

OFFICE OF THE CITY ATTORNEY
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RESOLUTION NO. RES-07-0062

A RESOLUTION ORDERING THE SUMMARY VACATION OF PORTIONS OF VIRGINIA ROAD 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 portions of Virginia Road described more particularly as follows:

Portions of Virginia Road in the City of Long Beach, County of Los Angeles, State of California, as shown on the map of Tract No. 4420 filed in Book 57, Page 17 of Maps in the Office of the County Recorder of said county, said Road being 60 feet wide and labeled as American Ave on said map, described as follows:

Said portions lie north of the easterly prolongation of the northerly line Lot 20 of Tract No. 11809 in the City of Long Beach, as shown on the map of said tract filed in Book 214, Pages 45 and 46 of Maps in said County Recorder's Office, and lie south of that radial line bearing North 61 degrees and 32 minutes East shown on said map, said radial line pertaining to that curve with a radius of 200 feet, measured along the centerline of said Road;

Parcel A being the northeasterly 14.00 feet of said portion of Virginia Road;

Parcel B being the southwesterly 14.00 feet of said portion of Virginia Road.

Reserving an easement for pedestrian-only traffic, street

1 lights and general utility purposes over the southeasterly
2 4.00 feet of Parcel A, said strip being the 4.00 foot wide strip
of Parcel A closest to the centerline of the Road, and

3 Reserving an easement for pedestrian-only traffic, street
4 lights and general utility purposes over the northeasterly
5 4.00 feet of Parcel B, said strip being the 4.00 foot wide strip
of Parcel B closest to the centerline of the Road.

6
7 WHEREAS, the above-described property is an excess right-of-way of a
8 street or highway not required for street or highway purposes; and

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

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

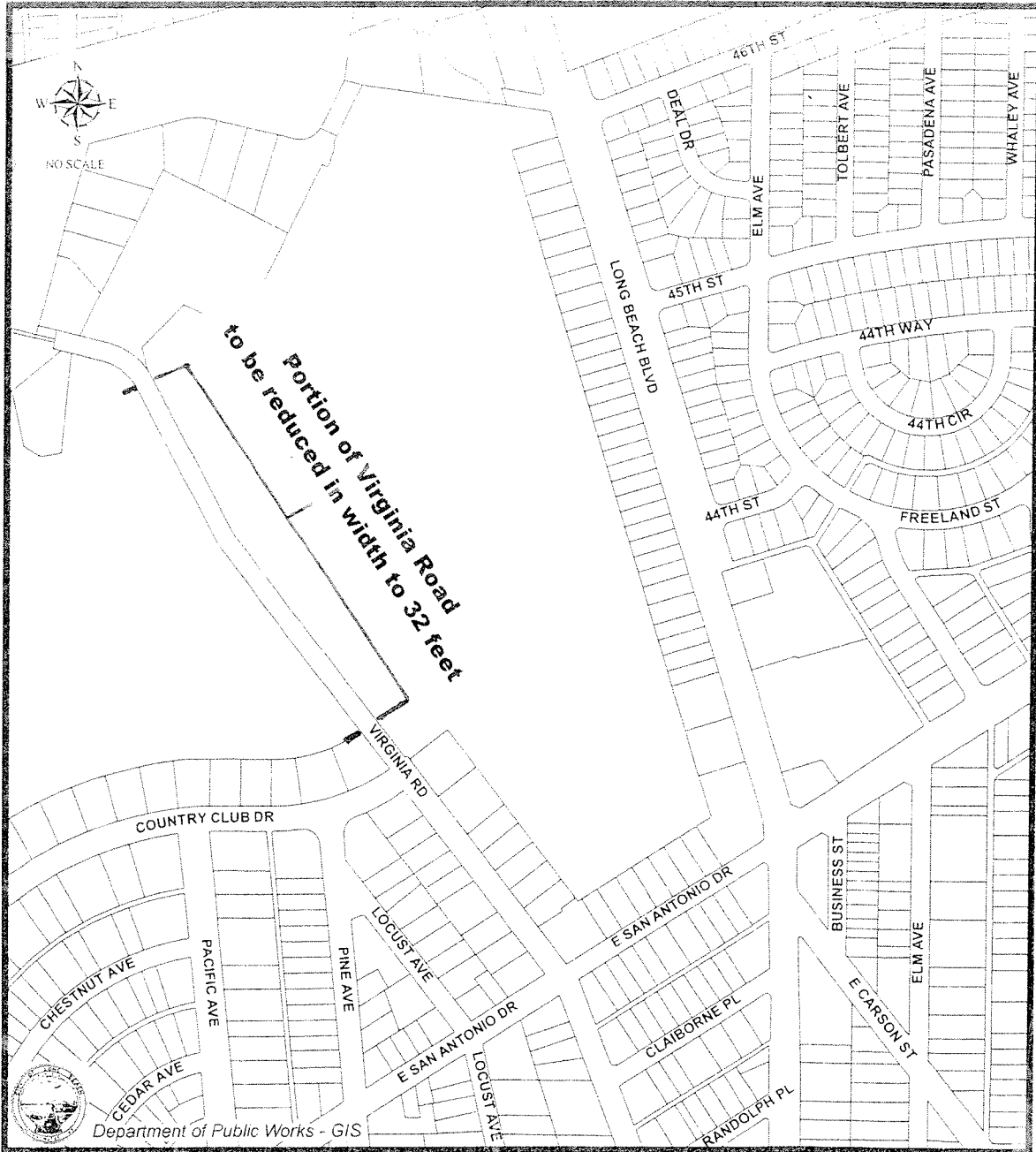
13 Section 1. Pursuant to Chapter 4, Part 3 of Division 9 of the California
14 Streets and Highways Code (Sections 8330 et seq.), the following findings are made
15 regarding the above-described property:

16 A. That the document, Sketch No. 973V, entitled "Sketch
17 Showing the Outer Fourteen Feet on Both Sides of Virginia Road to be
18 Vacated by the City of Long Beach," attached hereto as Exhibit "A",
19 accurately depicts the property to be vacated.

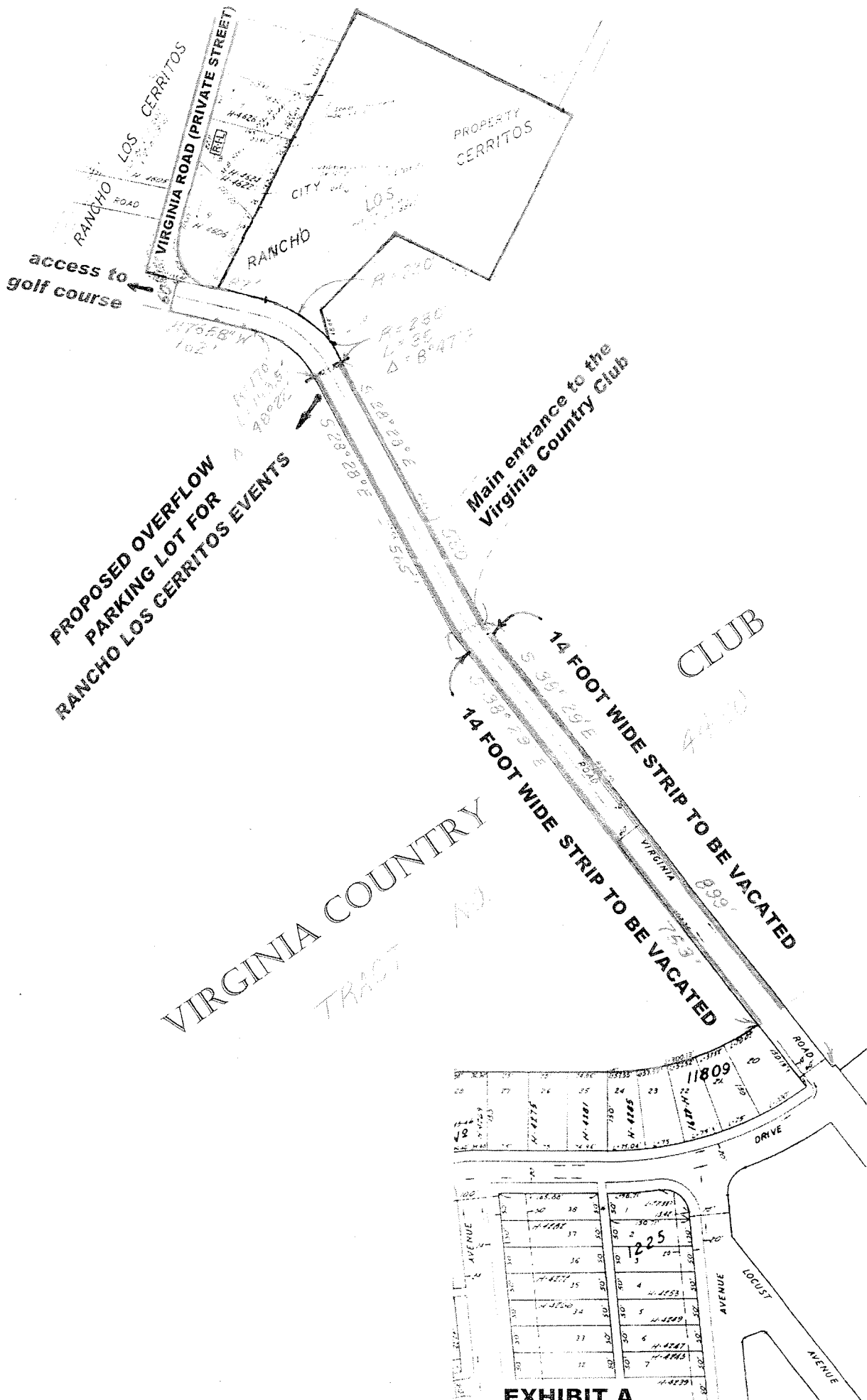
20 B. That the findings of fact made by the City Council for the
21 purposes of this summary vacation of excess right-of-way pursuant to
22 California Streets and Highways Code Section 8334, set forth in the
23 document entitled "City Council Findings" and attached hereto as Exhibit
24 "B", are incorporated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

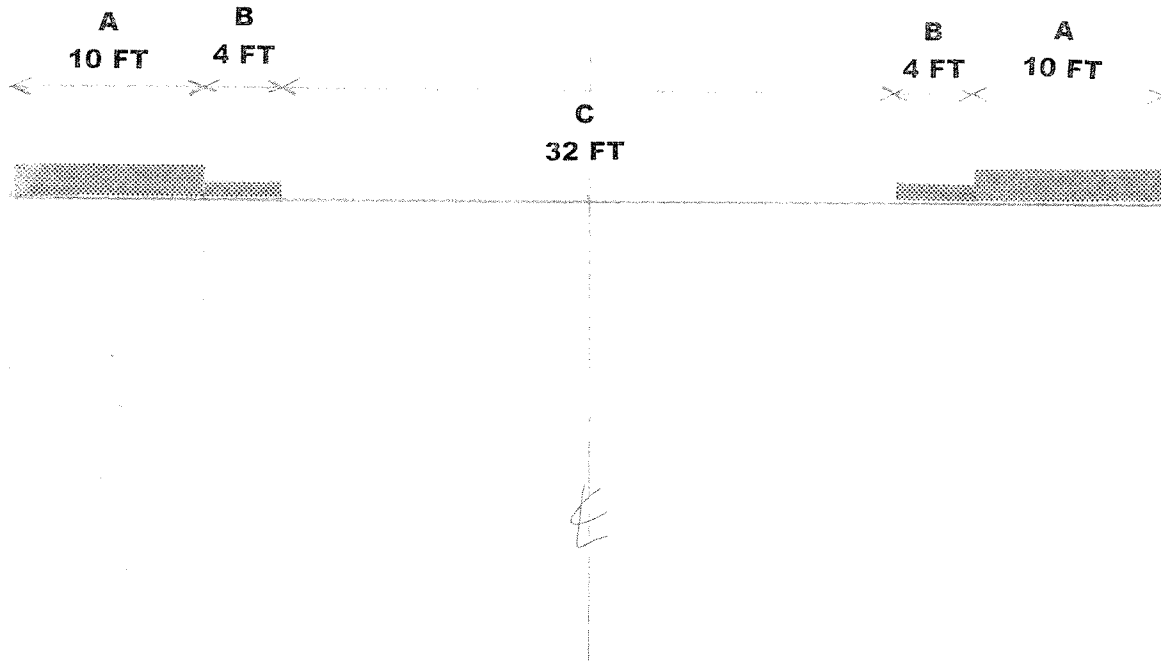
26 Section 2. The above-described portion of the right-of-way is hereby
27 vacated and closed. From and after the date this resolution is recorded, such vacated
28 right-of-way shall no longer constitute a street or highway.

SKETCH NO. 973V
SKETCH SHOWING THE OUTER FOURTEEN FEET
ON BOTH SIDES OF VIRGINIA ROAD TO BE
VACATED BY THE CITY OF LONG BEACH.



VICINITY





A: VACATE

B: VACATE AS TO STREET PURPOSES AND RETAIN AN EASEMENT FOR PEDESTRIAN-ONLY TRAFFIC, STREET LIGHTS, AND GENERAL UTILITY PURPOSES.

C: RETAIN AS A PUBLIC STREET

CITY COUNCIL FINDINGS

FOR THE VACATION OF PORTIONS OF PORTIONS OF VIRGINIA ROAD Reference Sketch No. 973V

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

This finding is based upon the following subfindings:

1. Virginia Road provides access to the Rancho Los Cerritos and then terminates approximately 200 feet to the west of the Rancho entrance. All of the surrounding property belongs to VCC.
2. The existing asphalt pavement, varying between 28 and 36 feet wide, is in poor condition, and there are no sidewalks bordering the roadway. Six publicly-owned street lights are installed alongside the roadway approximately 3 feet off of the edge of paving.
3. VCC proposes to repave the roadway to a width of 32 feet. New landscaping on both sides would include a 1-foot wide tiled roadbed border and a 3-foot wide soft-scape pedestrian path.
4. It is necessary to retain the central 32 feet of Virginia Road as a public street, and reserve a pedestrian traffic only, street light and general utility easement over the 4-foot wide strips of land on either side of the street.
5. The unpaved shoulder of Virginia Road currently provides overflow parking for events at the Rancho Los Cerritos, as specified in the Rancho Master Plan. Environmental Impact Report (EIR) SCH 99148658 was certified for this plan as required by the California Environmental Quality Act.
6. On August 5, 2007, the City of Long Beach Planning Commission approved a modification to the Master Plan allowing the on-street parking along the west side of Virginia Road to be replaced by 60 parking spaces on VCC property near the entrance to the Rancho Los Cerritos. These spaces will be guaranteed by a perpetual deed restriction. Also on August 5, 2007, the City of Long Beach 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. Copies of the Planning Commission actions are attached as Exhibits C and D.

7. Parking along the east side of the Virginia Road will be maintained within the 32-foot wide roadbed, as approved by the Traffic and Fire Departments.
 8. The interested City Departments, including Fire and Police, have reviewed the proposed roadway improvements and right-of-way vacation, and have no objections to this action. Conditions of approval, satisfying the concerns of the public utility companies, are listed on Exhibit E.
- II. The rights-of-way would not be useful for exclusive bikeway purposes.
 - III. The vacation of said rights-of-way will not have a significantly adverse environmental effect.

This finding is based upon the following subfindings:

1. The right-of-way is not and will not be needed for public use.
2. In conformance with the California Environmental Quality Act, Categorical Exemption No. 73-04 was issued for this project.

SC

EXHIBIT B