

SHOWS PORTION TO BE DEDICATED



SHOWS PORTION TO BE VACATED

**CURVE DATA TABLE**

#	DELTA	RADIUS	LENGTH
21	90°00'19"	15.00'	23.56'

**LINE DATA TABLE**

#	BEARING	DISTANCE
LT	N00°00'46"E	45.00'

SCALE: 1" = 50'



**Vacation / Dedication - ALLEY**

The Keith Companies



19 TECHNOLOGY DRIVE IRVINE, CA 92618 TEL: (949) 923-5050

DATE: 1/10/05

JOB NO. 13962.02.001

# MacArthur Park Branch Library

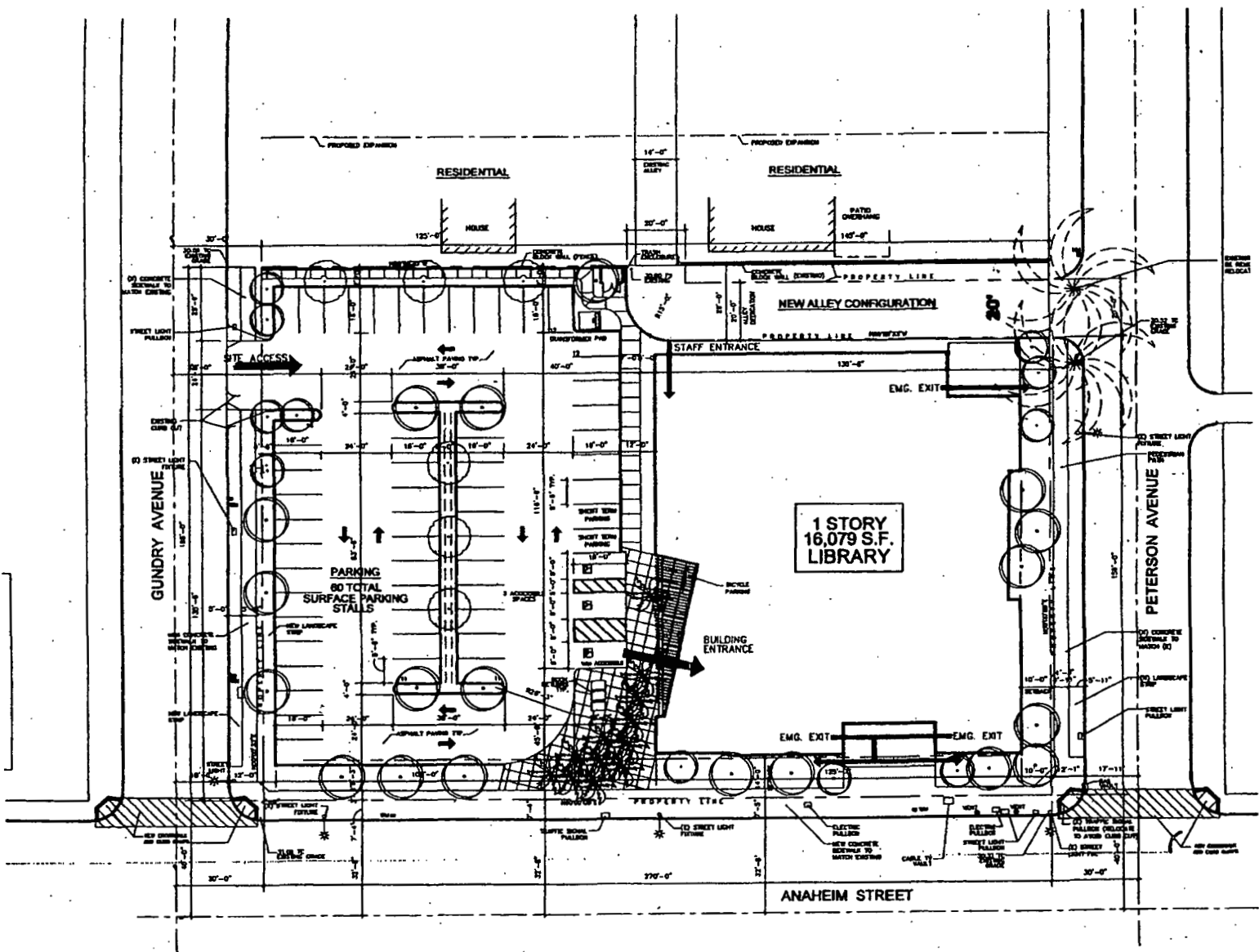


EXHIBIT B



# CITY OF LONG BEACH

## DEPARTMENT OF PUBLIC WORKS

333 West Ocean Boulevard • Long Beach, CA 90802

September 20, 2005

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

### RECOMMENDATION:

Adopt the attached resolution of intention to vacate a portion of the alley in the block west of Peterson Avenue and north of Anaheim Street, accept the dedication of a new east-west alley branch onto Peterson Avenue, and set a date for a public hearing on the vacation for October 11, 2005. (District 6)

### DISCUSSION

A new 16,155-square foot library is to be constructed by the city at 1401 East Anaheim Street. In order to assemble a site large enough for the library and the required parking, it is necessary to relocate an existing alley northerly. The locations of the alley to be vacated and the new alley to be constructed are shown on Exhibit A. The site development plan for the new library is shown on Exhibit B.

Proceedings for this vacation are being conducted in accordance with Chapter 3, General Vacation Procedure, of the Public Streets, Highways and Service Easements Vacation Law of the California Streets and Highways Code. Findings must establish that the subject right-of-way is unnecessary for present or prospective public use. The Department of Public Works supports this action based on the following evidence, facts, conditions and findings, establishing that the dedicated right-of-way to be vacated is unnecessary for present or prospective public use:

1. On August 5, 2004, the City of Long Beach Planning Commission approved plans for a new 16,155-square foot library at 1401 E. Anaheim Street. This facility will replace the existing Mark Twain Library.
2. On July 21, 2005, 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, Negative Declaration Number ND 01-03 was issued for this project. The Planning Department staff report is included as Exhibit C.

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PLANNING & FACILITIES  
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AIRPORT  
4100 Donald Douglas Dr.  
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**EXHIBIT C**  
Page 1 of 2

FLEET SERVICES  
2600 Temple Avenue  
Long Beach, CA 90808  
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Fax (562) 570-5414

TRAFFIC &  
TRANSPORTATION  
333 W. Ocean Blvd., 10<sup>th</sup>  
Long Beach, CA 90808  
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Fax (562) 570-7181

3. A new alley to the north of the existing alley is to be dedicated for public use. This land, as part of the development site, is currently owned by the City of Long Beach Redevelopment Agency.

The interested City Departments, including Fire and Police, have reviewed the proposed right-of-way vacation and land development and have no objections to this action. Conditions of approval satisfying the concerns of the public utility companies are shown on Exhibit D.

The public hearing on this matter, to be held on October 11, 2005, will allow all persons interested in, or objecting to, the proposed vacation to appear and be heard. The proposed resolution of intention to vacate was prepared by Deputy City Attorney Lisa Peskay Malmsten on September 8, 2005.

#### TIMING CONSIDERATIONS

City Council action is requested on September 20, 2005, to allow for construction of the library to proceed on schedule.

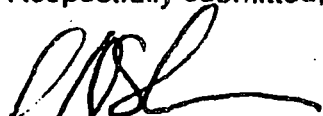
#### FISCAL IMPACT

A vacation processing fee of \$1,000 was deposited to the General Fund (GP) in the Department of Public Works (PW).

#### SUGGESTED ACTION:

Approve recommendation.


Respectfully submitted,

  
CHRISTINE F. ANDERSEN  
DIRECTOR OF PUBLIC WORKS

GMM:SC/ C

Attachments

APPROVED:

  
GERALD R. MILLER  
CITY MANAGER

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RESOLUTION NO.

A RESOLUTION ORDERING THE VACATION OF A PORTION OF THE ALLEY IN THE BLOCK WEST OF PETERSON AVENUE AND NORTH OF ANAHEIM STREET 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 \_\_\_\_\_ day of, \_\_\_\_\_, 200\_\_, by Resolution No. \_\_\_\_\_, declare its intention to order the vacation, pursuant to the provisions of the Public Streets, Highways, and Service Easements Law, a portion of Orizaba Avenue south of Hill Street in the City of Long Beach, County of Los Angeles, State of California, described more particularly as follows:

That portion of the alley of Block "A" of the Walnut & Anaheim Park Tract, in the City of Long Beach, County of Los Angeles, State of California, as per map filed in Book 12, Page 146 of Maps in the office of the County Recorder of said County, more particularly described as follows:

Beginning at the northeast corner of Lot 26 of said Block "A", thence along the north lines of Lots 26, 25, 24, 23, 22 and 21 of said Block "A", north 89°59'40" west 270.04 feet to the northwest corner of said Lot 21; thence north 00°00'33" east 10.00 feet to the southwest corner of Lot 10 of said Block "A"; thence along the south line of said Lot 10, south 89°59'40" east 128.02 feet to the southeast corner of said Lot 10; thence along the east line of said Lot 10, north 00°00'46" east 45.00 feet to the northeast corner of said Lot 10; thence south 89°59'33" east 14.00 feet to the northwest corner of Lot 20 of said Block "A"; thence along the west line of said Lot 20, south 00°00'46" west 45.00 feet to the southwest corner of said Lot 20; thence along the south line of said Lot 20, south 89°59'40" east 128.02 feet to the southeast corner of said Lot 20; thence south 00°00'59" west 10.00 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 and appurtenant structures, together with all necessary gates, valves, fittings, hydrants and appurtenances for the transportation of 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,

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1 replace, remove, renew and enlarge lines of conduits, cables, wires, poles  
2 and other convenient structures, equipment and fixtures for the operation of  
3 telephone lines and other communication lines, and for the transportation or  
4 distribution of electric energy, and incidental purposes including access and  
5 the right to keep the property free from inflammable materials, and wood  
6 growth, and otherwise protect the same from all hazards in, upon and over  
7 the part vacated. Access for maintenance of the above-mentioned facilities  
8 must be maintained at all times. No improvements shall be constructed  
9 within the easement which would impede the operation, maintenance or  
10 repair of said facilities. Construction of any improvements, including changes  
11 of grade, shall be subject to the prior written approval of all the City  
12 departments and public utilities responsible for the above said facilities.

13 WHEREAS, the City Council did, at said time, fix Tuesday, the \_\_\_ day of  
14 \_\_\_\_\_, 200\_\_, at the hour of \_\_\_\_\_ .m., as the time at the City Council  
15 Chamber, Plaza Level of the City Hall, 333 West Ocean Boulevard, in the City of Long  
16 Beach, California, as the place for hearing for all persons interested in or objecting to the  
17 proposed vacation to appear and be heard; and

18 WHEREAS, notice of the resolution of the intention to vacate, stating the time  
19 and place of said hearing, were duly posted in the manner prescribed by law; and

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

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

26 Section 1. Pursuant to the foregoing resolution of intention, the proceedings  
27 had thereunder, The Keith Companies Reference No. 961V "Vacation / Dedication -  
28 ALLEY" showing the vacation of a portion of the alley in the block west of Peterson Avenue  
and north of Anaheim Street to be vacated by the City of Long Beach attached hereto as  
Exhibit "A", and the City Council Findings attached hereto as Exhibit "B", said City Council  
of the City of Long Beach hereby makes its resolution vacating and closing a portion of the  
drive hereinabove described.

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Sec. 2. That this resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk is hereby instructed to certify to the adoption thereof, and to cause a certified copy to be recorded in the Office of the County 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 \_\_\_\_\_, 200\_\_, by the following votes:

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

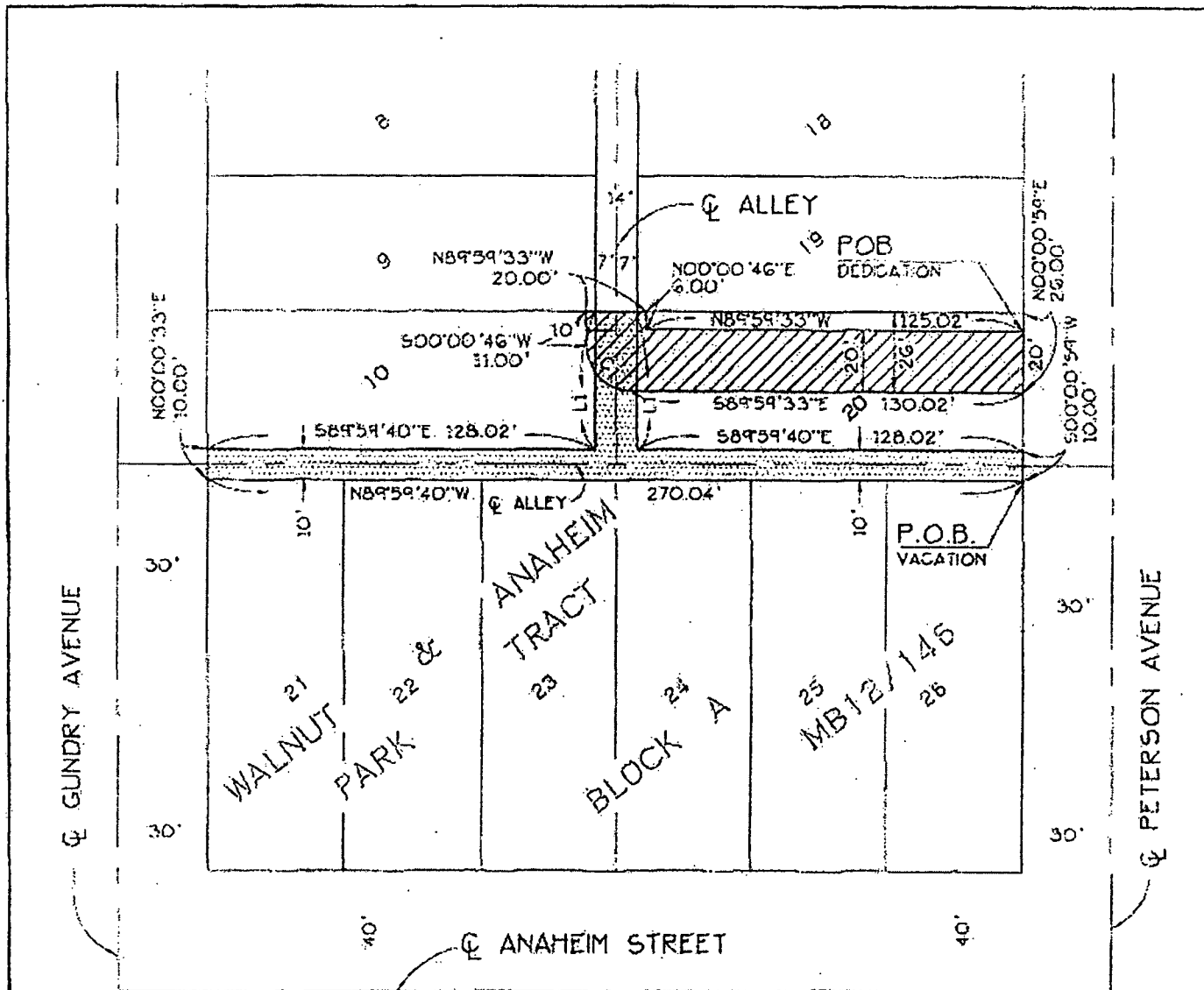
Noes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

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



SHOWS PORTION TO BE DEDICATED



SHOWS PORTION TO BE VACATED

CURVE DATA TABLE

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SCALE: 1" = 50'



Vacation / Dedication - ALLEY

The Keith Companies



19 TECHNOLOGY DRIVE IRVINE, CA 92618 TEL: (949) 923-5050

DATE: 1/13/05

JOB NO. 13962.02.091



## **CITY COUNCIL FINDINGS**

### **VACATION OF A PORTION OF THE ALLEY IN THE BLOCK WEST OF PETERSON AVENUE AND NORTH OF ANAHEIM STREET Reference Sketch No. 961V**

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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) Those findings stated in the City Manager's letter submitted for the September 20, 2005, City Council meeting regarding the resolution of intention to vacate the subject right-of-way, adopted as RES-05-0102.
  - b) 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.
- c) In conformance with the California Environmental Quality Act, Negative Declaration No. ND-01-03 was issued for this project.

SC