

RESOLUTION NO. 15-\_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ORDERING THE VACATION OF A PORTION OF WEST 19<sup>TH</sup> STREET AT 752 WEST 19<sup>TH</sup> 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 15<sup>TH</sup> day of September, 2015, adopt Resolution No. 15-51, entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DECLARING ITS INTENTION TO ORDER THE VACATION OF EXCESS RIGHT-OF-WAY AT 752 WEST 19<sup>TH</sup> 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 20<sup>th</sup> day of October, 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 20<sup>th</sup> day of October, 2015; and

WHEREAS, the original 1980 dedication is in excess of the final alignment of West 19<sup>th</sup> Street. 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 street being vacated is not useful as a nonmotorized transportation facility, is

unnecessary for present or future public use, 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 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 20<sup>th</sup> day of October, 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 20<sup>th</sup> day of October, 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 21<sup>st</sup> day of October, 2015.

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BRENDA GREEN, City Clerk

**EXHIBIT "A"**  
**ROAD VACATION**

**LEGAL DESCRIPTION**

APN 422-271-20

THAT PORTION OF THE EAST 50.00 FEET OF LOTS 39 & 40, BLOCK E, TRACT NO. 612, "COSTA MESA TERRACE", IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA, RECORDED IN BOOK 20, PAGE 1-2, MISCELLANEOUS MAPS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE SOUTHWEST CORNER OF SAID EAST 50.00 FEET OF LOTS 39 & 40, SAID POINT ALSO BEING ON THE NORTH RIGHT-OF-WAY OF WEST 19<sup>th</sup> STREET, HAVING A HALF WIDTH OF 53.00 FEET; THENCE N 89°28'00" E, ALONG THE SOUTH LINE OF SAID 50.00 FEET OF LOTS 39 & 40, AND SAID NORTH RIGHT-OF-WAY, A DISTANCE OF 35.00 FEET; THENCE N 44°28'00" E, A DISTANCE OF 21.21 FEET TO A POINT ON THE EAST LINE OF SAID EAST 50.00 FEET OF LOTS 39 & 40, SAID POINT ALSO BEING ON THE WEST RIGHT-OF-WAY OF WALLACE AVENUE, HAVING A HALF WIDTH OF 30.00 FEET; THENCE S 00°32'00" E, PARALLEL AND 30.00 FEET WEST OF THE CENTERLINE OF WALLACE AVENUE, A DISTANCE OF 12.00 FEET; THENCE S 43°31'39" W, A DISTANCE OF 21.57 FEET TO A POINT ON A LINE 40.50 FEET NORTH AND PARALLEL WITH THE CENTERLINE OF WEST 19<sup>th</sup> STREET; THENCE S 89°28'00" W, ALONG SAID PARALLEL LINE, A DISTANCE OF 35.00 FEET TO THE SOUTHERLY PROLONGATION OF THE WEST LINE OF SAID EAST 50.00 FEET OF LOTS 39 & 40; THENCE N 00°32'00" W, A DISTANCE OF 12.50 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINING 621.25 SQ. FT.

THIS LEGAL DESCRIPTION WAS PREPARED BY ME

  
DAVID B. WARREN, LS 8244  
EXPIRES 12/31/2015

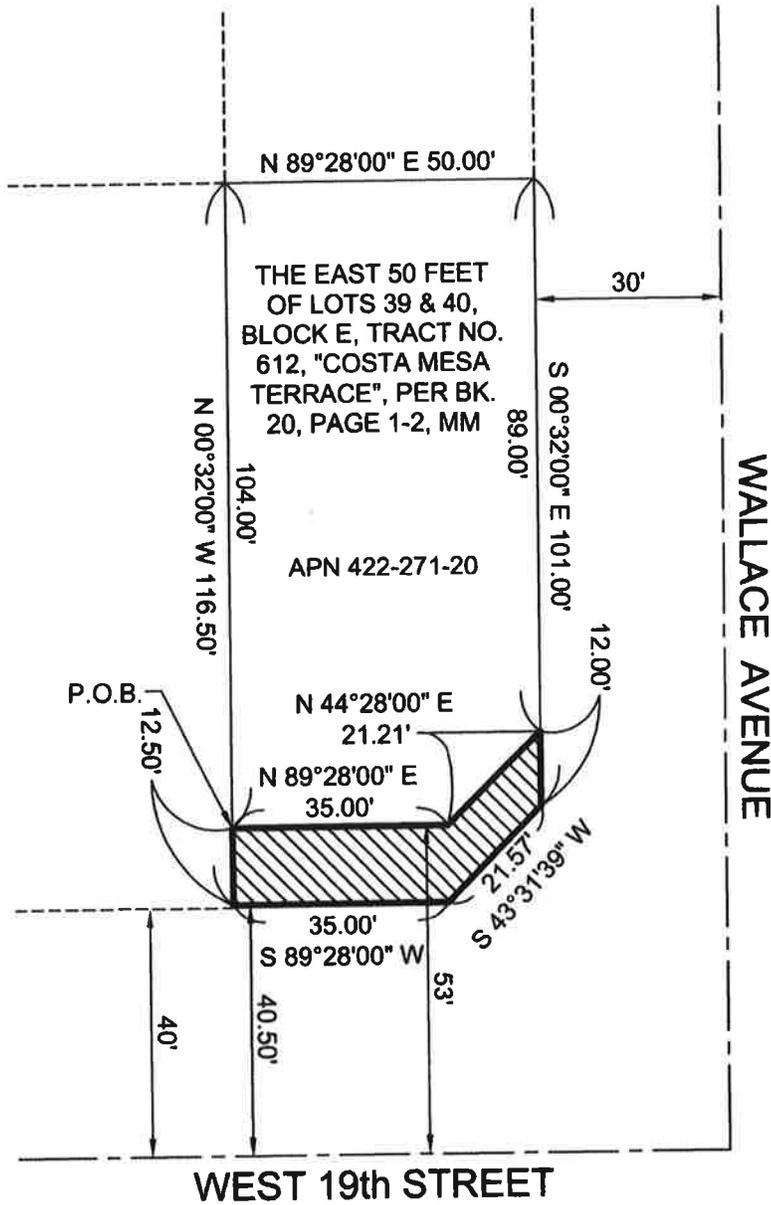
7/27/15  
DATE



# EXHIBIT B ROAD VACATION



SCALE: 1"=30'



 INDICATES VACATION AREA (621.25 SQ. FT.)

THIS PLAT WAS PREPARED BY ME



DAVID B. WARREN, LS 8244  
EXPIRES 12/31/2015

7/27/15

DATE

