

RESOLUTION NO. 07-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AGREEING WITH THE REQUEST OF THE STATE OF CALIFORNIA TO RELINQUISH THE RIGHT-OF-WAY FOR THAT PORTION OF BRISTOL STREET AND RED HILL AVENUE ON STATE ROUTE 73 .

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

WHEREAS, the City of Costa Mesa ("City") agrees with the State of California ("State") to the relinquishment of the state right-of-way for that portion of Bristol Street and Red Hill Avenue on State Route 73 (SR73), as shown on Exhibit A, to the City of Costa Mesa ("City"); and

WHEREAS, pursuant to state law, the California Transportation Commission ("CTC"), upon request from the State Department of Transportation ("Caltrans"), may relinquish any portion of State highways and Caltrans, District 12 has indicated a willingness to recommend to the CTC that the right-of-way for that portion of Bristol Street and Red Hill Avenue on SR73 be relinquished to the City; and

WHEREAS, the City desires to enter into a Cooperative Agreement with Caltrans in accordance with Section 2.52 of the Caltrans Cooperative Agreement Manual to more specifically define the precise boundary, terms, and conditions under which relinquishment will be recommended to the CTC and accepted by the City.

NOW, THEREFORE, The City Council of the City of Costa Mesa, does hereby resolve, determine and order as follows:

1. The City Council of the City hereby agrees that Caltrans, District 12 initiate the process to relinquish those portions of the right-of-way of Bristol Street and Red Hill Avenue on SR73.
2. The City Council of the City hereby acknowledges that it is willing to accept such relinquishment subject to the terms of the Cooperative Agreement and hereby consents to initiation of relinquishment.
3. The City Council of the City hereby expresses its willingness to enter into a cooperative agreement, substantially in the form attached hereto to more specifically define the precise boundary, terms and conditions under which relinquishment will be recommended to the CTC.

4. The City Council of the City waives the ninety-day (90) Notice of Intention to Relinquish requirement contained in Section 73 of the Streets and Highways Code.

PASSED AND ADOPTED this 17th day of April, 2007.

Allan R. Mansoor, Mayor

ATTEST:

APPROVED AS TO FORM:

Julie Folcik, City Clerk

Kimberly Hall Barlow, City Attorney

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

I, JULIE FOLCIK, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. 07-_____ and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 17th day of April, 2007, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 18th day of April, 2007.

JULIE FOLCIK, CITY CLERK

(SEAL)