

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

RESOLUTION NO. RES-15-0089

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A RESOLUTION ORDERING THE VACATION OF
MAY AVENUE AND THE ADJACENT UNNAMED
EAST/WEST ALLEY NORTH OF PACIFIC COAST
HIGHWAY, IN THE CITY OF LONG BEACH, COUNTY OF
LOS ANGELES, STATE OF CALIFORNIA

WHEREAS, the City Council of the City of Long Beach, did heretofore, on
the 23rd of June, 2015, by Resolution No. RES-15-0077, declare its intention to order the
vacation, pursuant to the provisions of the Public Streets, Highways, and Service
Easements Vacation Law (California Streets and Highways Code, Section 8300 *et seq.*),
May Avenue and the adjacent unnamed east/west alley north of Pacific Coast Highway,
in the City of Long Beach, County of Los Angeles, State of California, described more
particularly as follows:

BEING A DESCRIPTION FOR THE VACATION OF A
PORTION OF MAY AVENUE AS SHOWN ON TRACT NO.
1911, BOOK 21, PAGE 44 AND AS SHOWN ON TRACT
NO. 3571, BOOK 39, PAGE 20 OF MAPS BOTH FILED IN
THE OFFICE OF THE RECORDER OF SAID COUNTY
AND THAT CERTAIN ALLEY AS SHOWN ON SAID TRACT
NO. 1911 LYING NORTHERLY OF LOTS 13 THROUGH 18
THEREOF, BEGINNING AT A POINT OF INTERSECTION
WITH THE EASTERLY LINE OF LOT 6 OF SAID TRACT
NO. 3571 AND A LINE PARALLEL WITH AND 50 FEET
NORTHERLY, AS MEASURED AT RIGHT ANGLES, FROM
THE CENTERLINE OF PACIFIC COAST HIGHWAY,
SHOWN AS STATE STREET ON SAID TRACT NO. 1911

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AND TRACT NO. 3571; THENCE, NORTHERLY ALONG SAID EASTERLY LINE OF LOT 6 AND ITS NORTHERLY PROLONGATION, 115.00 FEET TO A POINT OF INTERSECTION OF SAID EASTERLY LINE AND THE WESTERLY PROLONGATION OF THE SOUTHERLY LINE OF LOT 19 OF SAID TRACT NO. 1911; THENCE, EASTERLY ALONG LAST MENTIONED LINE TOGETHER WITH THE SOUTHERLY LINE OF LOT 12 OF SAID TRACT NO. 1911, 299.80 FEET TO THE SOUTHEAST CORNER OF SAID LOT 12; THENCE, SOUTHERLY 10.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 13; THENCE, WESTERLY ALONG THE NORTHERLY LINES OF SAID LOTS 13 THROUGH 18, 259.80 FEET TO THE NORTHWEST CORNER OF SAID LOT 18; THENCE, SOUTHERLY ALONG THE WEST LINE OF SAID LOT 18, 105.00 FEET TO A POINT OF INTERSECTION WITH A LINE PARALLEL WITH AND 50 FEET NORTHERLY, AS MEASURED AT RIGHT ANGLES, FROM THE CENTERLINE OF SAID PACIFIC COAST HIGHWAY; THENCE, WESTERLY ALONG SAID PARALLEL LINE 40.00 FEET TO THE POINT OF BEGINNING.

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,

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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,

1 SHALL BE SUBJECT TO THE PRIOR WRITTEN
2 APPROVAL OF ALL THE CITY DEPARTMENTS AND
3 PUBLIC UTILITIES RESPONSIBLE FOR THE ABOVE SAID
4 FACILITIES.

5 THE ABOVE DESCRIBED VACATION CONTAINS
6 7,198 SQ. FT., 0.165 ACRES, MORE OR LESS

7 WHEREAS, the City Council did, at said time, fix Tuesday, the 23rd day of
8 June, 2015, at the hour of 5:00 p.m., as the time and the City Council Chamber, Plaza
9 Level of the City Hall, 333 West Ocean Boulevard, in the City of Long Beach, California,
10 as the place for hearing for all persons interested in or objecting to the proposed vacation
11 to appear and be heard; and

12 WHEREAS, notice of the resolution of the intention to vacate, stating the
13 time and place of said hearing, was duly posted in the manner prescribed by law; and

14 WHEREAS, said hearing was called and held before the City Council at the
15 time and place so fixed and evidence taken and received on the matter of said proposed
16 vacation, and the City Council, upon said evidence, now makes those findings of fact set
17 forth in said Exhibit "B", attached hereto and by this reference made a part hereof;

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

20 Section 1. Pursuant to the foregoing resolution of intention, the
21 proceedings had thereunder, Vacation Sketch No. 1012V showing May Avenue and the
22 adjacent unnamed east/west alley north of Pacific Coast Highway to be vacated by the
23 City of Long Beach attached hereto as Exhibit "A", and the City Council Findings attached
24 hereto as Exhibit "B", said City Council of the City of Long Beach hereby makes its
25 resolution vacating and closing the street hereinabove described.

26 Section 2. That this resolution shall take effect immediately upon its
27 adoption by the City Council, and the City Clerk is hereby instructed to certify to the
28 adoption thereof, and to cause a certified copy to be recorded in the Office of the County

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Recorder of the County of Los Angeles, California.

I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of July 21, 2015 by the following vote:

Ayes: Councilmembers: Gonzalez, Lowenthal, Price, Supernaw,
Mungo, Andrews, Uranga, Austin,
Richardson.

Noes: Councilmembers: None.

Absent: Councilmembers: None.

Poronon Davis
City Clerk

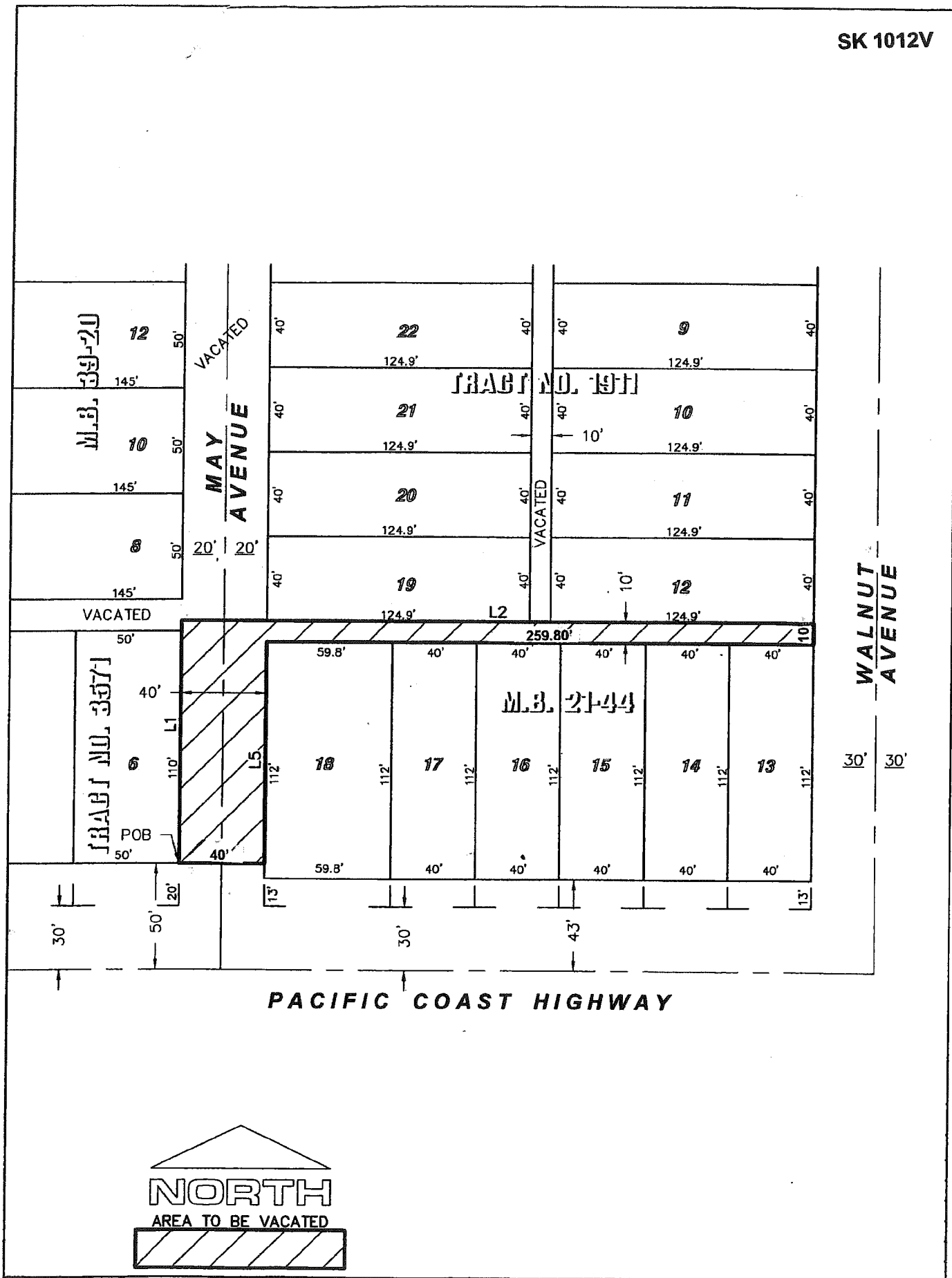


EXHIBIT A

CITY COUNCIL FINDINGS

VACATION OF MAY AVENUE AND THE UNNAMED EAST/WEST ALLEY NORTH OF PACIFIC COAST HIGHWAY Reference Sketch No. 1012V

The subject portion of rights-of-way are unnecessary for present or prospective public street or alley purposes, and the vacation of said rights-of-way will not have a significantly adverse environmental effect. This finding is based upon the following subfindings:

- a) May Avenue is primarily used as an entrance/exit to the Long Beach City College campus. The right-of-way is not necessary for present or prospective public use.
- b) On November 20, 2014, 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.
- c) In accordance with the California Environmental Quality Act, Categorical Exemption 14-139 was issued for this action.
- d) The interested City Departments, including Fire and Police, have reviewed the proposed right-of-way vacation and have no objections to this action.
- e) The reservation of a Utility Easement was requested for the existing public utility.
- f) The right-of-way would not be useful for exclusive bikeway purposes.

EXHIBIT B