

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ORDERING THE VACATION OF A PORTION OF WILSON STREET RIGHT-OF-WAY AT 979, 983, 987, 991, 995 AND 999 MODJESKA CIRCLE

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 17th day of February 17, 2009, adopt Resolution No. 09-11, entitled: "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 RIGHT-OF-WAY LOCATED AT 979, 983, 987, 991, 995, AND 999 MODJESKA CIRCLE; 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 March, 2009, 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 March, 2009; 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:

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 March, 2009.

ATTEST:

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, 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 March, 2009, 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 March, 2009.

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

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:

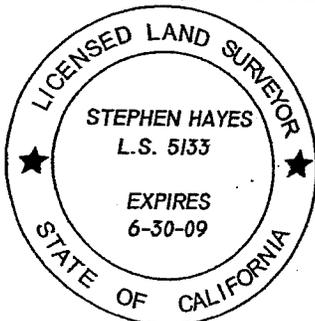
BEGINNING AT THE SOUTHEASTERLY CORNER OF LOT 23 OF SAID TRACT NO. 9592, SAID SOUTHEAST CORNER BEING A POINT 42.00 FEET NORTH OF THE CENTERLINE OF WILSON STREET; THENCE SOUTH 0°32'00" EAST ALONG THE EAST TRACT LINE OF SAID TRACT NO. 9592 A DISTANCE OF 12.00 FEET TO THE SOUTHEAST CORNER OF SAID TRACT NO. 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.

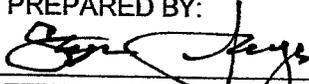
THE ABOVE DESCRIBED VACATION CONTAINING AN AREA OF 3,845 SQUARE FEET.

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

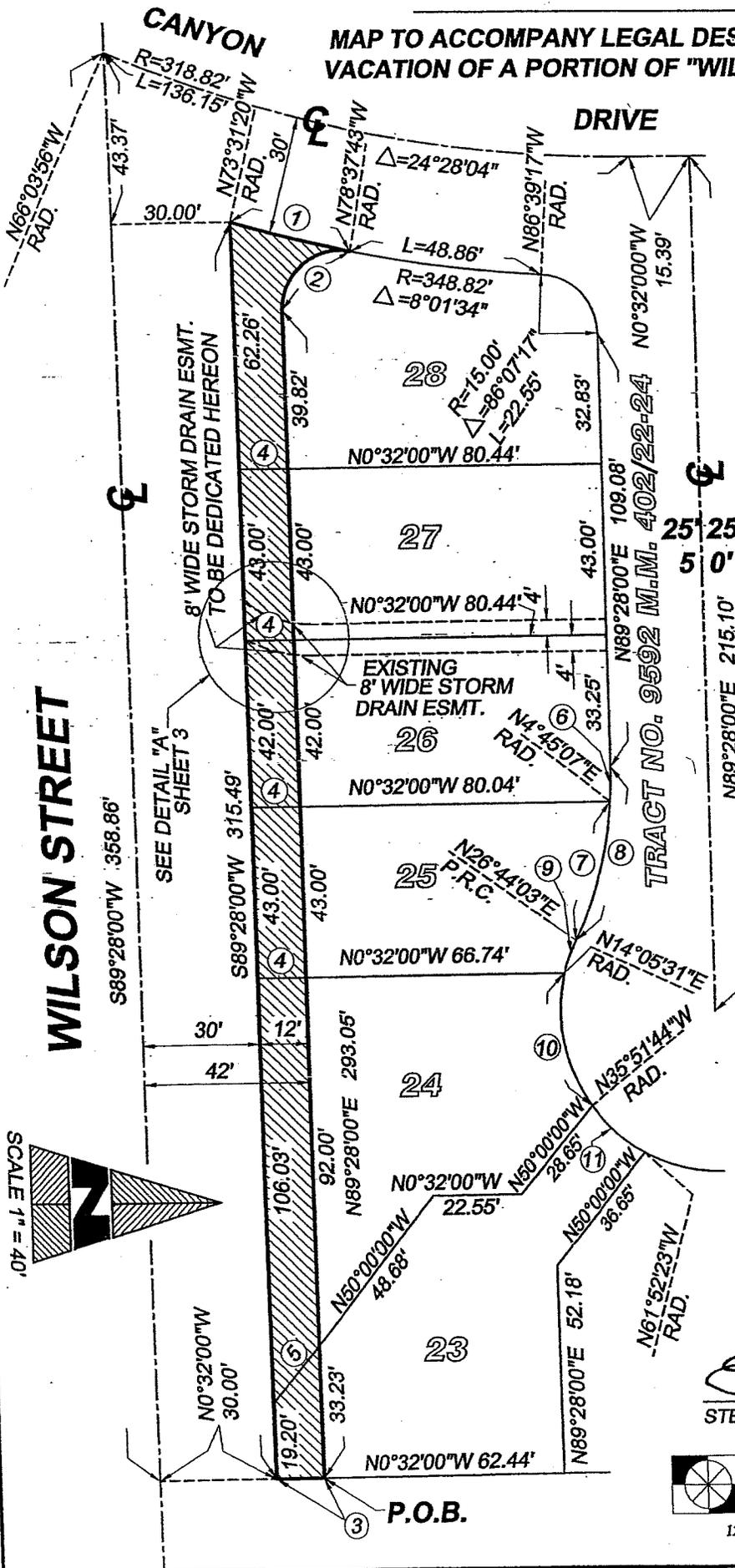


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EXHIBIT "B"

SHEET 2 OF 3

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



SURVEY DATA

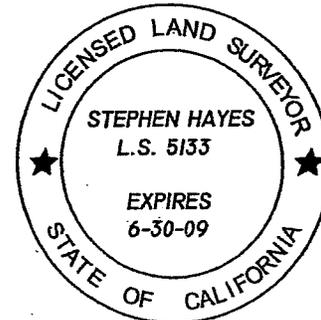
- ① R=348.82' Δ=5°06'23" L=31.09'
- ② R=15.00' Δ=101°54'17" L=26.68'
- ③ S0°32'00"E 12.00'
- ④ N0°32'00"W 12.00'
- ⑤ N50°00'00"W 18.47'
- ⑥ R=95.00' Δ=5°17'07" L=8.76'
- ⑦ R=95.00' Δ=21°58'56" L=36.45'
- ⑧ R=95.00' Δ=27°16'03" L=45.21'
- ⑨ R=40.00' Δ=12°38'32" L=8.83'
- ⑩ R=40.00' Δ=49°57'15" L=34.88'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

HAYES SURVEYING
 A LAND SURVEYING CORPORATION

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