ATTACHMENT 5

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ORDERING THE VACATION OF EXCESS RIGHT-OF-WAY AT 279 EAST 17TH STREET.

THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, the City Council of the City of Costa Mesa did, on the 19th day of April, 2005, adopt Resolution No. 05-21, entitled: " A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DECLARING ITS INTENTION TO ORDER THE VACATION OF EXCESS RIGHT-OF-WAY AT 279 EAST 17TH STREET; and

WHEREAS, pursuant to said Resolution of Intention, the time and place for hearing all persons interested in or objecting to the proposed vacation was set for Tuesday, the 17th day of May, 2005, at 6:30 p.m., in the Council Chambers of City Hall, 77 Fair Drive, Costa Mesa, California; and

WHEREAS, notices of said proposed vacation were duly and regularly posted as required by law, all pursuant to the provisions of Section 8300 et seq. Of the Streets and Highways Code of the State of California; and

WHEREAS, on said date of hearing, the proposed vacation came on regularly to be heard; all persons appearing on the proposed vacation were heard; and said hearing was closed on the 17th day of May, 2005; and

WHEREAS, the Costa Mesa City Council finds and determines from all the evidence submitted that the hereinafter described right-of-way is unnecessary for present or prospective street purposes;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES ORDER AND RESOLVE AS FOLLOWS;

1. That the hereinafter described right-of-way is unnecessary for present or prospective street purposes.
2. It is hereby ordered that the following described right-of-way be, and the same are hereby vacated:

All as more particularly described in legal description shown in Exhibit "A" and on map shown in Exhibit "B", attached hereto and by this reference made a part hereof.

PASSED AND ADOPTED this 17th day of May, 2005.

ATTEST:

Deputy City Clerk of the City of Costa Mesa

Mayor of the City of Costa Mesa

APPROVED AS TO FORM

City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, JULIE FOLCIK, Deputy City Clerk and ex-officio Clerk of the City Council of the City of Costa Mesa, hereby certify that the above and foregoing Resolution No. ____ was duly and regularly passed and adopted by the said City Council at a regular meeting thereof held on the 17th day of May, 2005, by the following roll call vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Costa Mesa this 18th day of May, 2005.

_____
Deputy City Clerk and ex-officio Clerk of
the City Council of the City of Costa Mesa