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04 1932069

RECORDED/FILED IN OFFICIAL RECORDS
RECORDER'S OFFICE
LOS ANGELES COUNTY
CALIFORNIA
10:01 AM JUL 28 2004

TITLE(S) :



L E A D S H E E T

FEE			D.T.T	
	FREE PP			
CODE 20				
CODE 19				
CODE 9				

Assessor's Identification Number (AIN)

To be completed by Examiner OR Title Company in black ink.

Number of AIN's Shown

		-			-				
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THIS FORM NOT TO BE DUPLICATED

RECORDING REQUEST BY

04 1932069

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WHEN RECORDED MAIL TO

NAME

CITY CLERK

MAILING ADDRESS

Plaza Level City Hall

333 West Ocean Blvd.

CITY, STATE ZIP CODE

Long Beach, California 90802

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

TITLE(S)

RESOLUTION NO. C-28389

A RESOLUTION ORDERING THE VACATION OF A PORTION OF PINE AVENUE BETWEEN OCEAN BOULEVARD AND SEASIDE WAY IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

RESOLUTION NO. C-28389

A RESOLUTION ORDERING THE VACATION OF A PORTION OF PINE AVENUE BETWEEN OCEAN BOULEVARD AND SEASIDE WAY 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 11th day of May, 2004 by Resolution No. C-28371, declare its intention to order the vacation, pursuant to the provisions of the Public Streets, Highways, and Service Easements Law, a portion of Pine Avenue between Ocean Boulevard and Seaside Way in the City of Long Beach, County of Los Angeles, State of California, described more particularly as follows:

Being a portion of Pine Avenue, as shown on Tract No. 604, in the City of Long Beach, County of Los Angeles, State of California, as shown on the map recorded in Book 15, Page 96 of Maps, in the office of the County Recorder of said County described as follows:

Beginning at the Southwest corner of Lot A of said Tract No. 604; thence South 0°05'42" East 62.46 feet along the Southerly prolongation of the Westerly line of said Lot A, said Southerly prolongation also being the Westerly line of that portion of Seaside Way, formerly Seaside Boulevard, vacated by the City of Long Beach Resolution No. C-23085, a certified copy of which recorded August 4, 1981 as Instrument No. 81-778334, in the office of said County Recorder; thence continuing along the Southwesterly line of said Instrument No. 81-778334, South 45°05'42" East 14.14 feet to the Southerly line of said Instrument No. 81-778334; thence South 89°52'02" West 14.00 feet along the Westerly prolongation of said Southerly line; thence leaving said Westerly prolongation North 45°06'50" West 14.14 feet to a line parallel with and distant 36.00 feet Easterly of the centerline of Pine Street, being 100.00 feet wide, as shown on said Tract No. 604; thence North 0°05'42" West 233.18 feet along said parallel line to the Southerly line of Lot F, Ocean Front of the City of Long Beach, as shown on the map recorded in Book 39, Page 18 of Miscellaneous Records, in the office of said County Recorder; thence South 87°42'07" East 14.01 feet along said Southerly line of Lot F to the Northwesterly corner of said Lot A, Tract No. 604; thence South 0°05'42" East 170.12 feet along said Westerly line of Lot A to the point of beginning.

Reserving unto the City of Long Beach, its successors and assigns, over the westerly 9 feet of the area vacated herein, a perpetual easement and right-of-

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way, at any time or from time to time, to lay, construct, maintain, operate, repair, renew, replace, change the size of and remove storm drains and appurtenant structures, 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 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, 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 City Council did, at said time, fix Tuesday, the 22nd day of June, 2004 at the hour of 5:00 p.m., as the time at the City Council Chamber, Plaza Level of the City Hall, 333 West Ocean Boulevard, in the City of Long Beach, California, as the place for hearing for all persons interested in or objecting to the proposed vacation to appear and be heard; and

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

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

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

Section 1. Pursuant to the foregoing resolution of intention, the proceedings had thereunder, the "SKETCH SHOWING A PORTION OF PINE AVENUE BETWEEN OCEAN BOULEVARD AND SEASIDE WAY 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

1 vacating and closing a portion of the drive hereinabove described.

2 Sec. 2. That this resolution shall take effect immediately upon its adoption
3 by the City Council, and the City Clerk is hereby instructed to certify to the adoption thereof,
4 and to cause a certified copy to be recorded in the Office of the County Recorder of the
5 County of Los Angeles, California.

6 I hereby certify that the foregoing resolution was adopted by the City Council
7 of the City of Long Beach at its meeting of June 22, 2004 by the following votes:

8 Ayes: Councilmembers: Lowenthal, Baker, Colonna,
9 Carroll, Kell, Richardson,
10 Reyes Uranga, Webb, Lerch.
11 _____

12 Noes: Councilmembers: None.
13 _____

14 Absent: Councilmembers: None.
15 _____
16 _____

17
18 Jerry G. Henner
19 City Clerk

20
21
22 CERTIFIED AS A TRUE AND CORRECT COPY

23 Jerry G. Henner
CITY CLERK OF THE CITY OF LONG BEACH

24 Kathy Martin
DATE: JUN 28 2004

25
26 LPM:ET

27 04-05-04

28 04-26-04

04-01400

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903V
SKETCH SHOWING A PORTION OF
PINE AVENUE BETWEEN OCEAN
BOULEVARD AND SEASIDE WAY
TO BE VACATED BY THE CITY
OF LONG BEACH.



SHOWS PORTION TO BE VACATED

ENGINEERING BUREAU
 CITY OF LONG BEACH, CALIFORNIA

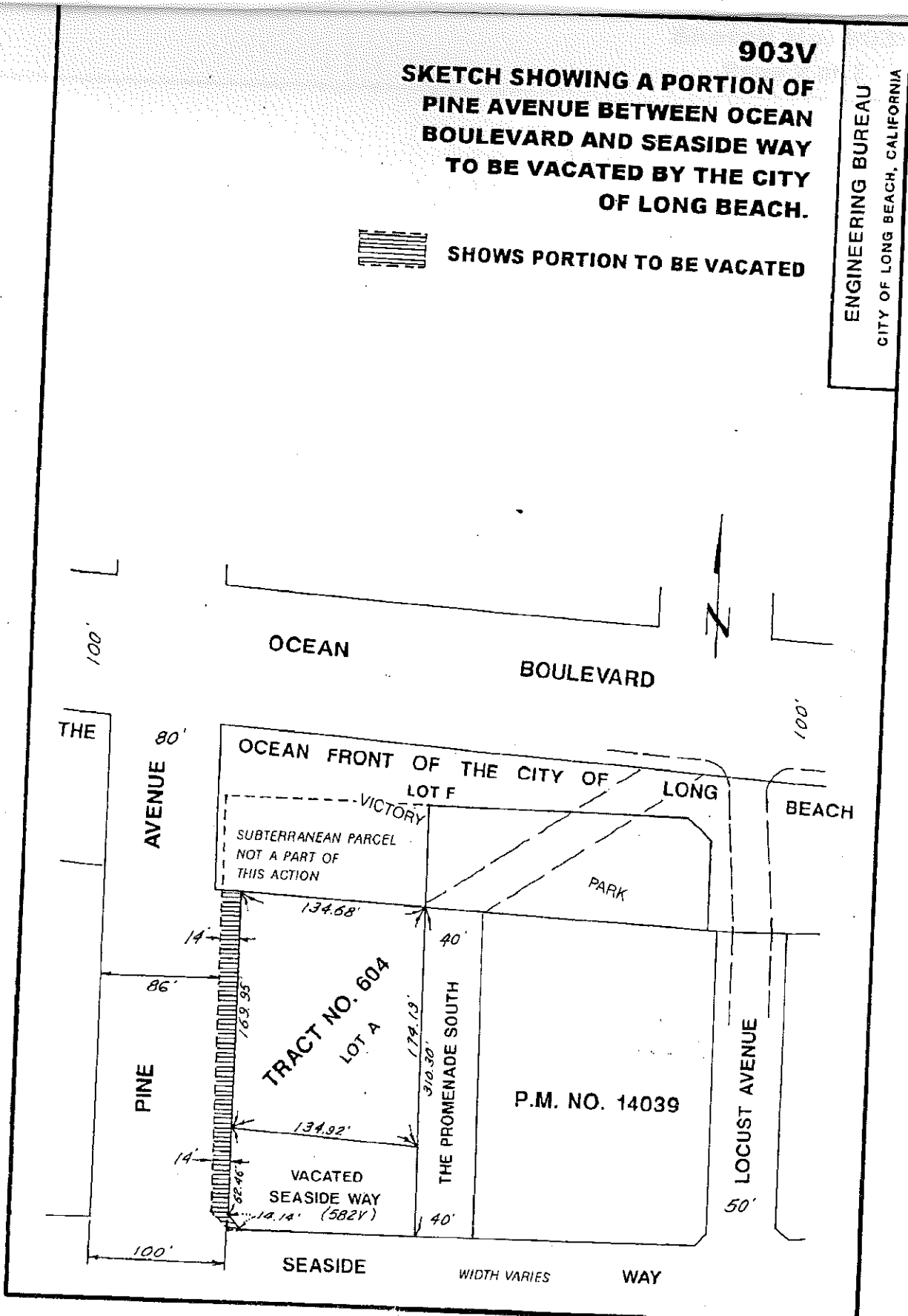


EXHIBIT A

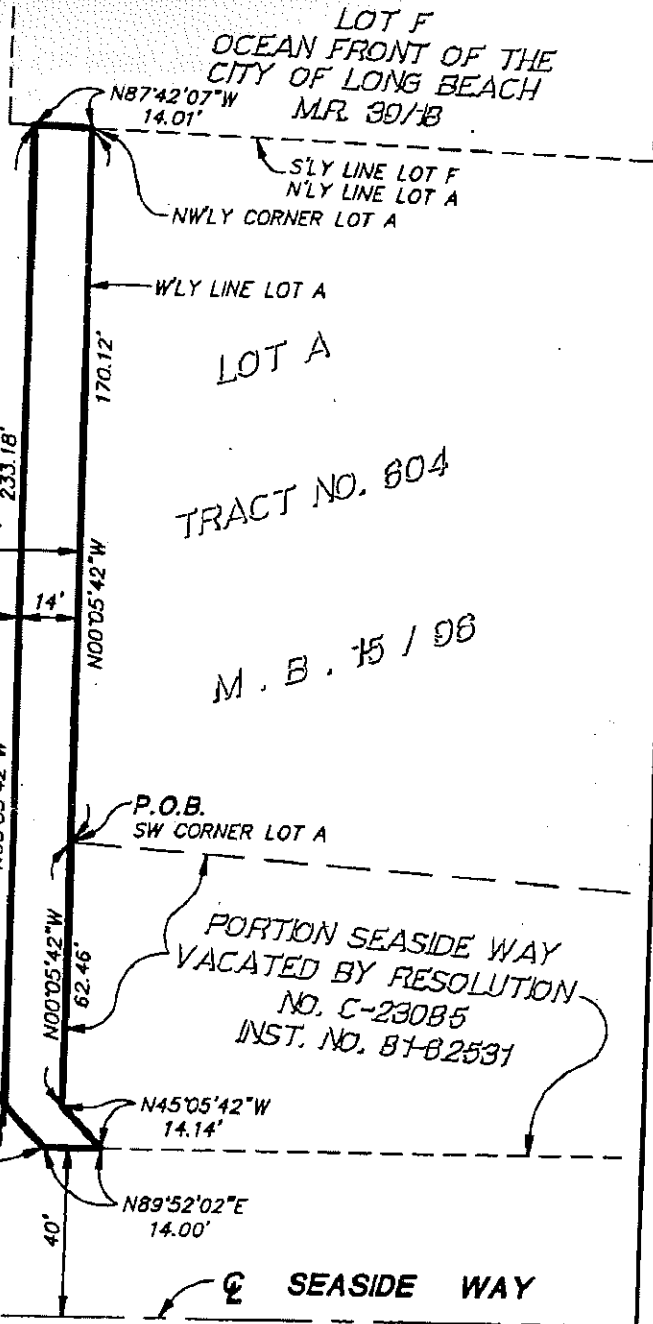
DIETRICH POST REORDER NO 148520

7



DETAIL

☉ PINE AVENUE



LOT F
OCEAN FRONT OF THE
CITY OF LONG BEACH
MR. 99/18

S'LY LINE LOT F
N'LY LINE LOT A
NWLY CORNER LOT A

W'LY LINE LOT A

LOT A

TRACT NO. 604

M. B. 15 / 98

P.O.B.
SW CORNER LOT A

PORTION SEASIDE WAY
VACATED BY RESOLUTION
NO. C-23085
INST. NO. 87-82531

N45°05'42\"W
14.14'

N89°52'02\"E
14.00'

☉ SEASIDE WAY



REVISED: 6/23/03

HUITT-ZOLLARS

Huitt-Zollars, Inc. Irvine
430 Exchange, Suite 200, Irvine, CA 92602-1309
Phone (714) 734-5100 Fax (714) 734-5155

SKETCH TO ACCOMPANY
A LEGAL DESCRIPTION

**STREET
ABANDONMENT**

SCALE	1"=40'
DRAWN BY	DWM
CHECKED BY	JFG
DATE	6/18/03
JOB NO.	10-1027-01

APPROVED BY

6/23/03

R:\10102701\MAP102701\DWG\EX102701.DWG

EXHIBIT A

04 1932069

CITY COUNCIL FINDINGS

VACATION OF A PORTION OF PINE AVENUE BETWEEN OCEAN BOULEVARD AND SEASIDE WAY

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 May 11, 2004, City Council meeting regarding the resolution of intention to vacate the subject right-of-way, adopted as C-28371.
- 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, Environmental Impact Report No. EIR-47-02 was certified for this project.

GMM:SC/C

04 1932069