



# CITY OF LONG BEACH

# C-6

DEPARTMENT OF PUBLIC WORKS

333 West Ocean Boulevard 9<sup>th</sup> Floor • Long Beach, CA 90802 • (562) 570-6383 • Fax (562) 570-6012

April 12, 2011

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION

Adopt a resolution ordering the summary vacation of portions of Second Street and Naples Plaza adjacent to 5855 Naples Plaza. (District 3)

## DISCUSSION

The owner of the commercial building known as the Naples Plaza Building requests the vacation of excess street right-of-way abutting the property as shown on the attached Exhibit A. The area proposed to be vacated includes the landscaped area between the building and the sidewalk. Once vacated, the property owner will be able to complete various improvements to this area in order to prevent storm water from entering the building.

Proceedings for this vacation are being conducted in accordance with Chapter 4, Summary Vacation, of the Public Streets, Highways and Service Easements Vacation Law of the California Streets and Highways Code. Section 8334 of that Chapter states that the legislative body of a local agency may summarily vacate that portion of right-of-way which is excess right-of-way not required for street or highway purposes, and/or which portions lie within property under one ownership and do not continue through such ownership or end touching property of another. The Department of Public Works supports this action based on the following evidence, facts, and conditions, finding that the dedicated right(s)-of-way to be vacated are unnecessary for present or future public use.

1. On March 3, 2011, the 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. In conformance with the California Environmental Quality Act, Categorical Exemption Number CE 11-010 was issued for this project. The Development Services Department staff report is included as Exhibit B.
2. A utility easement will be reserved over the northerly three feet of this area, within the continuation of the 15-foot wide utility easement running east of the building, and the landscaped area lying east of the vacated alley within this property, in order to continue to provide for various existing utility facilities, which include water, sewer, power and communication lines, and a fire hydrant.

3. A slope easement will be reserved over that portion of the area to be vacated lying east of the vacated alley within this property, in order to provide for the significant grade differential approaching the bridge to the east.
4. The interested City departments, including Fire and Police, have reviewed the proposed right-of-way vacation and have no objections to this action. Conditions of approval satisfying the concerns of the public utility companies are shown on Exhibit C. The portion vacated will remain subject to utility and slope easements as described above.

Deputy City Attorney Linda Trang prepared the attached resolution of summary vacation on March 28, 2011. The City of Long Beach does not guarantee reversionary rights over the vacated right-of-way.

This matter has been reviewed by Deputy City Attorney Linda Trang on March 28, 2011, and by Budget Management Officer Victoria Bell on March 25, 2011.

TIMING CONSIDERATIONS

City Council action is being requested on April 12, 2011 in order to allow private drainage improvements to be installed.

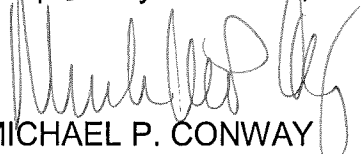
FISCAL IMPACT

There is no fiscal impact to the City associated with this vacation request. However, improvement of this commercial building should have a positive impact on local jobs.

**SUGGESTED ACTION:**

Approve recommendation.


Respectfully submitted,

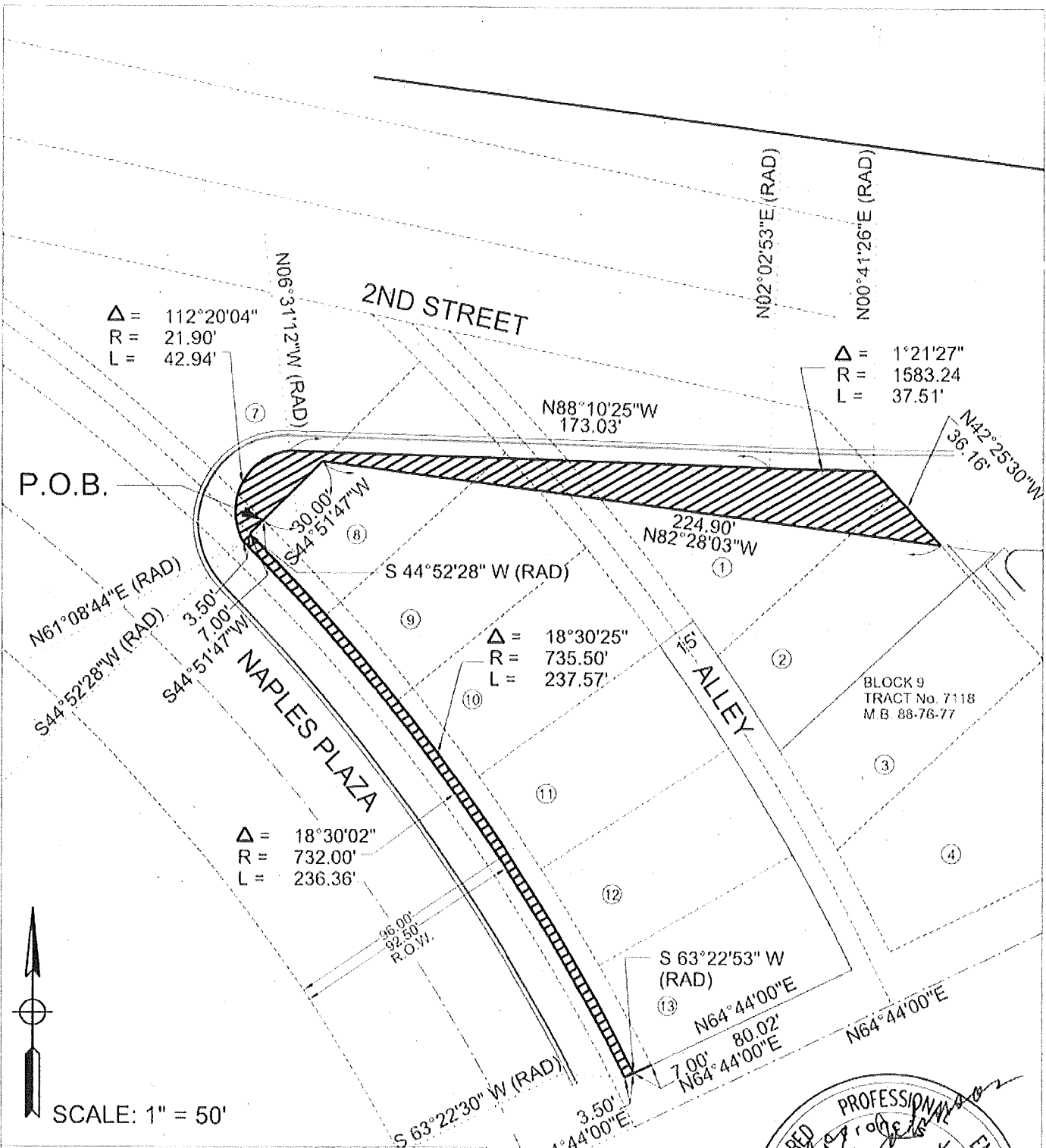
  
MICHAEL P. CONWAY  
DIRECTOR OF PUBLIC WORKS

MPC:MAC:SC:tmd  
P\CL\ROW vac Naples Plaza CL.doc

Attachments

APPROVED:

  
\_\_\_\_\_  
PATRICK H. WEST  
CITY MANAGER



P.O.B.


BLOCK 9  
TRACT No. 7118  
M.B. 88-76-77



SCALE: 1" = 50'

TITLE:  
**PROPOSED STREET VACATION  
5855 NAPLES PLAZA**

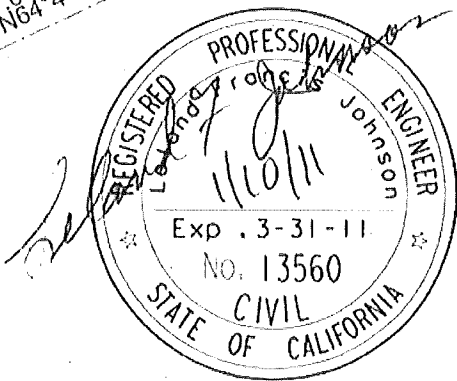
PREPARED BY:  
John M. Cwikshank Consultants, Inc.  
411 N. Harbor Blvd, Suite 201  
San Pedro, CA 90731  
P: 310.241.6550  
F: 310.320.8871  
www.jmc-2.com



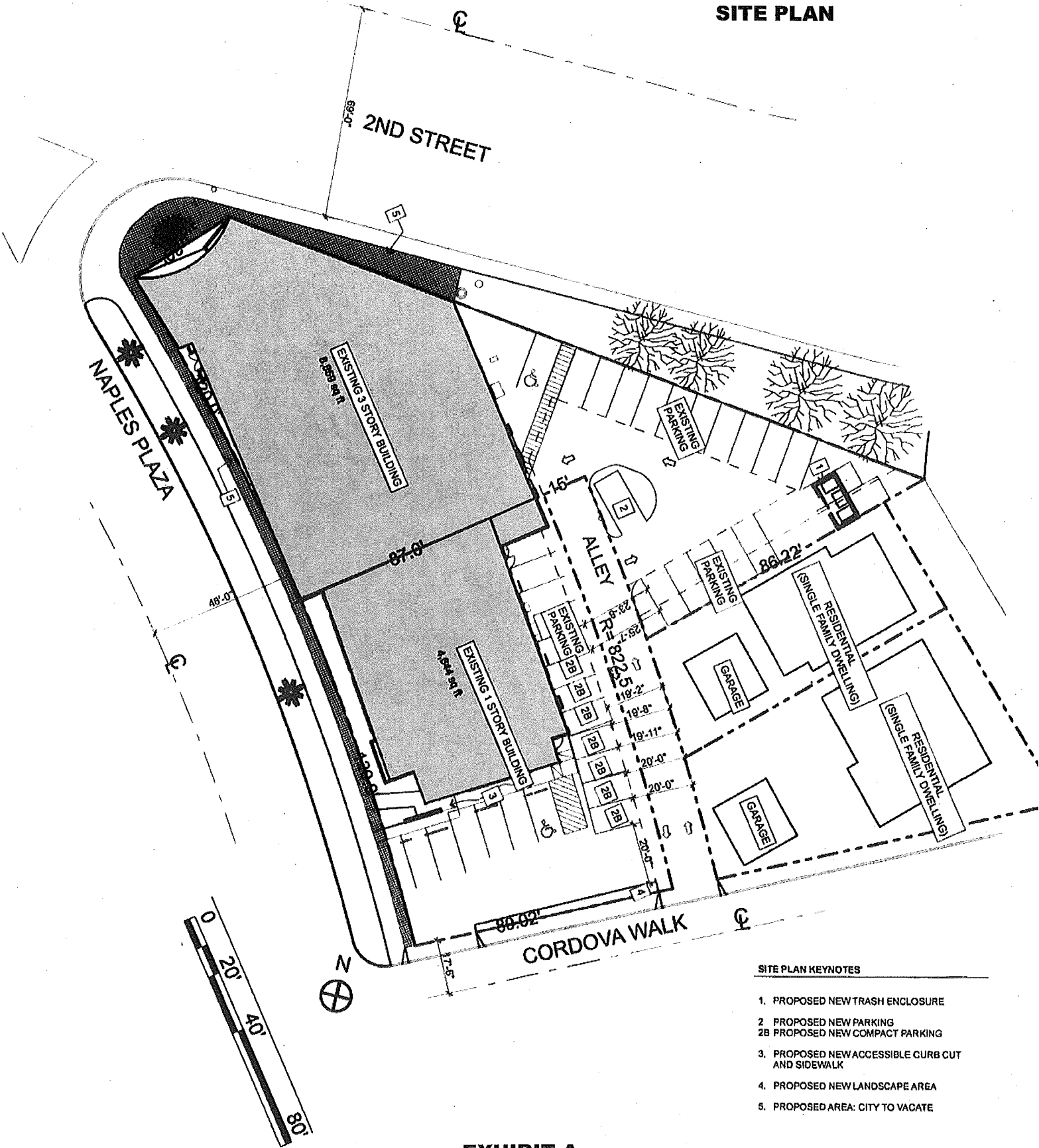
DATE PREPARED: 1-10-11

**LEGEND**

P.O.B. POINT OF BEGINNING  
 PROPOSED VACATION



**SITE PLAN**



- SITE PLAN KEYNOTES**
- 1. PROPOSED NEW TRASH ENCLOSURE
  - 2. PROPOSED NEW PARKING
  - 2B PROPOSED NEW COMPACT PARKING
  - 3. PROPOSED NEW ACCESSIBLE CURB CUT AND SIDEWALK
  - 4. PROPOSED NEW LANDSCAPE AREA
  - 5. PROPOSED AREA: CITY TO VACATE



# CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 WEST OCEAN BOULEVARD

LONG BEACH, CALIFORNIA 90802

(562) 570-8184

FAX (562) 570-8088

MARCH 3, 2011

CHAIR AND PLANNING COMMISSIONERS  
City of Long Beach  
California

**RECOMMENDATION:**

Approve a finding of conformity with the adopted General Plan for the vacation of public right-of-way adjacent to 5855-5865 Naples Plaza within the Neighborhood Pedestrian (CNP) zone. (Council District 3)

**APPLICANT:** Environ Architecture, Inc.  
100 Oceangate, Suite P-200  
Long Beach, CA 90802  
(Application No. 1101-11)

**DISCUSSION**

Pursuant to California Government Code Section 65402, no street, parcel or alley may be vacated until such action has been submitted to, and reported upon by, the Planning Commission as to its conformity with the adopted General Plan. The proposed public right-of-way vacation is herein submitted for review.

The subject site is located on the north side of Naples Plaza directly off of 2<sup>nd</sup> Street in the Naples neighborhood (Exhibit A – Location Map). The subject site consists of three properties; one improved with a three-story professional office building built in 1964, one with a one-story medical office building built in the late 1950's, and the third property contains a small surface parking lot. It is located within the Neighborhood Pedestrian (CNP) zone. The CNP zone is oriented towards serving pedestrians with small scale neighborhood compatible uses.

The applicant has received approval from the Site Plan Review Committee and the Zoning Administrator for a façade improvement to update the existing three-story office building on the site (Application No. 1005-02). As part of the applicant's efforts to improve the subject property, a request to vacate a strip of land adjacent to the public right-of-way along 2<sup>nd</sup> Street and Naples Plaza has been submitted (Exhibit B – Plans & Photographs). The vacation will serve two purposes. First, it will allow elements of the façade improvement to be completed; as proposed, the new exterior materials would have encroached onto public property. Second, the vacation along 2<sup>nd</sup> Street will permit the construction of a retaining wall to prevent the building from flooding, which has been an ongoing issue for the site given the significant change in elevation between the first level of the building and the 2<sup>nd</sup>

**CHAIR AND PLANNING COMMISSIONERS**

March 3, 2011

Page 2 of 2

Street bridge. In general, the use of the vacated property will not change, but enhancements will be made to the landscaping and drainage.

A finding of conformity shall be made when the proposed re-use of the property conforms to the maps and policies of the General Plan. The General Plan consists of 11 elements and each element of the General Plan carries the same authority concerning land use issues. The elements of the General Plan were considered and staff finds this vacation in conformance with those elements. A review of the relevant element(s) and specific General Plan consistency findings are presented below.

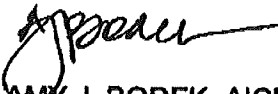
**GENERAL PLAN CONSISTENCY FINDINGS**

The Land Use Element divides the City into 21 land use districts, which provide general guidance as to the type and density of land uses considered appropriate. The subject site is located within Land Use District No. 8P (Pedestrian-Oriented Retail Strip). As described in the General Plan, this land use district is a special category for use in a few specific areas of the City where small scale services and retail uses catering primarily to pedestrian trade abound or may be developed. Because of the importance of the role that the pedestrian-oriented strips play in serving the adjacent residential uses, they are considered to be a valuable resource to be preserved and enhanced for the future. The requested vacation of the public right-of-way adjacent to the subject property will be maintained in much the same way as it is now with further landscaping and improvements done to enhance the pedestrian experience and the property in general.

**ENVIRONMENTAL REVIEW**

In accordance with the Guidelines for Implementation of the California Environmental Quality Act (CEQA), a Categorical Exemption (CE 11-010) was prepared for the proposed project (Exhibit C – Categorical Exemption).

Respectfully submitted,



**AMY J. BODEK, AICP  
DIRECTOR OF DEVELOPMENT SERVICES**

AJB:DB:AZ

Attachments: Exhibit A – Location Map  
Exhibit B – Plans & Photographs  
Exhibit C – Categorical Exemption (CE11-010)

## CONDITIONS OF APPROVAL

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### SKETCH NO. 999V

The proposal was reviewed by the interested city departments and public agencies, and there were no objections, provided that the following conditions of approval are included:

1. A utility easement shall be reserved over the areas shown on the attached utility easement exhibit. No buildings may be constructed within the easement area.
2. A easement for the maintenance of the slope abutting Second Street shall be reserved over the area shown on the attached slope easement exhibit. Construction within this area must be reviewed and approved by the Department of Public Works.
3. The vacation petitioner shall at its own cost resolve any storm water drainage problems resulting from the vacation to the satisfaction of the Director of Public Works.

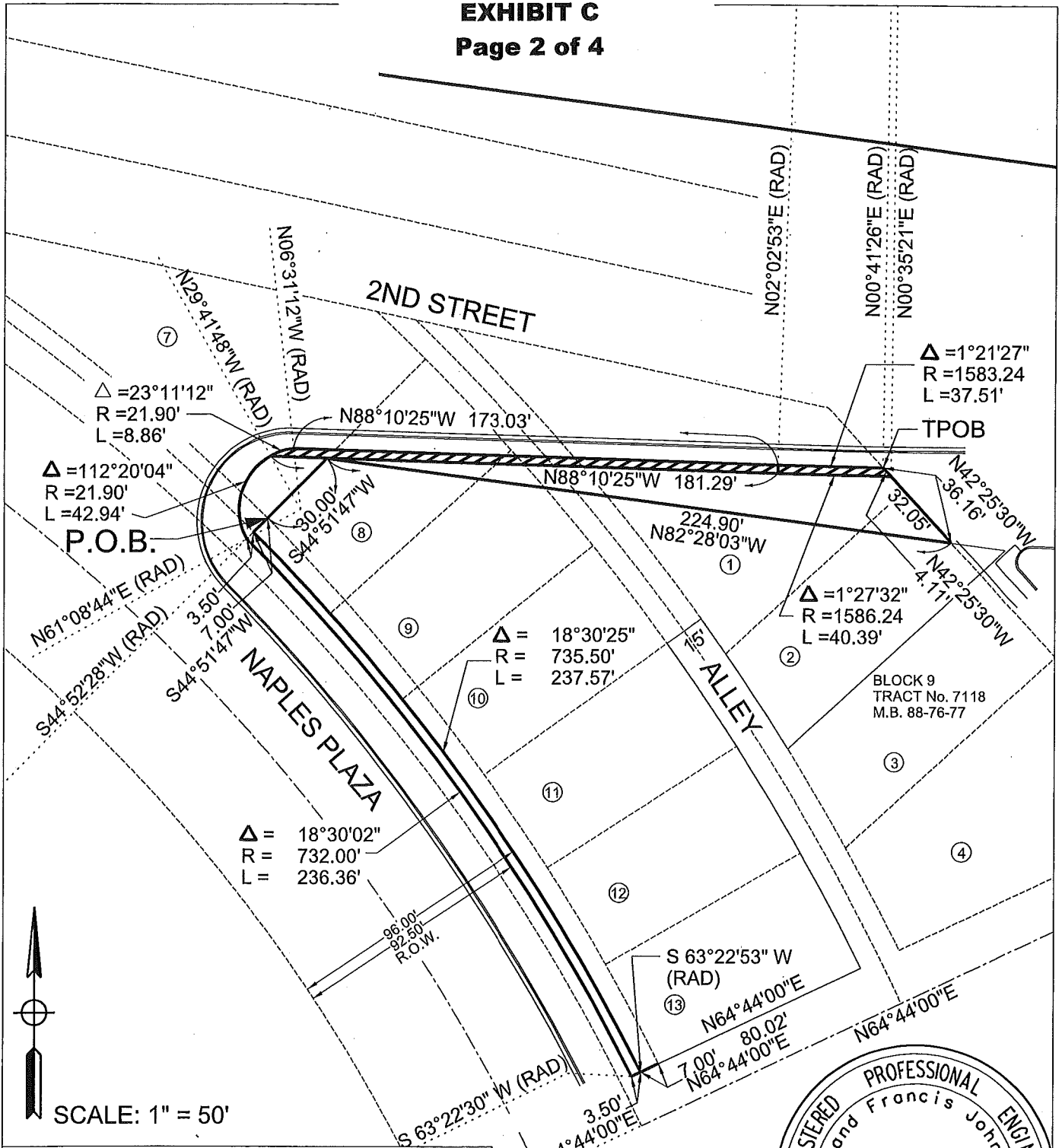
The above conditions are flexible in that they may be adjusted in consideration of changing conditions or of new evidence which occurs or becomes available prior to the adoption of the resolution vacating by the City Council.

GM:SC

**UTILITY EASEMENT AREA**

**EXHIBIT C**

Page 2 of 4




TITLE:  
**5855 NAPLES PLAZA  
 LONG BEACH, CA**

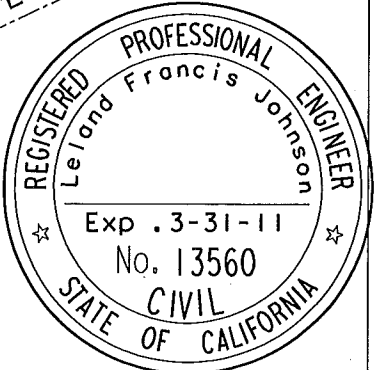
PREPARED BY:  
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 www.jmc-2.com

**JMC<sup>2</sup>**

DATE PREPARED: 1-10-11

**LEGEND**

P.O.B. POINT OF BEGINNING  
 T.P.O.B. TRUE POINT OF BEGINNING  
 PROPOSED EASEMENT

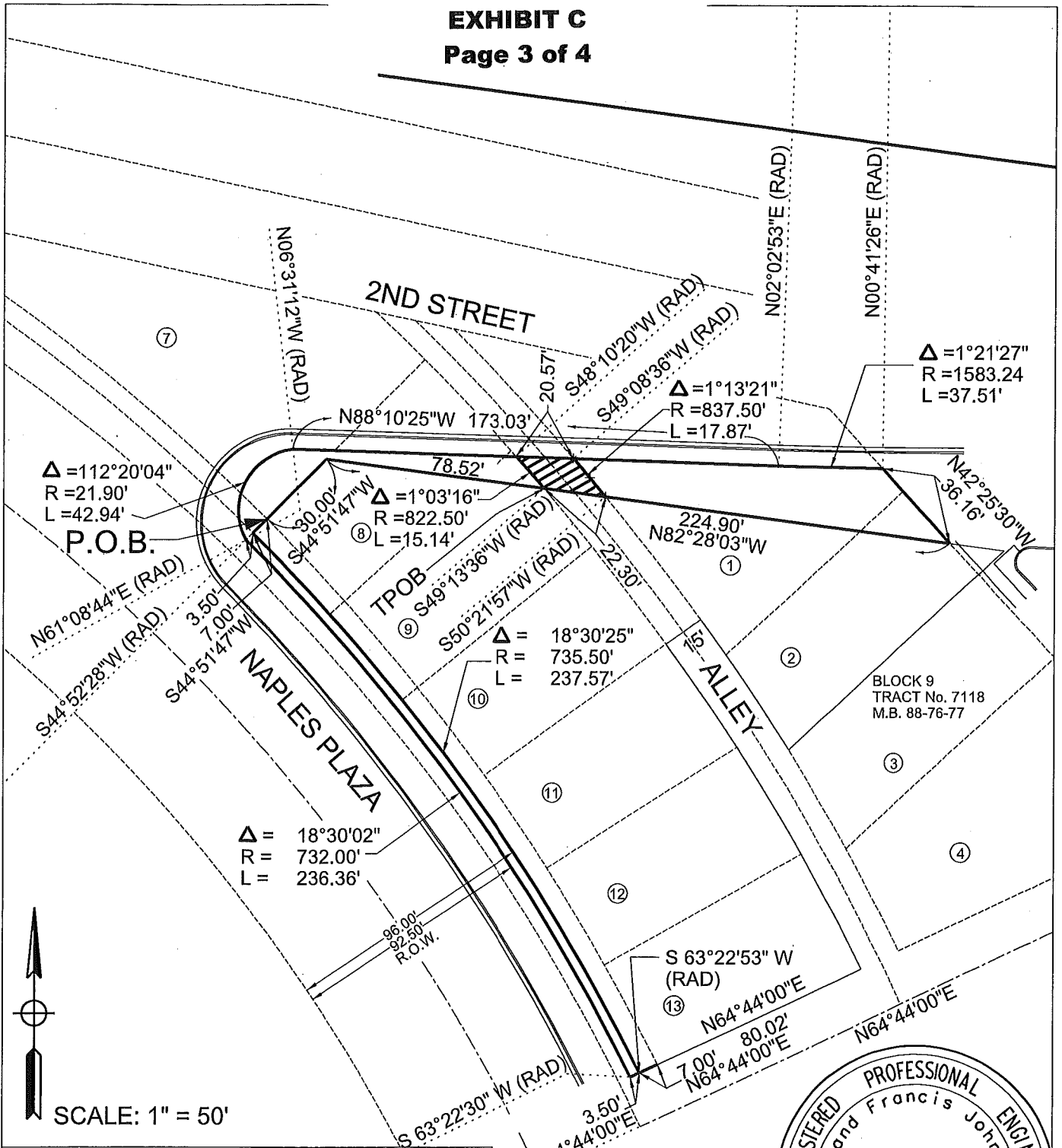




**UTILITY EASEMENT AREA**

**EXHIBIT C**

**Page 3 of 4**



SCALE: 1" = 50'

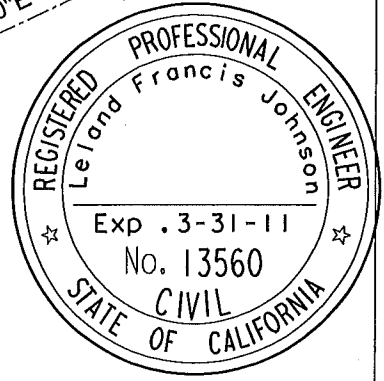
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DATE PREPARED: 1-10-11

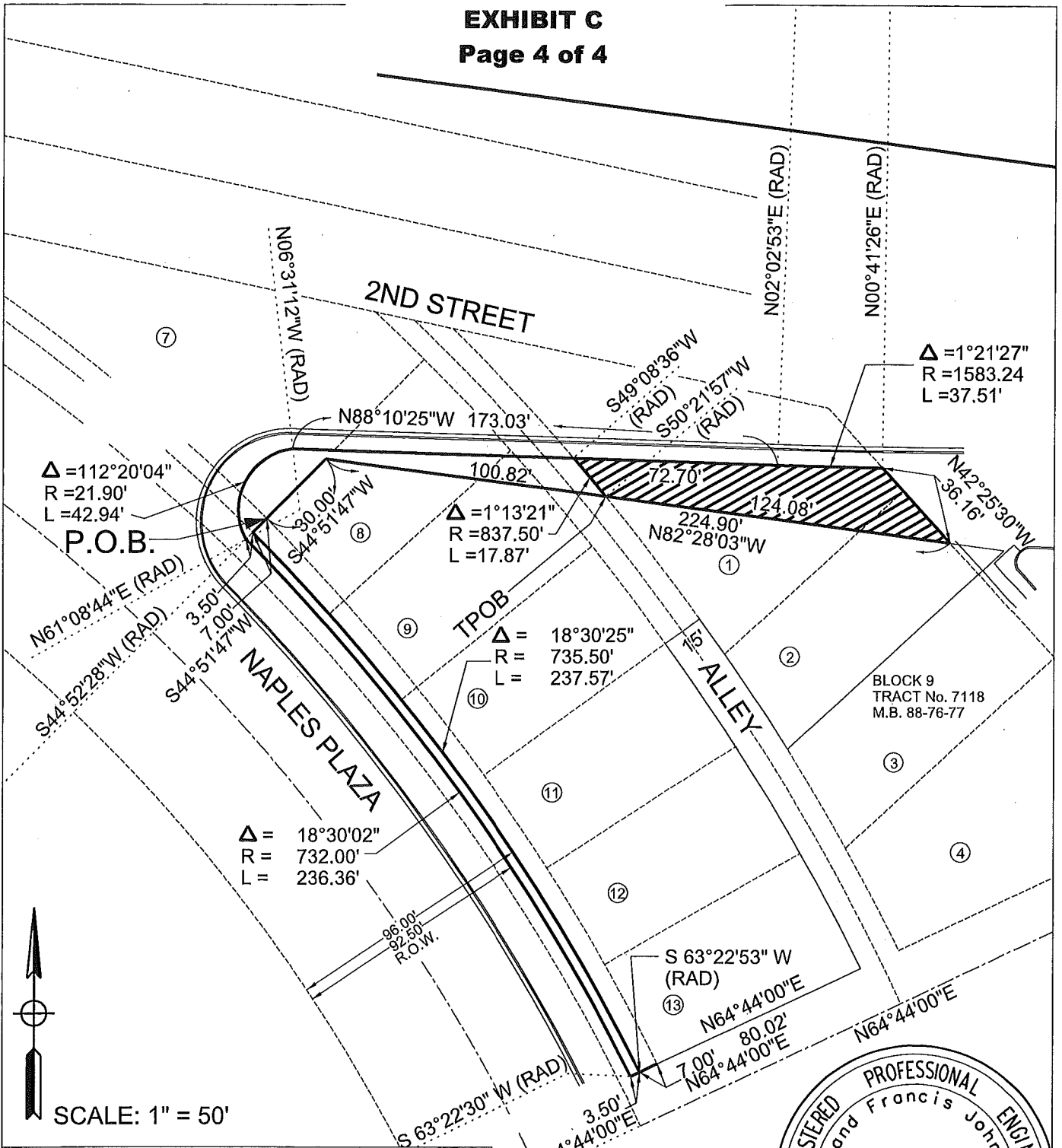
**LEGEND**  
 P.O.B. POINT OF BEGINNING  
 T.P.O.B. TRUE POINT OF BEGINNING  
 PROPOSED EASEMENT



**SLOPE EASEMENT AREA**

**EXHIBIT C**

Page 4 of 4



SCALE: 1" = 50'

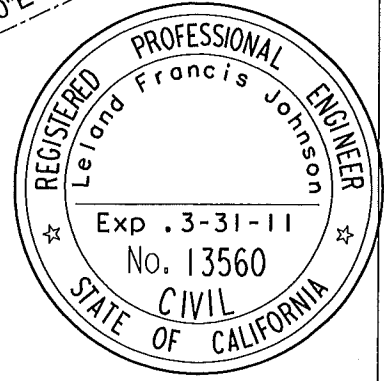
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**5855 NAPLES PLAZA  
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DATE PREPARED: 1-10-11

**LEGEND**  
 P.O.B. POINT OF BEGINNING  
 T.P.O.B. TRUE POINT OF BEGINNING  
 PROPOSED EASEMENT



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.

A RESOLUTION ORDERING THE VACATION OF PORTIONS OF SECOND STREET AND NAPLES PLAZA ADJACENT TO 5855 NAPLES PLAZA 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 Second Street and Naples Plaza adjacent to 5855 Naples Plaza described more particularly as follows:

Those portions of Lots 6 through 9, inclusive, of Block 9, and those portions of the alley of Block 9 of Tract No. 7118, in the City of Long Beach, County of Los Angeles, State of California, as per map recorded in Book 88, Pages 76 and 77 of Maps, in the Office of the County Recorder of said County, described as follows:

Beginning at the northwest corner of Lot 8 of said Block 9, Tract No. 7118, said point also being on the northeasterly line of Second Street as shown on said map (now Naples Plaza); thence, North 44° 51' 47" East 30.00 feet along the northwesterly line of Said Lot 8, to the southerly right-of-way line of Second Street as presently exists (138.00 feet wide right-of-way); thence, South 82° 28' 03" East, 244.49 feet, along the southerly line of Second Street to the southwesterly line of Appian Way (a public street) as shown on the map of said Tract No. 7118; thence,

1 North 420 25' 30" West, 36.16 feet, to the beginning of a non-tangent  
2 curve having a radius of 1,583.24 feet, a radial line to said point bears  
3 North 000 41' 26" East; thence, along said curve through a central angle  
4 of 10 21' 27", an arc distance of 37.51 feet, a radial line to said point bears  
5 South 020 02' 53" West; thence, North 880 10' 25" West, 173.03 feet, to  
6 the beginning of a non-tangent curve concave southeasterly having a  
7 radius of 21.90 feet, a radial line to said point bears South 60 31' 12" East;  
8 thence, along said curve through a central angle of 1120 20' 04", an arc  
9 distance of 42.94 feet to the beginning of a non-tangent curve concave  
10 southwesterly having a radius of 732.00 feet, a radial line to said point  
11 bears South 440 52' 28" West; thence, along said curve through a central  
12 angle of 180 30' 02", an arc distance of 236.36 feet, to a point, said point  
13 being on the southeasterly prolongation of Lot 13 of said Tract No. 7118, a  
14 radial line to said point bears South 630 22' 30" West; thence, North 640  
15 44' 00" East, 3.50 feet along said prolongation of said Lot 13, to the  
16 beginning of a non-tangent curve having a radius of 735.50 feet, a radial  
17 line to said point bears South 630 22' 53" West; thence, northwesterly  
18 along said curve through a central angle of 180 30' 25", an arc distance of  
19 237.57 feet to a point, a radial line to said point bears South 44052'28"  
20 West, said point also being on the southwesterly prolongation of said Lot 8  
21 of said Tract No. 7118; thence, along said southwesterly prolongation of  
22 said Lot 8 North 440 51' 47" East, 7.00 feet, to the point of beginning.

23 Reserving unto the City of Long Beach, its successors and  
24 assigns, a perpetual easement and right-of-way, at any time or from time  
25 to time, to lay, construct, maintain, operate, repair, renew, replace, change  
26 the size of and remove the existing utility lines, including but not limited to  
27 sanitary sewers, together with all necessary gates, valves, fittings,  
28 hydrants and appurtenances for the transportation of water and gas, with

1 the right of ingress to and egress from the same, over, through, under,  
2 along and across that certain property vacated herewith; and pursuant to  
3 any existing franchises or renewals thereof, or otherwise, to construct,  
4 maintain, operate, replace, remove, renew and enlarge lines of conduits,  
5 cables, wires, poles and other convenient structures, equipment and  
6 fixtures for the operation of telephone lines and other communication  
7 lines, and for the transportation or distribution of electric energy, and  
8 incidental purposes including access and the right to keep the property  
9 free from inflammable materials, and wood growth, and otherwise protect  
10 the same from all hazards in, upon and over the part vacated. Said  
11 easement reservation shall apply to the two below described portions of  
12 Lots 6 through 9, inclusive, of Block 9, and those portions of the alley of  
13 Block 9 of Tract No. 7118, in the City of Long Beach, County of Los  
14 Angeles, State of California as per map recorded in Book 88, Pages 76  
15 and 77 of Maps, in the Office of the County Recorder of said county:

16 Portion 1 (being a 3-foot wide strip):

17 Beginning at the northwest corner of Lot 8, of said Block 9,  
18 Tract No. 7118, said point also being on the northeasterly line of Second  
19 Street, as shown on said map (now Naples Plaza); thence, North 440 51'  
20 47" East 30.00 feet along the northwesterly line of said Lot 8, to the  
21 southerly right-of-way line of Second Street as presently exists (138-foot  
22 wide right-of-way); thence, South 820 28' 03" East, 244.90 feet, along the  
23 southerly line of said Second Street to the southwesterly line of Appian  
24 Way (a public street) as shown on the map of said Tract No. 7118; thence,  
25 North 420 25' 30" West, 36.16 feet, to the True Point of Beginning of this  
26 description of this Portion 1, said point being the beginning of a non-  
27 tangent curve, concave northerly, having a radius of 1,583.24 feet, a radial  
28 line to said point bears South 000 41' 26" West; thence westerly along

1 said curve through a central angle of 10 21' 27" an arc distance of 37.51  
2 feet, a radial line to said point bears South 020 02' 53" West; thence North  
3 880 10' 25" West, 173.03 feet, to the beginning of a non-tangent curve,  
4 concave southeasterly, having a radius of 21.90 feet, a radial line to said  
5 point bears South 060 31' 12" East; thence southwesterly along said curve  
6 through a central angle of 230 11' 12", an arc distance of 8.86 feet, a  
7 radial line to said point bears South 29° 41' 48" East; thence, South  
8 88°10'25" East, 181.29 feet, to the beginning of a non-tangent curve,  
9 concave northerly, having a radius of 1,586.24 feet, a radial line to said  
10 point bears South 020 02' 53" West; thence, easterly along said curve  
11 through a central angle of 10 27' 32", an arc distance of 40.39 feet, a  
12 radial line to said point bears South 00° 35' 21" West, to said  
13 southwesterly line of Appian Way; thence, North 42°25'30" West, 4.11  
14 feet, to the True Point of Beginning (said parcel containing 644 square  
15 feet);

16 And Portion 2 (being a 15-foot wide strip):

17 Beginning at the northwest corner of said Lot 8 of Block 9,  
18 Tract No. 7118, said point also being on the northeasterly line of Second  
19 Street as shown on said map (now Naples Plaza); thence, North 44° 51'  
20 47" East 30.00 feet along the northwesterly line of said Lot 8 to the  
21 southerly right-of-way line of Second Street as presently exists (138.00  
22 feet wide right-of-way); thence, South 82° 28' 03" East, 78.52 feet, along  
23 the southerly line of said Second Street to the True Point of Beginning of  
24 this description of Portion 2; thence, continuing along said southerly line  
25 South 82° 28' 03" East, 22.30 feet, to the beginning of a non-tangent curve  
26 concave southwesterly having a radius of 837.50 feet, a radial line to said  
27 point bears North 50° 21' 57" East, said point also being on the  
28 northeasterly line of the previously vacated alley as shown on the map of

1 said Tract No. 7118; thence, along said curve through a central angle of 1°  
2 13' 21", an arc distance of 17.87 feet, a radial line to said point bears  
3 North 49° 08' 36" East; thence, North 88° 10' 25" West, 20.57 feet, to the  
4 beginning of a non-tangent curve concave southwesterly having a radius  
5 of 822.50 feet, a radial line to said point bears North 48° 10' 20" East, said  
6 point also being on the southwesterly line of the previously vacated alley  
7 as shown on the map of said Tract No. 7118; thence, along said curve  
8 through a central angle of 1° 03' 16", an arc distance of 15.14 feet to the  
9 True Point of Beginning, a radial line to said point bears North 49° 13' 36"  
10 East (said parcel containing 246.6 square feet).

11 Also reserving unto the City of Long Beach, its successors  
12 and assigns, a perpetual easement and right-of-way for slope  
13 maintenance purposes over the following area:

14 That portion of Lots 6 through 9, inclusive, of Block 9 and  
15 those portions of the alley of Block 9 of Tract No. 7118, in the City of Long  
16 Beach, County of Los Angeles, State of California as per map recorded in  
17 Book 88, Pages 76 and 77 of Maps, in the Office of the County Recorder  
18 of said county, described as follows:

19 Beginning at the northwest corner of said Lot 8 of Block 9,  
20 Tract No. 7118, said point also being on the northeasterly line of Second  
21 Street as shown on said map (now Naples Plaza); thence, North 44° 51'  
22 47" East 30.00 feet along the northwesterly line of said Lot 8, to the  
23 Southerly right-of-way line of Second Street as presently exists (138.00  
24 feet wide right-of-way); thence, South 82° 28' 03" East, 100.82 feet, along  
25 the southerly line of said Second Street to the True Point of Beginning of  
26 this parcel; thence, continuing along said southerly line South 82° 28' 03"  
27 East, 124.08 feet, to the southwesterly line of Appian Way (a public street)  
28 as shown on the map of said Tract No. 7118; thence, North 42° 25' 30"

1 West, 36.16 feet, to the beginning of a non-tangent curve concave  
2 northerly having a radius of 1,583.24 feet, a radial line to said point bears  
3 South 000 41' 26" West; thence westerly along said curve through a  
4 central angle of 10 21' 27", an arc distance of 37.51 feet, a radial line to  
5 said point bears South 020 02' 53" West; thence, North 880 10' 25" West,  
6 72.70 feet to the beginning of a non-tangent curve concave southwesterly  
7 having a radius of 837.50 feet, a radial line to said point bears North 49°  
8 08 36" East, said point also being the northeasterly line of the previously  
9 vacated alley as shown on the map of said Tract No. 7118; thenc,  
10 southeasterly along said curve through a central angle of 1° 13' 21", an  
11 arc distance of 17.87 feet, to the True Point of Beginning, a radial line to  
12 said point bears North 50° 21' 57" East (said parcel containing 2161.8  
13 square feet).

14 Access for maintenance of the above-mentioned facilities  
15 must be maintained at all times. No improvements shall be constructed  
16 within the easement which would impede the operation, function,  
17 maintenance or repair of said facilities. Construction of any improvements,  
18 including changes of grade, shall be subject to the prior written approval of  
19 all the City departments and public utilities responsible for the above said  
20 facilities.

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

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

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

27 Section 1. Pursuant to Chapter 4, Part 3 of Division 9 of the California  
28 Streets and Highways Code (Sections 8330 et seq.), the following findings are made



1 regarding the above-described property:

2           A.     That the document entitled "Sketch No. 999V," attached  
3 hereto as Exhibit "A", accurately depicts the property to be vacated.

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

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

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

16           Section 4.    This resolution shall take effect immediately upon its adoption  
17 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 \_\_\_\_\_, 2011, by the following vote:

Ayes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Noes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

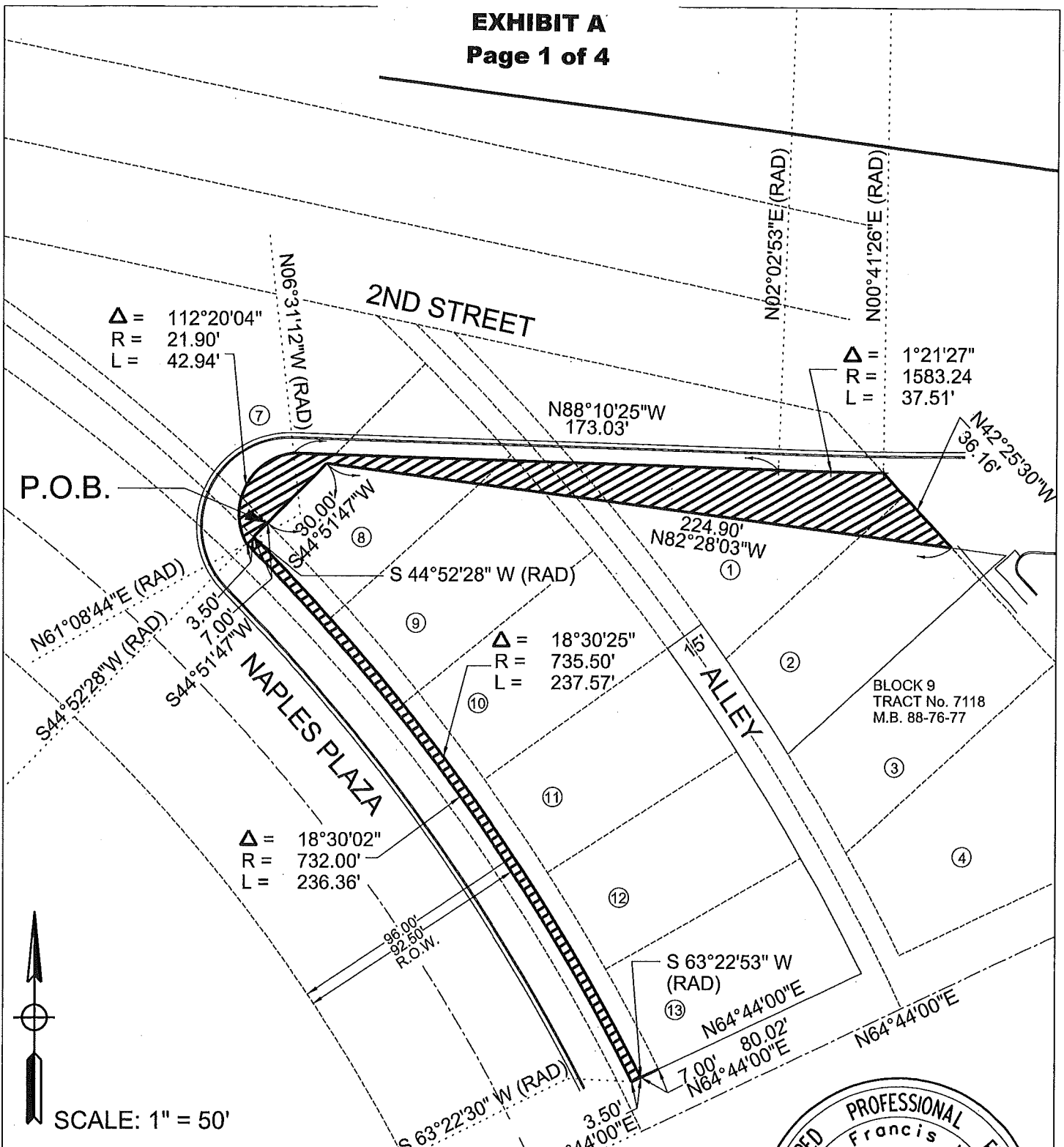
Absent: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
City Clerk

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

**EXHIBIT A**  
**Page 1 of 4**



TITLE:  
**PROPOSED STREET VACATION**  
**5855 NAPLES PLAZA**

PREPARED BY: John M. Cruikshank Consultants, Inc.  
411 N. Harbor Blvd, Suite 201  
San Pedro, CA 90731  
P: 310.241.6550  
F: 310.320.8871  
www.jmc-2.com

**JMC<sup>2</sup>**

DATE PREPARED: 1-10-11

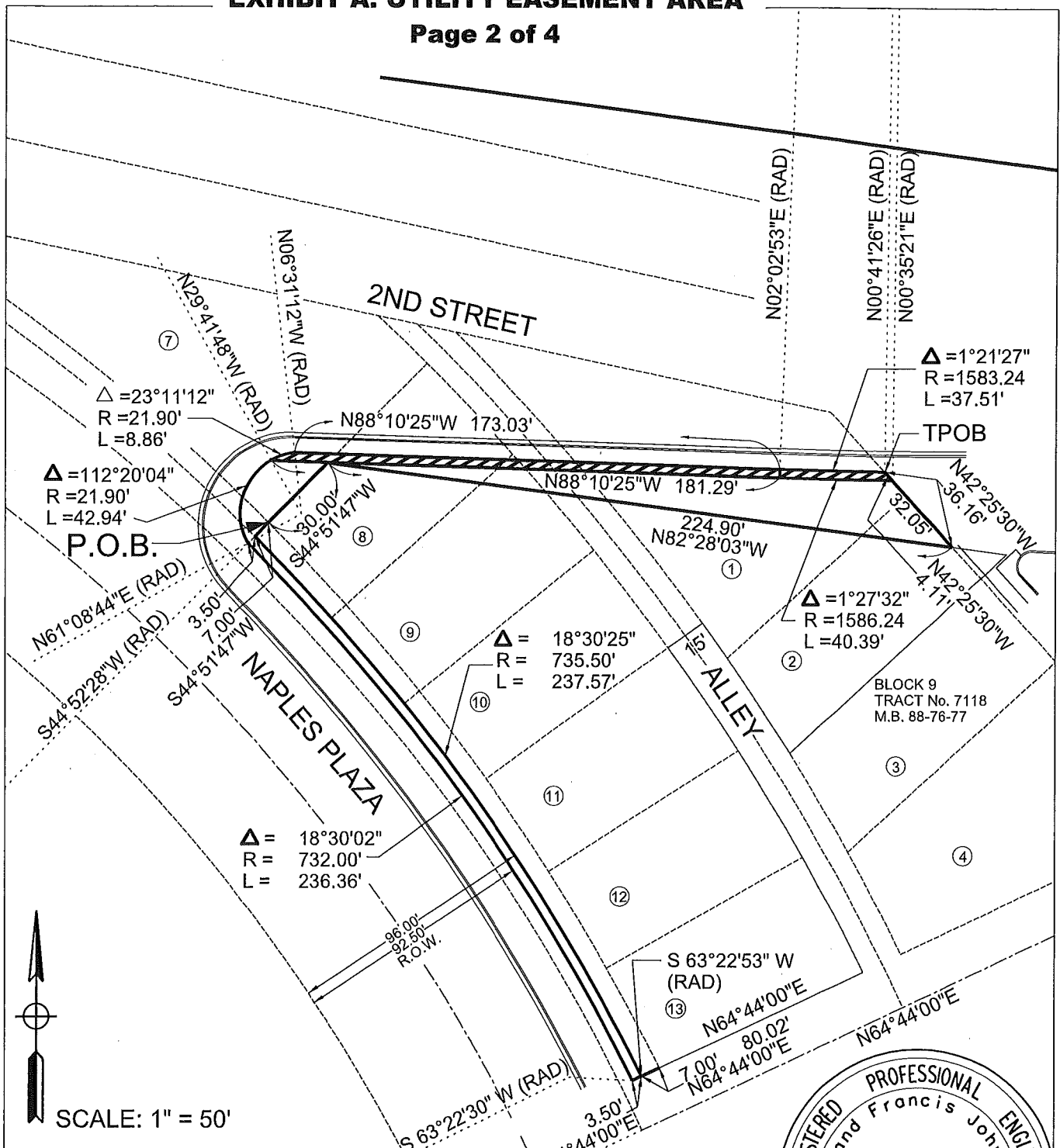
**LEGEND**

- P.O.B.
- POINT OF BEGINNING PROPOSED VACATION



**EXHIBIT A: UTILITY EASEMENT AREA**

Page 2 of 4



SCALE: 1" = 50'

TITLE:  
**5855 NAPLES PLAZA  
 LONG BEACH, CA**

PREPARED BY:  
 John M. Cruikshank Consultants, Inc.  
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DATE PREPARED: 1-10-11

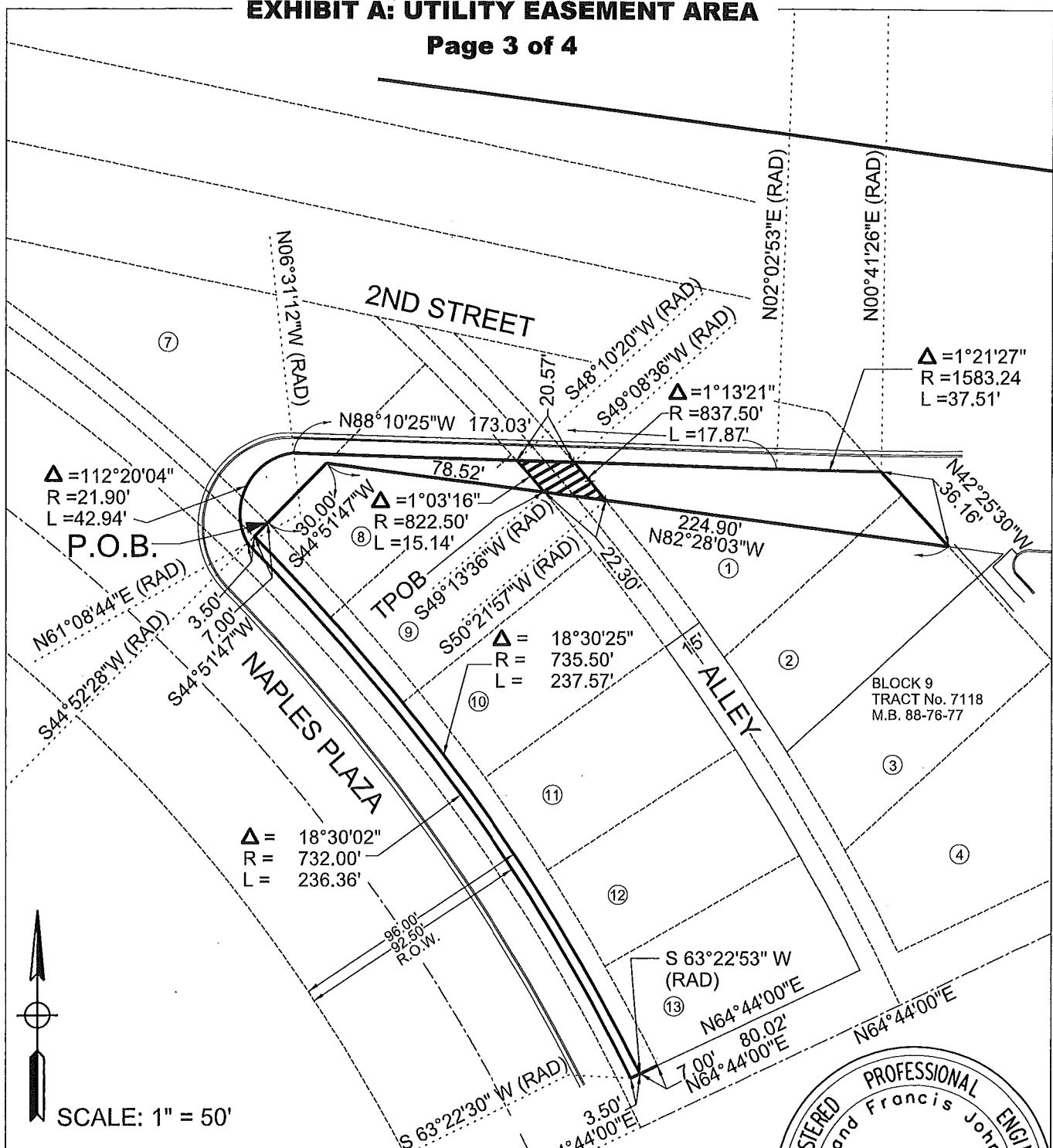


**LEGEND**

- P.O.B. POINT OF BEGINNING
- T.P.O.B. TRUE POINT OF BEGINNING
- PROPOSED EASEMENT



**EXHIBIT A: UTILITY EASEMENT AREA**




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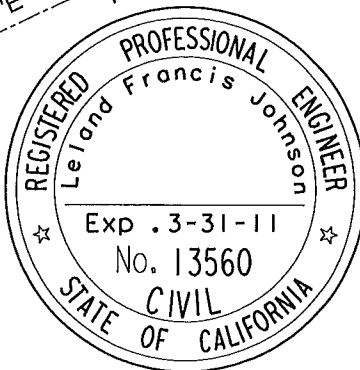
TITLE:  
**5855 NAPLES PLAZA  
 LONG BEACH, CA**

PREPARED BY:  
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**JMC<sup>2</sup>**

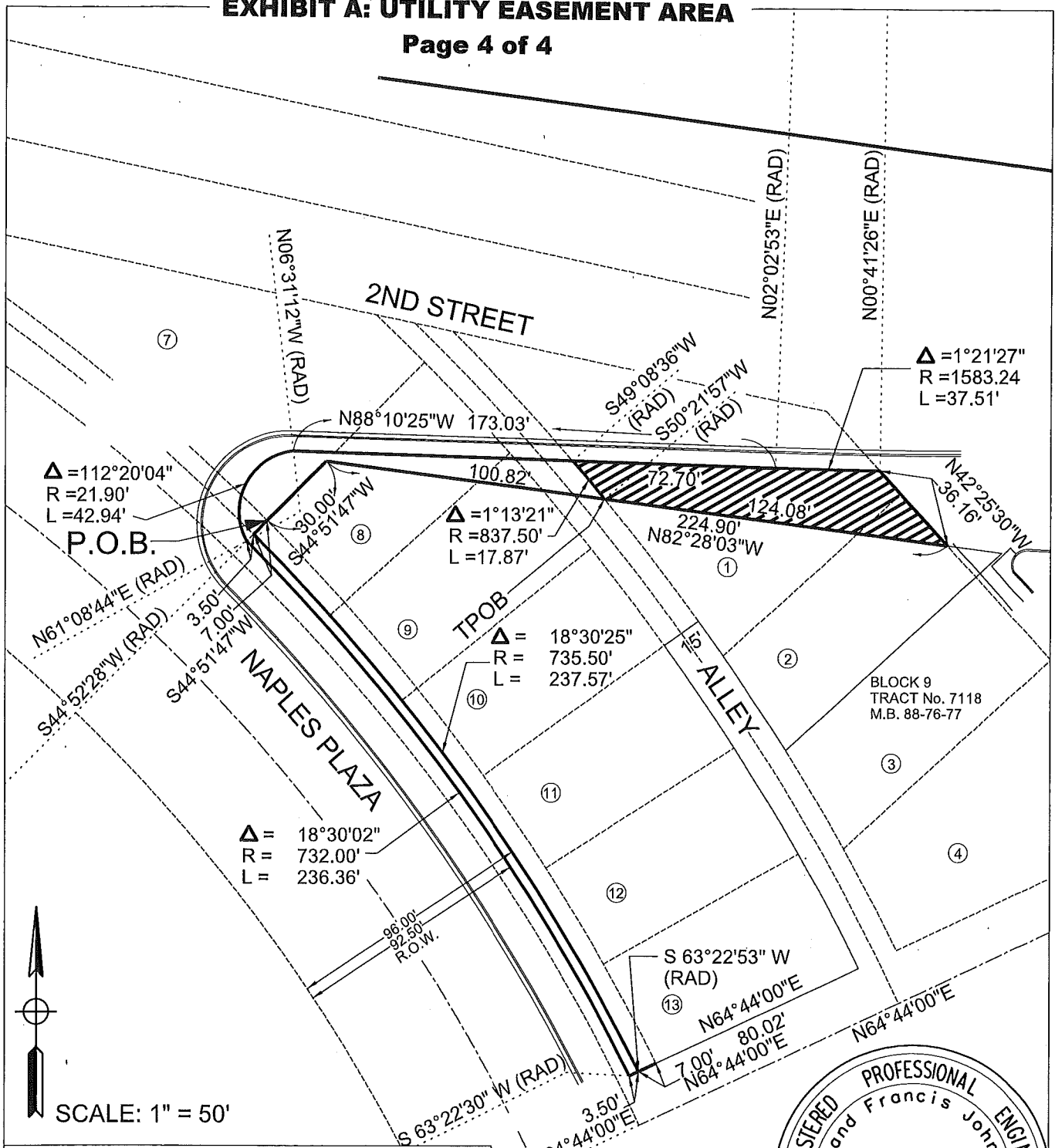
DATE PREPARED: 1-10-11

**LEGEND**  
 P.O.B. POINT OF BEGINNING  
 T.P.O.B. TRUE POINT OF BEGINNING  
 PROPOSED EASEMENT



**EXHIBIT A: UTILITY EASEMENT AREA**

Page 4 of 4



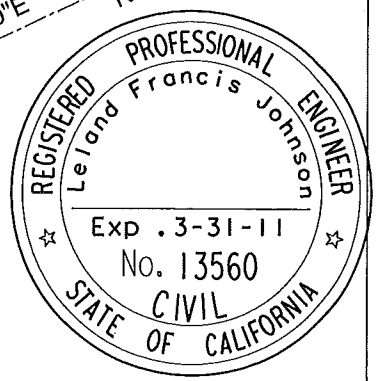
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DATE PREPARED: 1-10-11

**LEGEND**  
 P.O.B. POINT OF BEGINNING  
 T.P.O.B. TRUE POINT OF BEGINNING  
 PROPOSED EASEMENT



## CITY COUNCIL FINDINGS

### VACATION OF PORTIONS OF SECOND STREET AND NAPLES PLAZA ADJACENT TO 5855 NAPLES PLAZA Reference Sketch No. 999V

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1. The subject rights-of-way are unnecessary for present or prospective public street use.

This finding is based upon the following subfindings:

- a) These portions of the public right-of-way are not used or improved for public street purposes. These areas are landscaped and maintained by the adjacent property owner. No access to any property will be affected by this vacation action.
- b) On March 3, 2011, the 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. In conformance with the California Environmental Quality Act, Categorical Exemption Number CE 11-010 was issued for this project.
- c) A utility easement will be reserved over the northerly 3 feet of this area, as well as the continuation of the 15-foot wide utility easement running east of the building, in order to continue to provide for various existing utility facilities, which include water, sewer, power and communication lines, and a fire hydrant.
- d) A slope easement will be reserved over that portion of the area to be vacated lying east of the vacated alley shown in Sketch No. 999V, in order to provide for the significant grade differential approaching the bridge to the east.
- e) The interested City departments, including Fire and Police, have reviewed the proposed right-of-way vacation and have no objections to this action.
- f) 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.
- g) In conformance with the California Environmental Quality Act, Categorical Exemption No. CE-11-010 was issued for this project.