# RESOLUTION NO. 14-16

## A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DECLARING ITS INTENTION TO ORDER THE VACATION OF A PORTION OF FULLERTON AVENUE AT 1854 FULLERTON AVENUE

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 a portion of its interest in Fullerton Avenue at 1854 Fullerton Avenue, being more particularly described in Exhibit A and B attached hereto. The original 1927 dedication is in excess of the final alignment of Fullerton Avenue which was established in 1960. The purpose of this vacation is based on a review of the current and future needs of the City and to vacate the excess land to the underlying fee owner. The vacation will benefit the neighborhood with the new improvements.

SECTION 2. On Tuesday, the 15th day of April, 2014, 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, and any other applicable laws.

SECTION 4. The City Chief Executive Officer 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 AND ADOPTED THIS 18th day of March, 2014.

James M. Righeimer, Mayor

ATTEST:

Brenda Green, City Clerk

APPROVED AS TO FORM:

Yolanda Summerhill, Deputy City Attorney

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

I, BRENDA GREEN, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. 14-16 and 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 March, 2014, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS: Genis, Leece, Mensinger, Righeimer

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Monahan

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 19th day of March, 2014.

BRENDA GREEN, CITY CLERK

DEED NO. 3805

EXHIBIT "A"
LEGAL DESCRIPTION FOR VACATION OF RIGHT OF WAY
A.P.N. 425-233-19

THE LAND REFERRED TO HEREIN IS SITUATED IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA.

BEING A PORTION OF A PUBLIC HIGHWAY PER DEED OF RIGHT OF WAY TO THE CITY OF COSTA MESA RECORDED NOVEMBER 23, 1927, IN BOOK 101, PAGE 172, OF OFFICIAL RECORDS. SAID LAND LYING WITHIN A PORTION OF LOT 4 OF BLOCK "B" OF TRACT NO. 377, RECORDED IN BOOK 16, PAGE 16 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTHEASTERLY 8.70 FEET OF THE 14.70 FEET, LYING ADJACENT TO AND SOUTHEASTERLY OF THE SOUTHEASTERLY RIGHT OF WAY LINE OF FULLERTON AVENUE, AS SHOWN ON A MAP OF TRACT NO. 377, SAID STRIP OF LAND BEING BOUNDED NORTHEASTERLY BY THE NORTHEASTERLY LINE OF SAID LOT 4, AND BOUNDED SOUTHWESTERLY BY THE SOUTHWESTERLY LINE OF SAID LOT 4.

SEE EXHIBIT "B" ATTACHED HERETO, BY THIS REFERENCE MADE A PART OF.

PREPARED BY ME OR UNDER MY DIRECTION

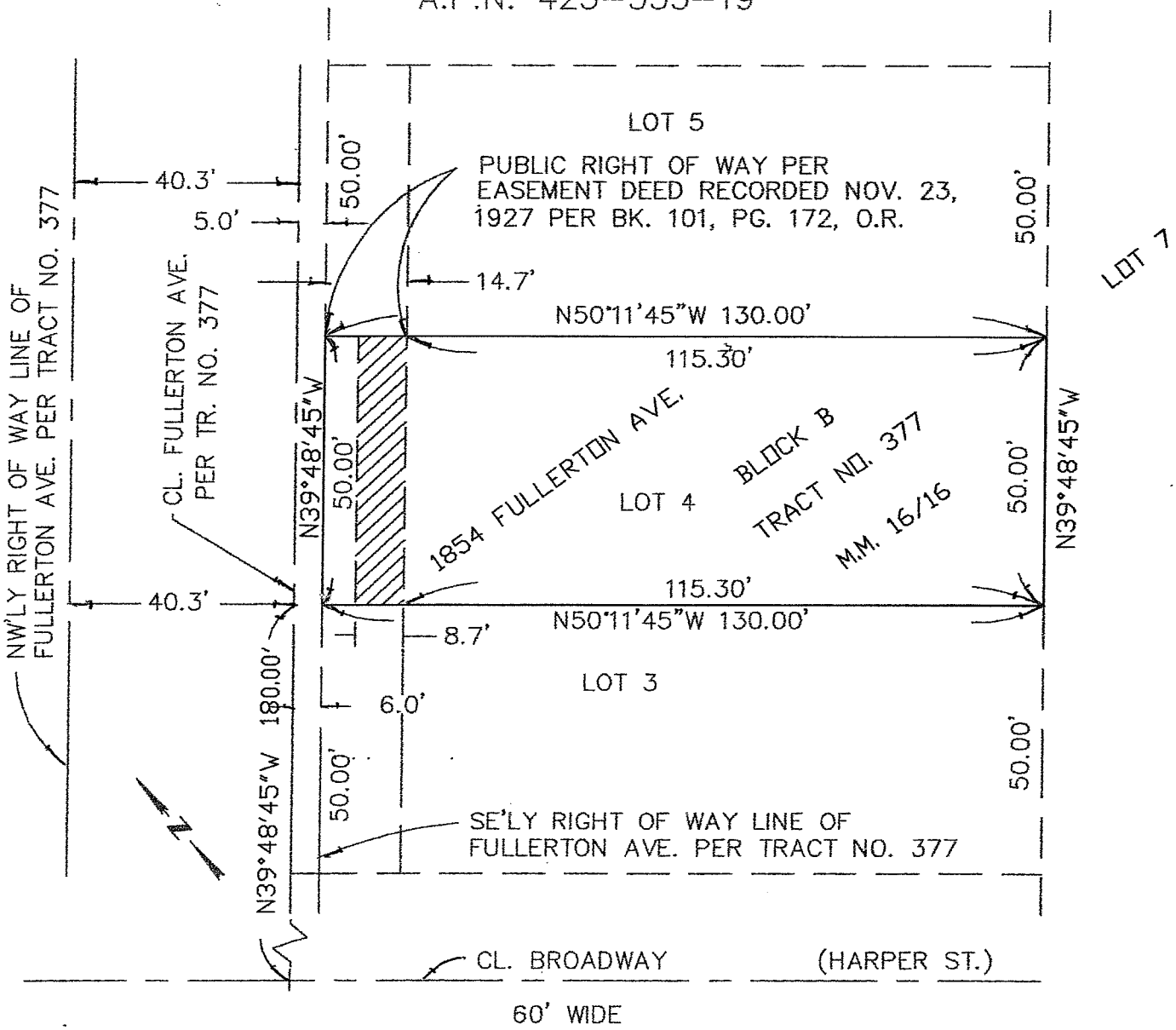
Loren K Toomey
LOREN K. TOOMEY, P.L.S. 4459

LICENSED LAND SURVEYOR
LOREN K. TOOMEY
No. 4459
EXP. 9-30-15
STATE OF CALIFORNIA

DEED NO. 3805

# EXHIBIT "B"

## SKETCH TO ACCOMPANY LEGAL DESCRIPTION FOR VACATION OF RIGHT OF WAY A.P.N. 425-333-19




SCALE 1"=30'

0 30

8.70 FEET OF EXISTING RIGHT OF WAY RECORDED NOV. 23, 1927 PER BK. 101, PG. 172, O.R. TO BE VACATED.

| CITY OF COSTA MESA | | |
|---|---|---|
| A.P.N. 425-233-19<br>1854 FULLERTON AVE. | DEED NO. 3805<br>SCALE: AS SHOWN | DRAWN BY: LKT<br>DATE: DEC. 5, 2013 |
| THIS IS NOT A SURVEY BUT IS COMPILED FROM EXISTING RECORDS | | |