

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DECLARING ITS INTENTION TO ORDER THE VACATION OF ALLEY No. 128.

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

SECTION 1. The City Council of the City of Costa Mesa does hereby declare its intention to vacate its interest in Alley No. 128 reserving therefrom a public utility easement for all existing underground and overhead public utilities, more particularly described in Exhibit A and B attached hereto.

SECTION 2. Tuesday, the 16th day of October, 2007, at 7:00 p.m., in the Council Chambers of City Hall, 77 Fair Drive, Costa Mesa, California, is hereby fixed as the time and place for hearing all persons interested in or objecting to the proposed vacation.

SECTION 3. These proceedings shall be conducted pursuant to the provisions of Section 8300 et seq. of the Streets and Highways Code of the State of California.

SECTION 4. The City Manager of the City of Costa Mesa is hereby directed to cause notices of the said proposed vacation to be conspicuously posted along said strip of land for at least two (2) weeks before the date of said hearing. Said notices shall be posted not more than three hundred (300) feet apart, but in no event shall fewer than three (3) notices be posted.

SECTION 5. This Resolution shall be published twice in a newspaper of general circulation, printed and published in the City of Costa Mesa, Orange County, California.

PASSED, APPROVED, AND ADOPTED this 18th day of September, 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 foregoing Resolution No. 07-___ was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 18th day of September, 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 19th day of September, 2007.

(SEAL)

JULIE FOLCIK, CITY CLERK



DEED NO. 3618

SHEET 1 OF 3

CITY OF COSTA MESA
PUBLIC SERVICES DEPARTMENT

EXHIBIT "A"

ALLEY NO. 128 VACATION
LEGAL DESCRIPTION

VACATION OF A 20 FOOT WIDE ALLEY LYING NORTHEASTERLY OF A PORTION OF LOT 97 AND LOT 98, NEWPORT HEIGHTS, RECORDED IN BOOK 4, PAGES 83 OF MISCELLANEOUS MAPS ON FILE IN THE OFFICE OF THE ORANGE COUNTY RECORDER, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTHEASTERLY 20 FEET OF SAID LOT 98 AND THE NORTHEASTERLY 20 FEET OF THE SOUTHEASTERLY 485 FEET OF SAID LOT 97, NEWPORT HEIGHTS, IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON MAP RECORDED IN BOOK 4, PAGES 83 OF MISCELLANEOUS MAPS ON FILE IN THE OFFICE OF THE ORANGE COUNTY RECORDER,

EXCEPTING THE NORTHEASTERLY 20 FEET OF THE SOUTHEASTERLY 62 FEET OF THE NORTHWESTERLY 440 FEET OF LOT 98, NEWPORT HEIGHTS, IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON MAP RECORDED IN BOOK 4, PAGES 83 OF MISCELLANEOUS MAPS ON FILE IN THE OFFICE OF THE ORANGE COUNTY RECORDER, PER PREVIOUS ALLEY VACATION, RESOLUTION 98-43 RECORDED AS INSTRUMENT NO. 19980507063 ON AUGUST 5, 1998 ON FILE IN THE OFFICE OF THE ORANGE COUNTY RECORDER.

CONTAINING 0.48 ACRES OR 21,060 SQUARE FEET, MORE OR LESS.

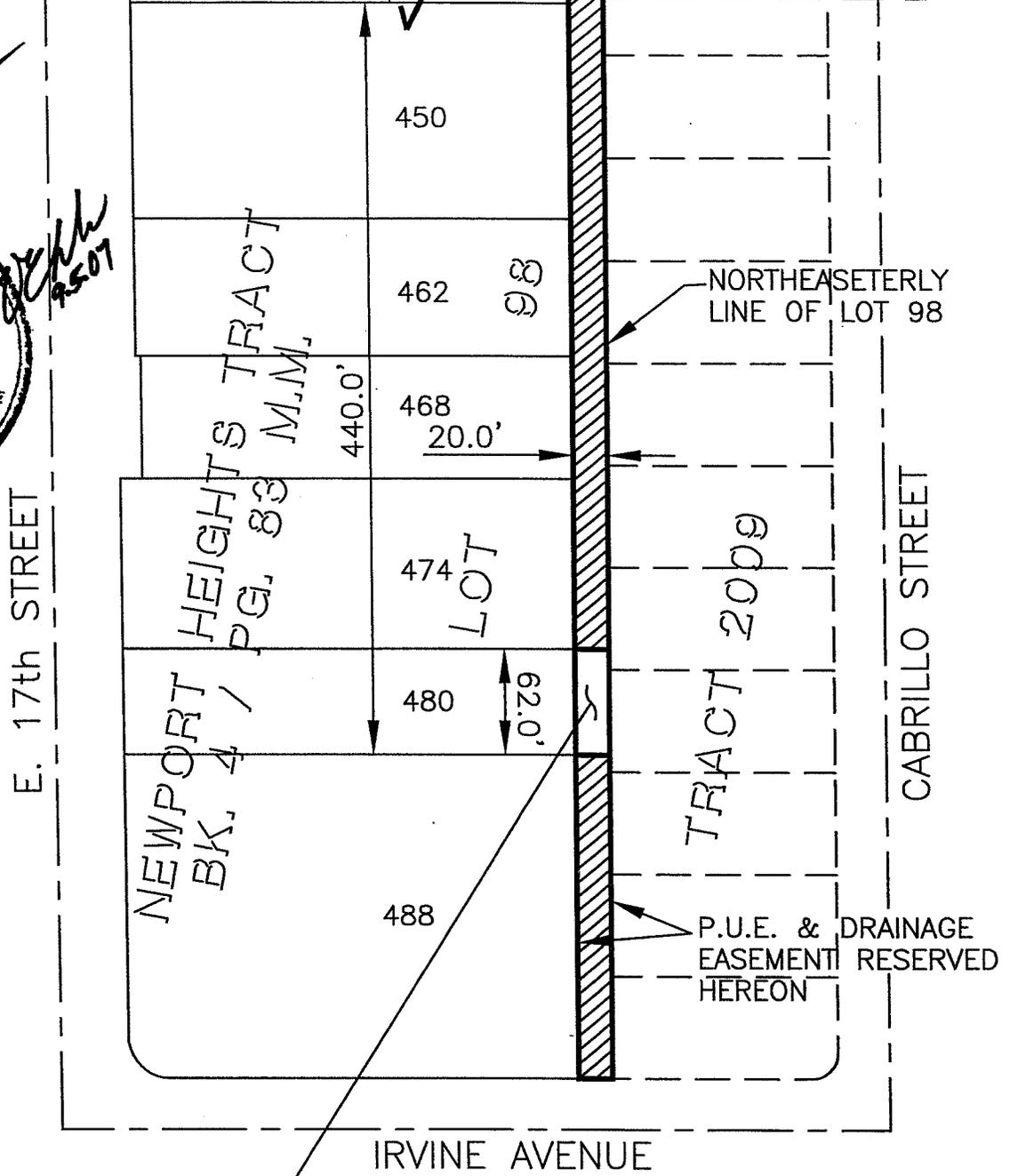
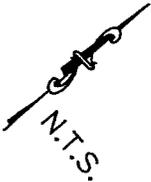
RESERVING THEREFROM a public utility easement for all existing underground and overhead public utilities, and a drainage easement as shown on the attached exhibit, for drainage purposes together with right of ingress and egress for the purpose of maintaining, replacing and upgrading said existing public utilities and drainage facilities.

SEE EXHIBIT "B" ATTACHED HERETO AND BY
THIS REFERENCE MADE A PART HEREOF

This document consisting of three sheets, Exhibit "A" (Legal Description: one page) and Exhibit "B" (Plat Map: 2 pages) was prepared by me or under my supervision.

EXHIBIT "B"

MATCHLINE SEE SHEET 2



LEGEND

 AREA TO BE VACATED

EXCEPTION, PREVIOUS VACATION PER INSTRUMENT NO. 19980507063

CITY OF COSTA MESA

ALLEY NO. 128 VACATION

DRAWN BY: BE

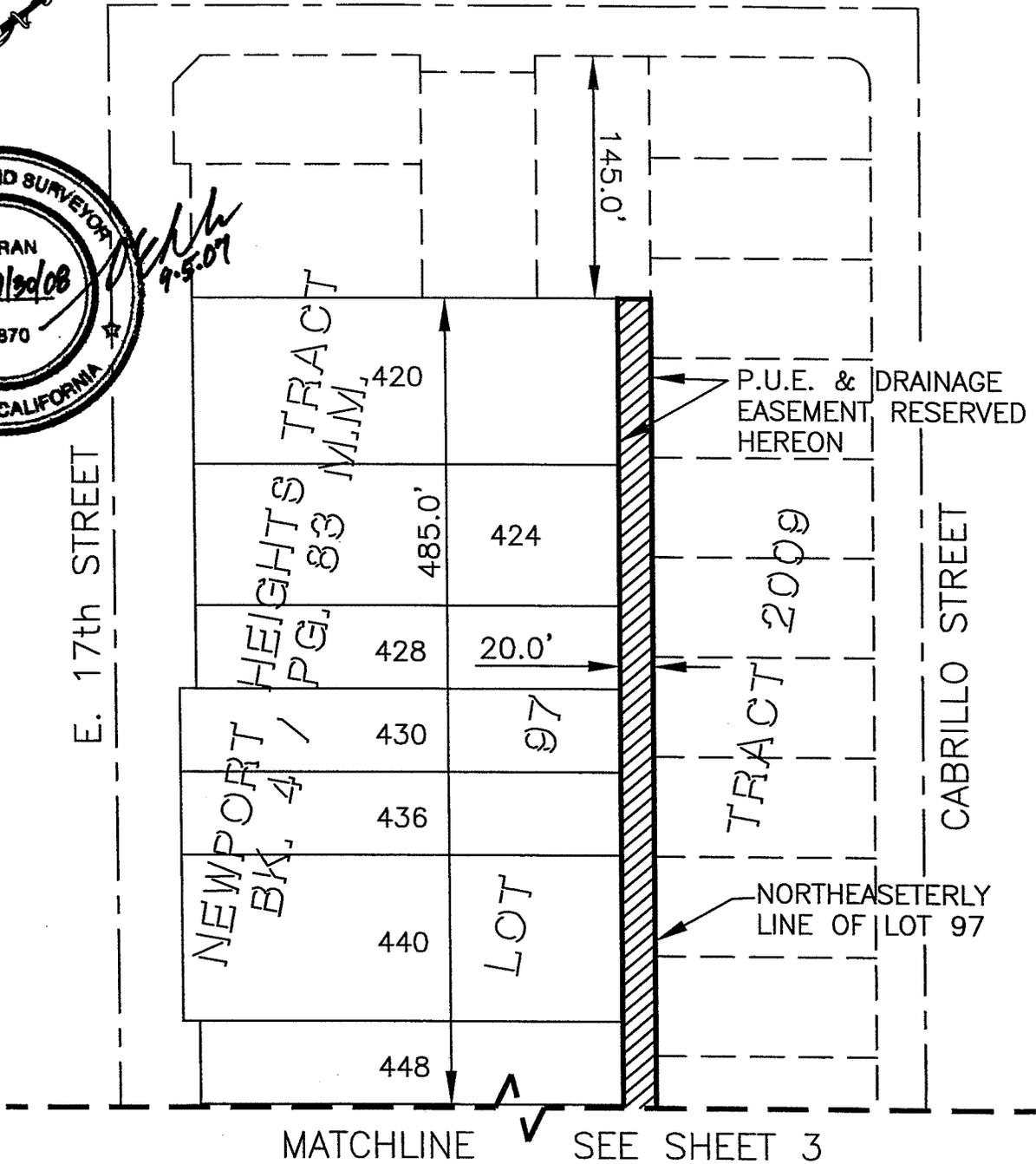
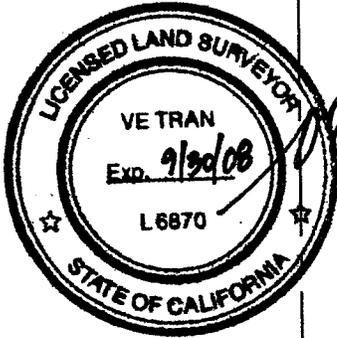
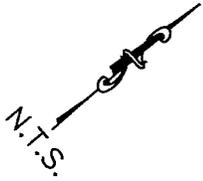
DATE: 05-08-07

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THIS IS NOT A SURVEY BUT IS COMPILED FROM EXISTING RECORDS

EXHIBIT "B"

TUSTIN AVENUE



LEGEND

 AREA TO BE VACATED

CITY OF COSTA MESA

ALLEY NO. 128 VACATION

DRAWN BY: BE

DATE: 05-08-07 14

THIS IS NOT A SURVEY BUT IS COMPILED FROM EXISTING RECORDS