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12/17/10 AT 08:53AM

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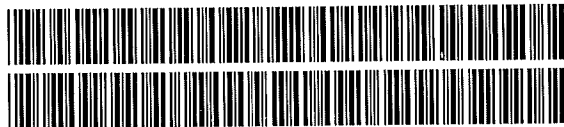
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RECORDING REQUEST BY

WHEN RECORDED MAIL TO

NAME

CITY CLERK

MAILING ADDRESS

Plaza Level City Hall
333 West Ocean Blvd.

CITY, STATE
ZIP CODE

Long Beach, CA 90802

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TITLE(S)

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

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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 westerly of the westerly line of said Block 8 and the

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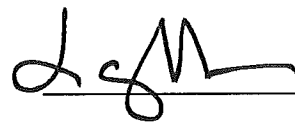
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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of December 14, 2010, by the following vote:

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

Noes: Councilmembers: None.

Absent: Councilmembers: DeLong.



City Clerk

CERTIFIED AS A TRUE AND CORRECT COPY

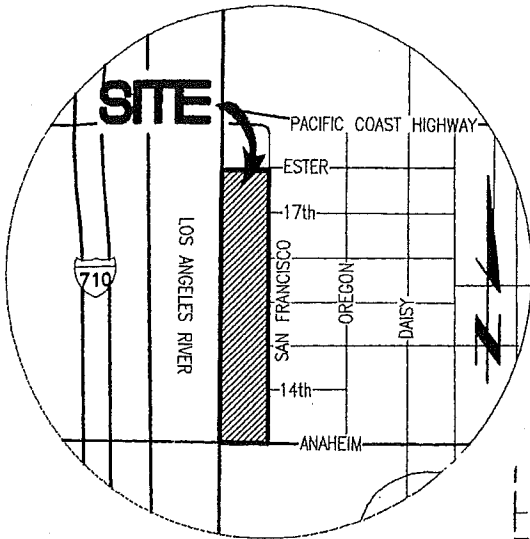


CITY CLERK OF THE CITY OF LONG BEACH

BY 

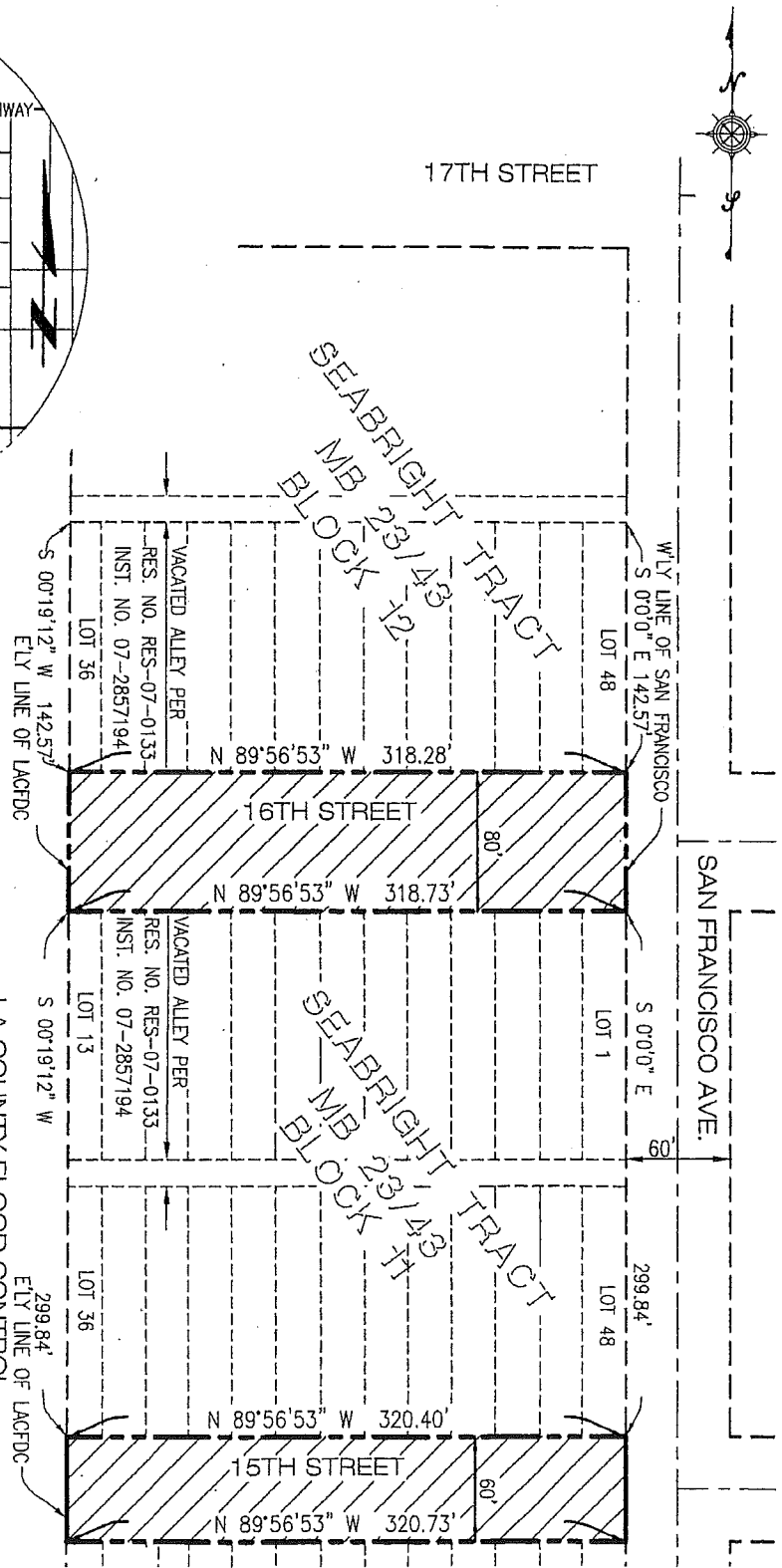
DATE: 12/16/10

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



Vicinity Map

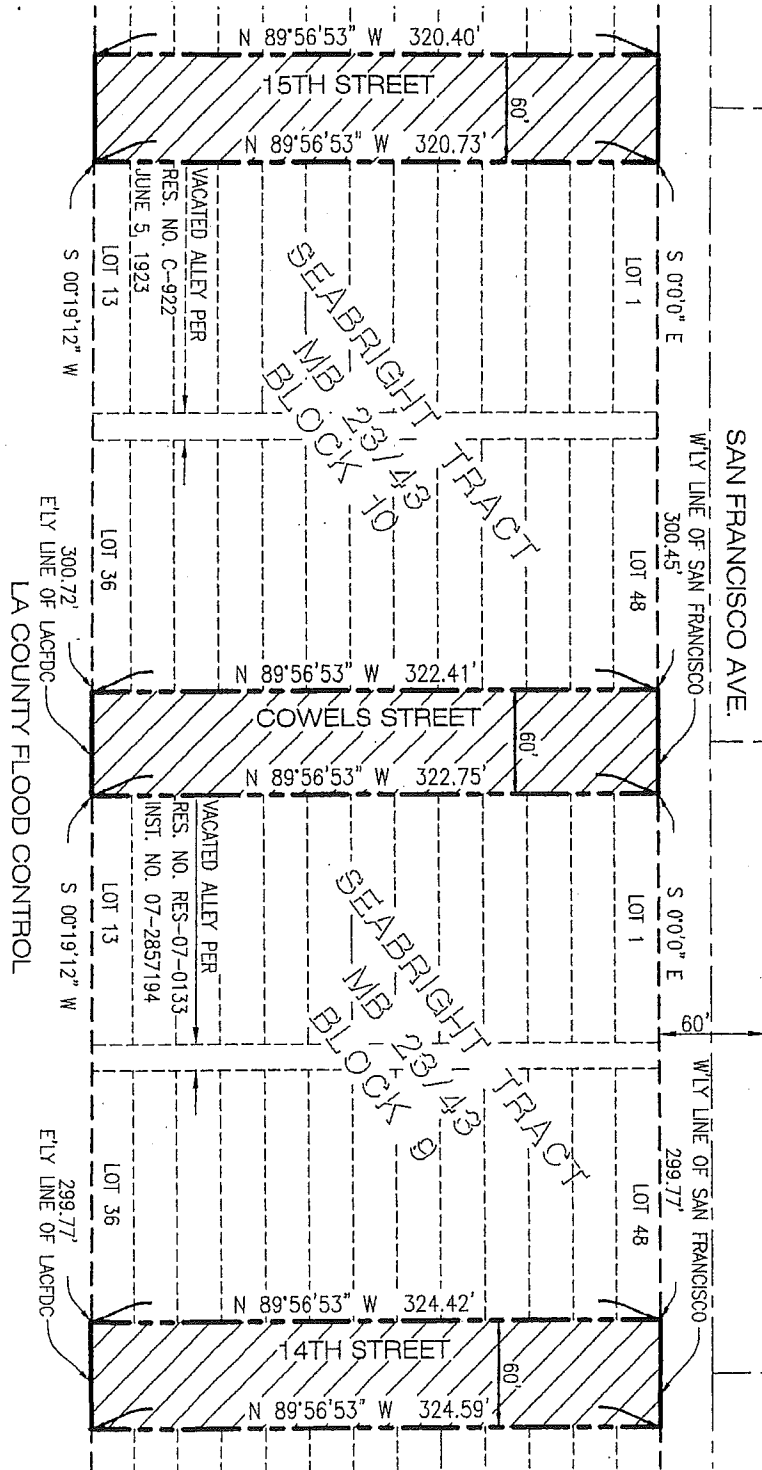
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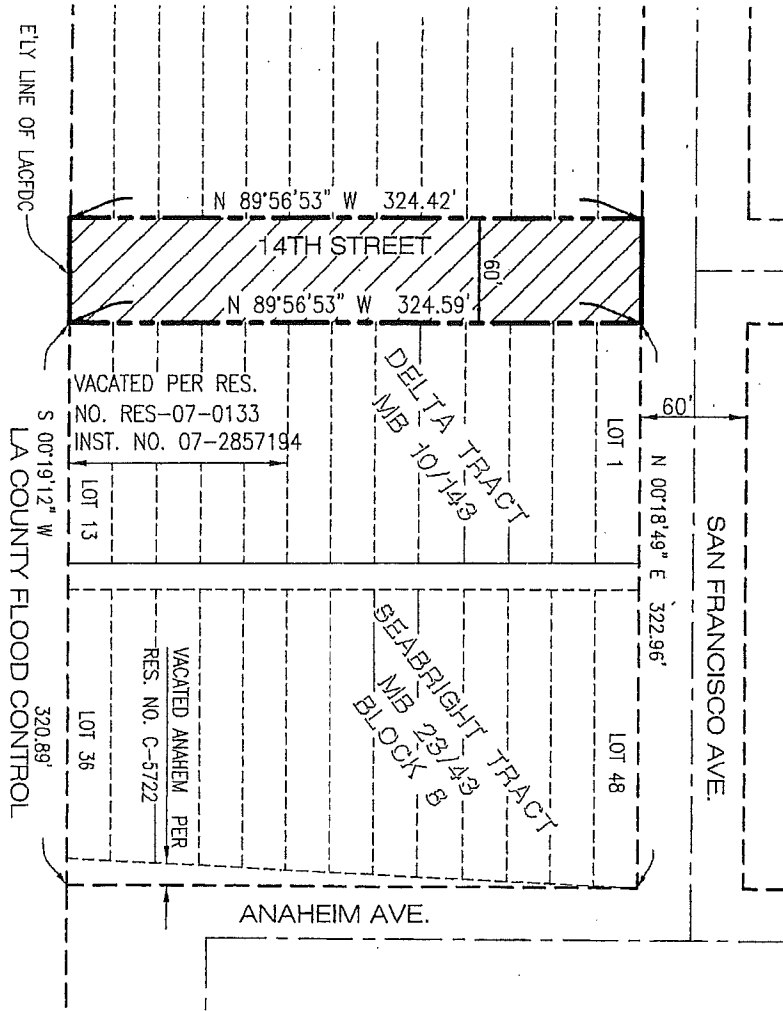


LARRY V. CASE
LS 5411

 INDICATES AREA TO BE VACATED

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CITY COUNCIL FINDINGS

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

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 the City of Long Beach sold a 10.7-acre portion of City Property, previously known as the City of Long Beach Public Service Maintenance Facility, to LCW Yard, LLC, a private land development entity.
- b) 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.