

RESOLUTION NO. 09-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DECLARING ITS INTENTION TO ORDER THE VACATION OF A PORTION OF WILSON STREET AT 979, 983, 987, 991, 995 AND 999 MODJESKA CIRCLE

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 of a portion of Wilson Street located at 979, 983, 987, 991, 995, and 999 Modjeska Circle and being more particularly described in Exhibit A and B attached hereto.

SECTION 2. Tuesday, the 17th day of March, 2009, 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 17th day of February, 2009.

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. 09-___ 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 February, 2009, 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 February, 2009.

(SEAL)

JULIE FOLCIK, CITY CLERK

EXHIBIT "A"

SHEET 1 OF 3

"LEGAL DESCRIPTION" OF VACATION OF A PORTION OF WILSON STREET - CITY OF COSTA MESA

THAT PORTION OF WILSON STREET, DEDICATED TO THE CITY OF COSTA MESA PER TRACT NO. 9592, IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 402 PAGES 22 THROUGH 24 INCLUSIVE OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

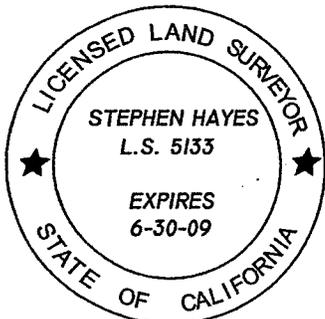
BEGINNING AT THE SOUTHEASTERLY CORNER OF LOT 23 OF SAID TRACT NO. 9592, SAID SOUTHEAST CORNER BEING A POINT 42.00 FEET NORTH OF THE CENTERLINE OF WILSON STREET; THENCE SOUTH 0°32'00" EAST ALONG THE EAST TRACT LINE OF SAID TRACT NO. 9592 A DISTANCE OF 12.00 FEET TO THE SOUTHEAST CORNER OF SAID TRACT NO. 9592, ALSO BEING A POINT 30.00 FEET NORTH OF THE CENTERLINE OF WILSON STREET; THENCE SOUTH 89°28'00" WEST ALONG THE SOUTH LINE OF SAID TRACT NO. 9592, ALSO BEING A LINE 30.00 FEET NORTH OF AND PARALLEL TO THE CENTERLINE OF WILSON STREET A DISTANCE OF 315.49 FEET TO THE SOUTHWEST CORNER OF SAID TRACT NO. 9592, SAID SOUTHEAST CORNER ALSO BEING A POINT 30.00 FEET SOUTHEASTERLY OF THE CENTERLINE OF CANYON DRIVE, ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 348.82 FEET AND TO WHICH BEGINNING OF CURVE A RADIAL LINE BEARS NORTH 73°31'20" WEST; THENCE NORTHERLY 31.09 FEET ALONG SAID CURVE AND THE WEST LINE OF SAID TRACT NO. 9592 THROUGH A CENTRAL ANGLE OF 5°06'23" TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 15.00 FEET AND TO WHICH BEGINNING OF CURVE A RADIAL LINE BEARS NORTH 78°37'43" WEST, SAID BEGINNING OF CURVE ALSO BEING A POINT ON THE WESTERLY LINE OF LOT 28; THENCE SOUTHERLY, SOUTHEASTERLY AND EASTERLY 26.68 FEET ALONG SAID CURVE AND SOUTHWESTERLY LINE OF SAID LOT 28 THROUGH A CENTRAL ANGLE OF 101°54'17" TO A TANGENT POINT ON THE SOUTH LINE OF SAID LOT 28, SAID POINT ALSO BEING ON A LINE PARALLEL WITH AND 42.00 FEET NORTH OF THE CENTERLINE OF WILSON STREET; THENCE NORTH 89°28'00" EAST ALONG LAST MENTIONED PARALLEL LINE AND THE SOUTH LINES OF LOTS 28, 27, 26, 25, 24 AND 23 A DISTANCE OF 293.05 FEET TO THE POINT OF BEGINNING.

RESERVING THEREFROM A STORM DRAIN EASEMENT AS SHOWN ON "EXHIBIT B" AND DEDICATED AS PART OF THIS VACATION OF WILSON STREET TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR THE PURPOSE OF MAINTAINING, REPLACING AND UPGRADING THE EXISTING STORM DRAIN.

THE ABOVE DESCRIBED VACATION CONTAINING AN AREA OF 3,845 SQUARE FEET.

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

THIS DOCUMENT CONSISTING OF TWO PAGES, (EXHIBITS "A" AND "B") WAS PREPARED BY ME OR UNDER MY SUPERVISION.



PREPARED BY:

STEPHEN HAYES L.S. 5133 EXPIRES 6-30-07

12/2/08
DATE



12 SEMBRADO - RANCHO SANTA MARGARITA - CA. 92688
TEL: (949) 459-8989 - FAX (949) 709-3040

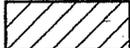
EXHIBIT "B"

MAP TO ACCOMPANY LEGAL DESCRIPTION OF VACATION OF A PORTION OF "WILSON STREET"

SURVEY DATA

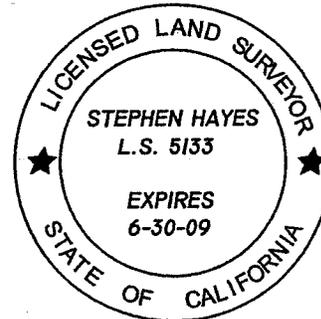
- ① R= 348.82' Δ= 5°06'23" L= 31.09'
- ② R=15.00' Δ= 101°54'17" L= 26.68'
- ③ S0°32'00"E 12.00'
- ④ N0°32'00"W 12.00'
- ⑤ N50°00'00"W 18.47'
- ⑥ R=95.00' Δ=5°17'07" L=8.76'
- ⑦ R= 95.00' Δ=21°58'56" L=36.45'
- ⑧ R=95.00' Δ=27°16'03" L=45.21'
- ⑨ R=40.00' Δ=12°38'32" L=8.83'
- ⑩ R=40.00' Δ=49°57'15" L=34.88'
- ⑪ R=40.00' Δ=26°00'39" L=18.16'

LEGEND

 TO BE "VACATED"

P.O.B. POINT OF BEGINNING

NOTE: THE BEARINGS AND DISTANCES SHOWN HEREON HAVE BEEN COMPILED FROM RECORD DATA



Stephen Hayes 12/2/08
 STEPHEN HAYES L.S. 5133 DATE



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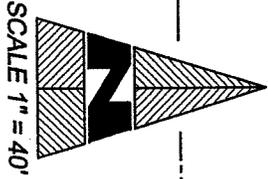
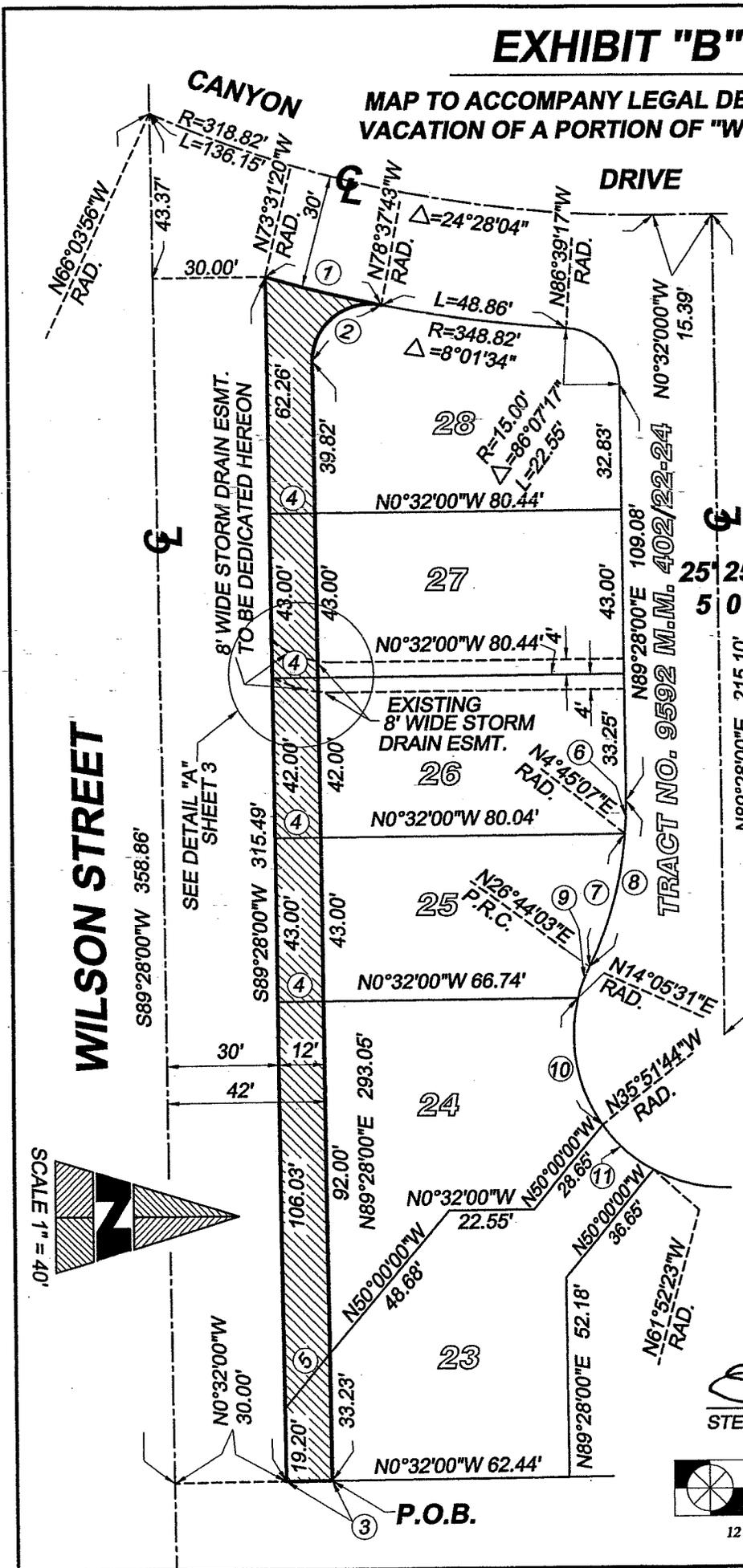


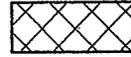
EXHIBIT "B"

SHEET 3 OF 3

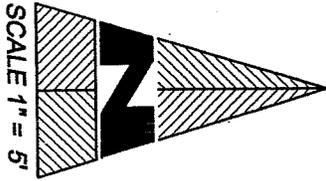
DETAIL "A"

SCALE 1" = 5'

LEGEND



STORM DRAIN EASEMENT TO BE DEDICATED HEREON



WILSON STREET

N89°28'00"E

6

30'

42'

12'

N89°28'00"E 315.49'

42.00'

43.00'

9.63'

0.26'

42.00'

N89°28'00"E 315.49'

42.00'

42.00'

N51°11'55"W
RADIAL

R=26.00' Δ=29°24'44" L=13.35'

N61°32'24"W
RADIAL

R=34.00' Δ=21°25'17" L=12.71'

N82°57'41"W
RADIAL

S89°28'00"W 315.49'

42.00'

N80°36'39"W
RADIAL

R=26.00' Δ=9°55'21" L=4.50'

N89°28'00"E
BC

R=34.00' Δ=7°34'19" L=4.50'

N89°28'00"E
BC

4'

4'

4'

27

75.96'

80.44'

N0°32'00"W

75.96'

TRACT NO. 9592
M.M. 402/22-24

26



12/2/08

DATE

Stephen Hayes
STEPHEN HAYES L.S. 5133 EXPIRES 6-30-07



HAYES SURVEYING

A LAND SURVEYING CORPORATION

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