

RESOLUTION NO. 15-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ORDERING THE VACATION OF FLOWAGE EASEMENT AT 970 WEST 16TH STREET.

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 21ST day of July, 2015, adopt Resolution No. 15-40, entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DECLARING ITS INTENTION TO ORDER THE VACATION OF FLOWAGE EASEMENT AT 970 WEST 16TH STREET; 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 1ST day of September, 2015, at 7:00 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 1st day of September, 2015; and

WHEREAS, the original 1962 dedication was to facilitate overflow storm drain runoff. The purpose of this vacation is to vacate the flowage easement area not required based on the future storm drain improvements and to vacate the easement land to the underlying fee owner. The vacation will benefit the neighborhood with the new drainage improvements.

The easement being vacated will not be useful as a Flowage Easement. It is unnecessary and the vacation serves the public interest and is a public benefit.

WHEREAS, the Costa Mesa City Council finds and determines from all the evidence submitted that the hereinafter described flowage easement is unnecessary for present or future drainage purposes;

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

1. That the hereinafter described flowage easement is unnecessary for present or prospective drainage 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 1st day of September, 2015.

ATTEST:

BRENDA GREEN, City Clerk

STEVE MENSINGER, Mayor

APPROVED AS TO FORM

Tom Duarte, Attorney

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

I, BRENDA GREEN, Interim City Clerk of the City of Costa Mesa, hereby certify that the above and foregoing Resolution No. 15-____ was duly and regularly passed and adopted by the said City Council at a regular meeting thereof held on the 1st day of September, 2015, 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 2nd day of September, 2015.

BRENDA GREEN, City Clerk

EXHIBIT A
LEGAL DESCRIPTION
PORTION OF FLOWAGE EASEMENT VACATION

BEING THE EASTERLY 250 FEET OF LOT 1111 IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA, PER THE NEWPORT MESA TRACT, FILED IN BOOK 5 PAGE 1 OF MISCELLANEOUS MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

EXCEPTING THEREFROM THE SOUTHERLY 60.00 FEET OF SAID LOT 1111.

ALSO EXCEPTING THEREFROM THAT PORTION LYING WITHIN PARCEL 2 PER MAP FILED IN BOOK 101, PAGES 26 & 27, OF PARCEL MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

CONTAINING 12,437 SQUARE FEET, MORE OR LESS.

MORE PARTICULARLY SHOWN ON EXHIBIT "B", ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

SUBJECT TO COVENANTS, CONDITIONS, RESERVATIONS, RIGHT-OF-WAY AND EASEMENTS OF RECORD, IF ANY.

PREPARED BY OR UNDER THE DIRECTION OF:

E.L.R.

EDWARD L. REYNOLDS LS 7725
 LICENSE EXPIRES 12/31/15

DATE

5/2/15

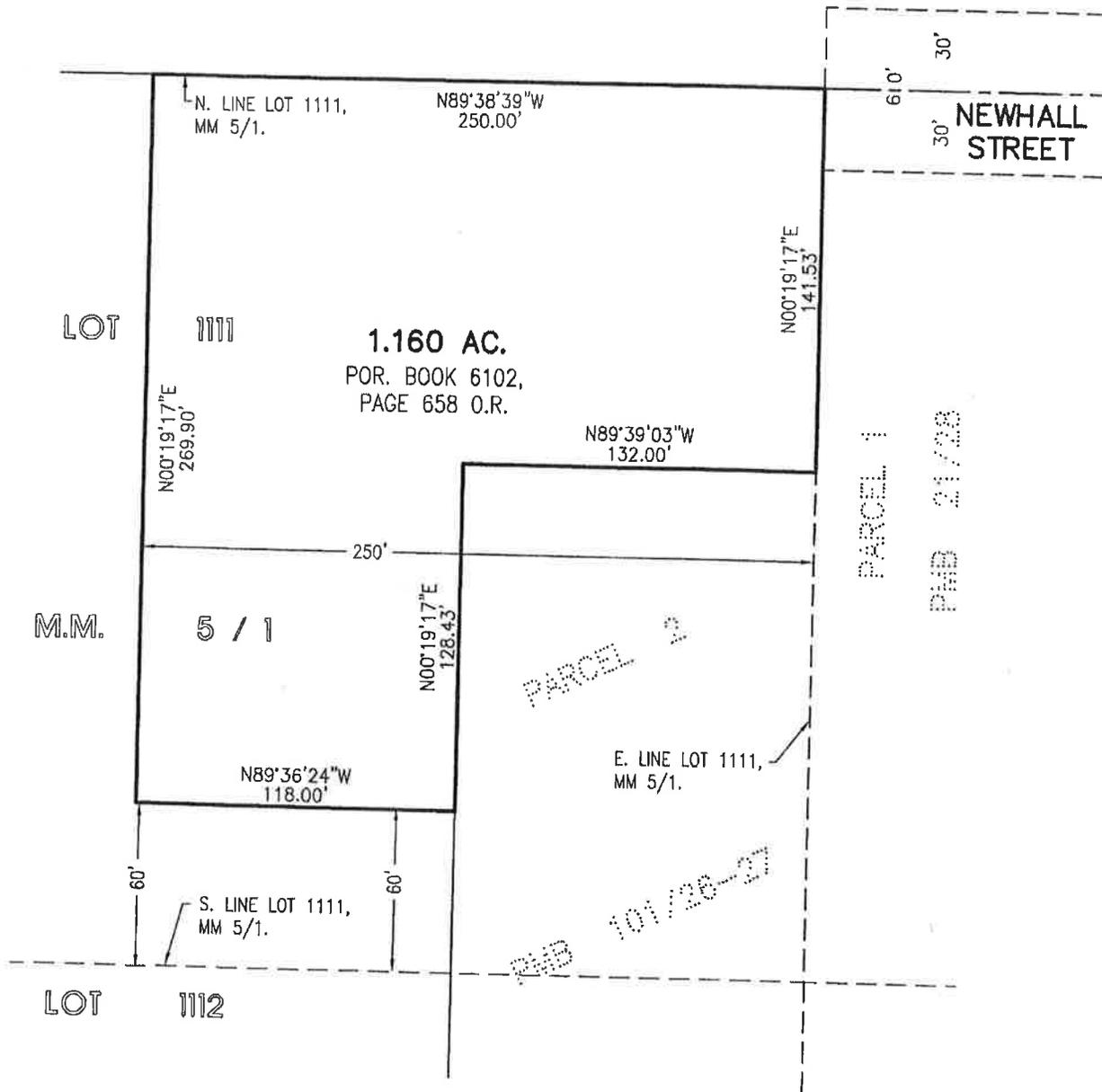


CITY OF COSTA MESA

PROJECT C&V CONSULTING, INC. <small>CIVIL ENGINEERING LAND PLANNING AND SURVEYING</small> 27156 BURBANK FOOTHILL RANCH, CALIFORNIA 92610 PHONE (949) 916-3800 FAX (949) 916-3805	TITLE		SHEET NO. 1 OF 1
	REFERENCE J.N. TWHX-030	DATE 5/2/15 SCALE NONE	

EXHIBIT B

SKETCH TO ACCOMPANY LEGAL DESCRIPTION
PORTION OF FLOWAGE EASEMENT VACATION



CITY OF COSTA MESA

PROJECT		TITLE	
C&V CONSULTING, INC. CIVIL ENGINEERING LAND PLANNING AND SURVEYING		REFERENCE	DATE
27156 BURBANK FOOTHILL RANCH, CALIFORNIA 92610		J.N. TWHX-030	5/2/15
PHONE (949) 916-3800 FAX (949) 916-3805		SCALE	SHEET NO.
		1"=60'	1 of 1