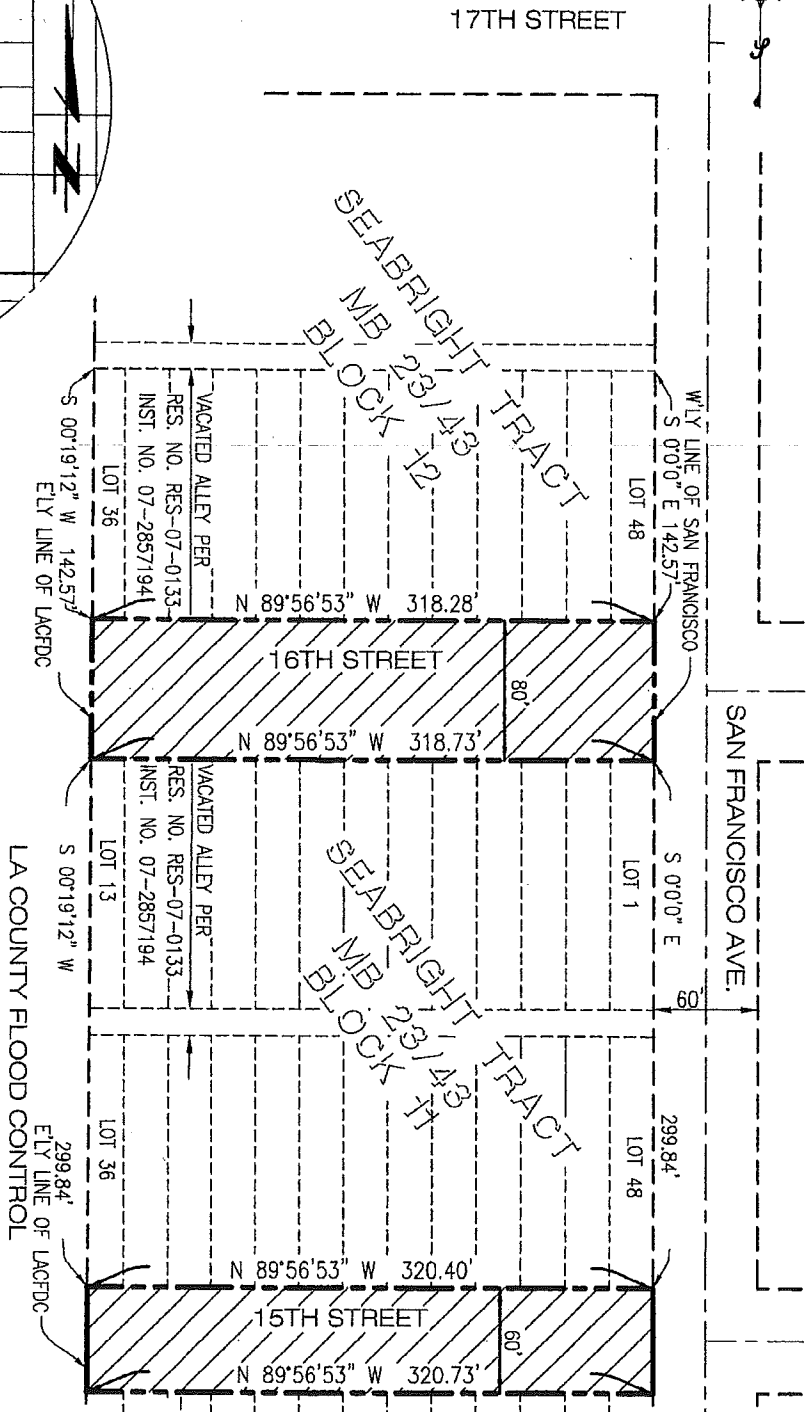


City Clerk

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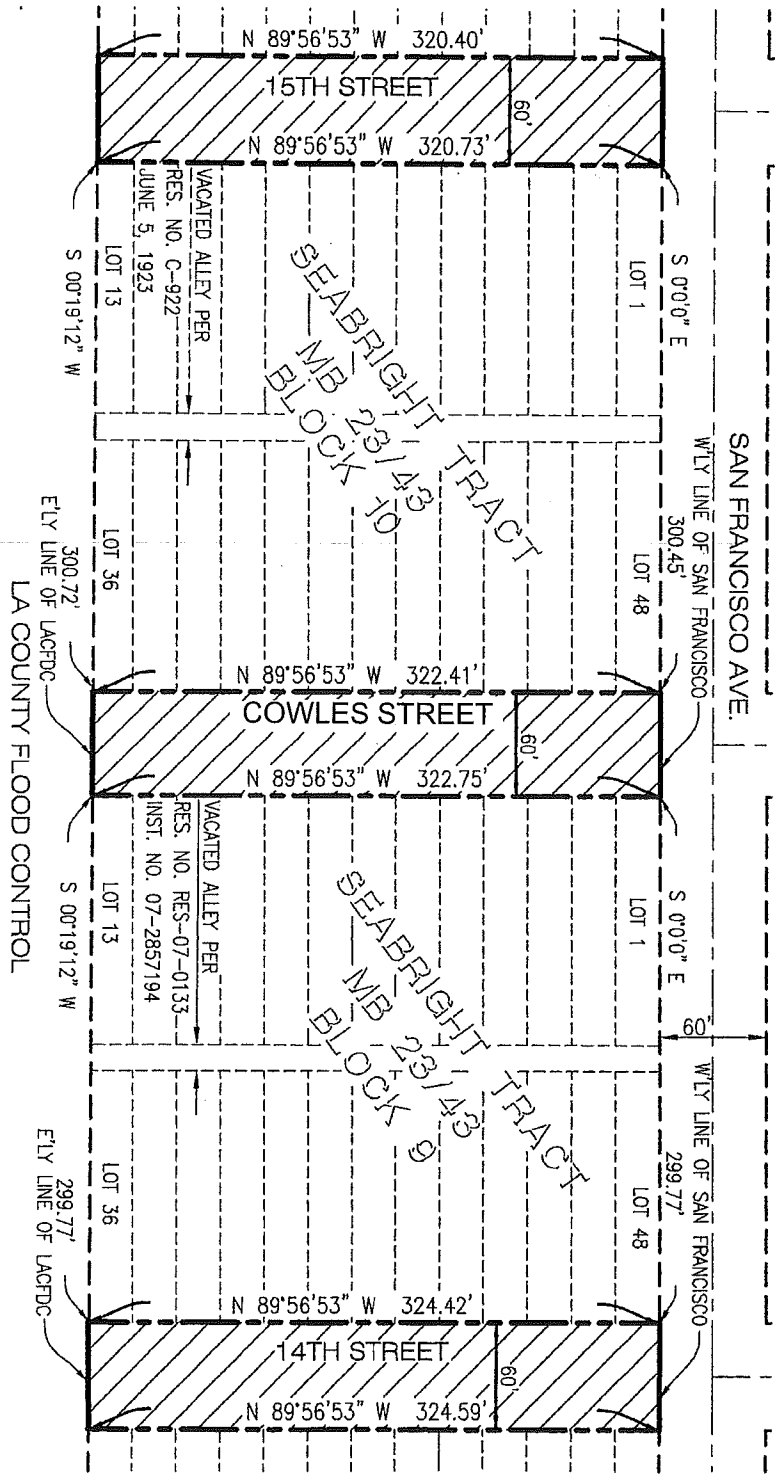


Vicinity Map  
N.T.S.



LARRY V. CASE  
LS 5411

 INDICATES AREA TO BE VACATED





## CITY COUNCIL FINDINGS

### VACATION OF FOURTEENTH, COWLES, FIFTHTEENTH AND SIXTEENTH STREETS, ALL WEST OF SAN FRANCISCO AVENUE Reference Sketch No. 994V

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

This finding is based upon the following subfindings:

- a) On June 7, 2010, pursuant to a Real Estate Exchange Agreement, the City of Long Beach conveyed 10.5 acres of City Property (previously operated as the Public Service Maintenance Facility) to LCW Yard, LLC, in exchange for 33.77 acres of land within the Los Cerritos Wetlands.
  - b) The dedicated street rights-of-way within the Public Service Maintenance Facility had not been used nor improved for public right-of-way purposes for over 30 years. They provide no through access.
  - c) On December 2, 2010, 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.
  - d) The interested City departments, including Fire and Police, have reviewed the proposed right-of-way vacation and have no objections to this action. A utility easement will be reserved as a condition of approval.
  - e) 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 rights-of-way are not and will not be needed for public use.
- f) In conformance with the California Environmental Quality Act, Categorical Exemption No. CE-55-10 was issued for this project.