

RESOLUTION NO. 15-40

**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 16<sup>TH</sup> STREET**

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 Flowage easement at 970 West 16<sup>th</sup> Street, being more particularly described in Exhibit A and B attached hereto. 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.

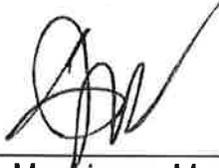
SECTION 2. On Tuesday, the 1<sup>st</sup> day of September, 2015, at 7:00 p.m., in the Council Chambers of City Hall, 77 Fair Drive, Costa Mesa, California, is hereby fixed as the time and place for hearing all persons interested in or objecting to the proposed vacation.

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 21<sup>st</sup> day of July, 2015.



\_\_\_\_\_  
Stephen M. Mensinger, Mayor

ATTEST:

  
\_\_\_\_\_  
Brenda Green, City Clerk

APPROVED AS TO FORM:

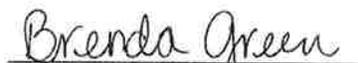
  
\_\_\_\_\_  
Thomas Duarte, City Attorney

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. 15-40 and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 21<sup>st</sup> day of July, 2015, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS: Genis, Monahan, Righeimer, Mensinger  
NOES: COUNCIL MEMBERS: None  
ABSENT: COUNCIL MEMBERS: Foley

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 22<sup>nd</sup> day of July, 2015.

  
\_\_\_\_\_  
Brenda Green, City Clerk

(SEAL)

**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. Reynolds*

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

DATE 5/2/15

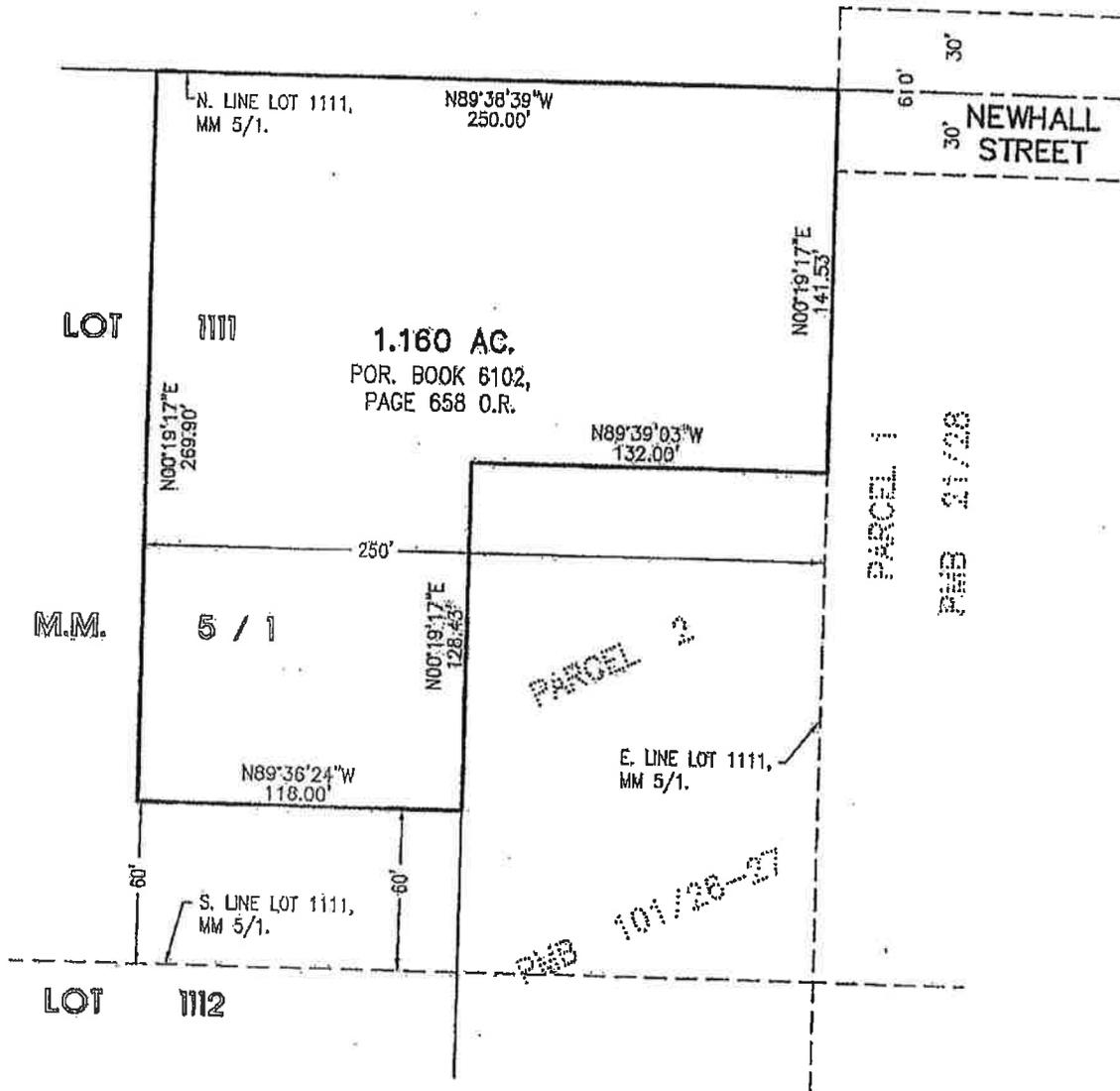


CITY OF COSTA MESA

PROJECT		TITLE	
<b>C&amp;V CONSULTING, INC.</b> CIVIL ENGINEERING LAND PLANNING AND SURVEYING 27156 BURBANK FOOTHILL RANCH, CALIFORNIA 92610 PHONE (949) 916-3800 FAX (949) 916-3805		REFERENCE	DATE
		TWIX-030	5/2/15
		J.N.	SHEET NO.
		TWIX-030	1 of 1
		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