ATTACHMENT 1

RESOLUTION NO. 09-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, SUMMARILY VACATING A CITY INGRESS AND EGRESS EASEMENT WITHIN TRACT MAP NO. 16917

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, Oxbow 101, LLC. A California limited liability company, owner of all real property within Amended Tract map No. 16917, requests the vacation of City Ingress and Egress easement per Tract Map no. 16917 ; and

WHEREAS, the hereinafter described easement has been superseded by relocation; and there are no other public facilities located within said Excess easement area , within the meaning of California Streets & Highways Code Section 8333 (c.), and the summarily vacation of said Excess easement is therefore appropriate; and

WHEREAS, this vacation is being processed in accordance with Chapter 4 (commencing with Section 8330) of Part 3 of Division 9 of the California Streets & Highways Code; and

WHEREAS, upon completion of easement vacation hereon, a dedication of a new City Ingress and Egress Easement in replacement of vacated easement will be executed by separate document and thereby complying with original Vesting Tentative Map No. 16917 requirements, approved by City of Costa Mesa Planning Commission December 12, 2005 and pursuant to Government Code Section 65402(a).

WHEREAS, based on all of the information and evidence submitted the City Council finds that vacation of Ingress and Egress easement is consistent with the City's general plan;

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

1. The easement, as set forth in the dedication of Tract No. 16917, has been superseded by relocation per Amended Tract Map No. 16917 and to be rededicated by separate document.
2. It is hereby ordered that pursuant to Chapter 4, Secction 8333 of Part 3 of Division 9 of the California Streets & Highways Code, the following described easement be, and the same is hereby, vacated:

   SEE LEGAL DESCRIPTION ATTACHED
   HERETO AS EXHIBITS HEREOF "A" AND "B"

3. The City Clerk shall cause a certified copy of this Resolution, attested by the City Clerk under seal, to be recorded without acknowledgment, certificate of acknowledgment, or further proof in the Office of the County Recorder, Orange County, California.

PASSED AND ADOPTED THIS 6th day of October, 2009

_____
Mayor of the City of Costa Mesa

ATTEST

_____
City Clerk of the City of Costa Mesa

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. 09-____ was duly and regularly passed and adopted by the said City Council at a regular meeting thereof held on the 6th day of October, 2009.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the City of Costa Mesa this 7th day of October, 2009.

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