

RESOLUTION NO. 15 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ORDERING THE VACATION OF A PORTION OF SIDEWALK AND LANDSCAPE EASEMENT ADJACENT TO 580 ANTON BOULEVARD

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 6TH day of October, 2015, adopt Resolution No. 15-53, entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DECLARING ITS INTENTION TO ORDER THE VACATION OF A PORTION OF SIDEWALK AND LANDSCAPE EASEMENT ADJACENT TO 580 ANTON BOULEVARD; 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 3rd day of November, 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 3rd day of November, 2015; and

WHEREAS, the original 2007 dedication per Tract No. 17017 is in excess of the City's needs for sidewalk and landscape purposes and there are no other public facilities located within said easement area. The purpose of this vacation is based on a

review of the current and future needs of the City and to vacate the portion of said easement land to the underlying fee owner. The easement being vacated is not useful for landscape or sidewalk purposes, is unnecessary for present or future public use, and the vacation serves the public interest and is a public benefit. The vacation will also benefit the neighborhood with new improvements.

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

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

1. That the hereinafter described easement is unnecessary for present or prospective landscape and sidewalk 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 3rd day of November, 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 3rd day of November, 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 4th day of November, 2015.

BRENDA GREEN, City Clerk

R301409.02
08-06-15

EXHIBIT "A"
LEGAL DESCRIPTION
VACATION OF SIDEWALK AND LANDSCAPING EASEMENT

That portion of that certain easement for sidewalk and landscaping purposes dedicated to the City of Costa Mesa on Tract No. 17017, in the City of Costa Mesa, County of Orange, State of California, as shown on map filed in Book 888, Pages 47 through 49, inclusive, of Miscellaneous Maps, described as follows:

Commencing at the Northwestern corner of said Tract No. 17017; thence along the Northerly line of said Tract No. 17017 South $88^{\circ}44'54''$ East 20.00 feet to the Easterly line of said easement, said line being a line parallel with and 20.00 feet Easterly of the Westerly line of said Tract No. 17017; thence leaving said Northerly line along said Easterly line South $0^{\circ}53'22''$ West 256.64 feet to the Northeasterly line of said easement, said line being a line parallel with and 20.00 feet Northeasterly of the Southwesterly line of said Tract No. 17017, said point being the TRUE POINT OF BEGINNING; thence leaving said Easterly line along said Northeasterly line South $43^{\circ}56'05''$ East 22.98 feet to the Northerly line of said easement, said line being a line parallel with and 20.00 feet Northerly of the Southerly line of said Tract No. 17017; thence leaving said Northeasterly line along the Westerly prolongation of said Northerly line North $88^{\circ}44'54''$ West 16.20 feet to the Southerly prolongation of said Easterly line; thence leaving said Westerly prolongation along said Southerly prolongation North $0^{\circ}53'22''$ East 16.19 feet to the TRUE POINT OF BEGINNING.

Containing an area of 131 square feet or acres, more or less.

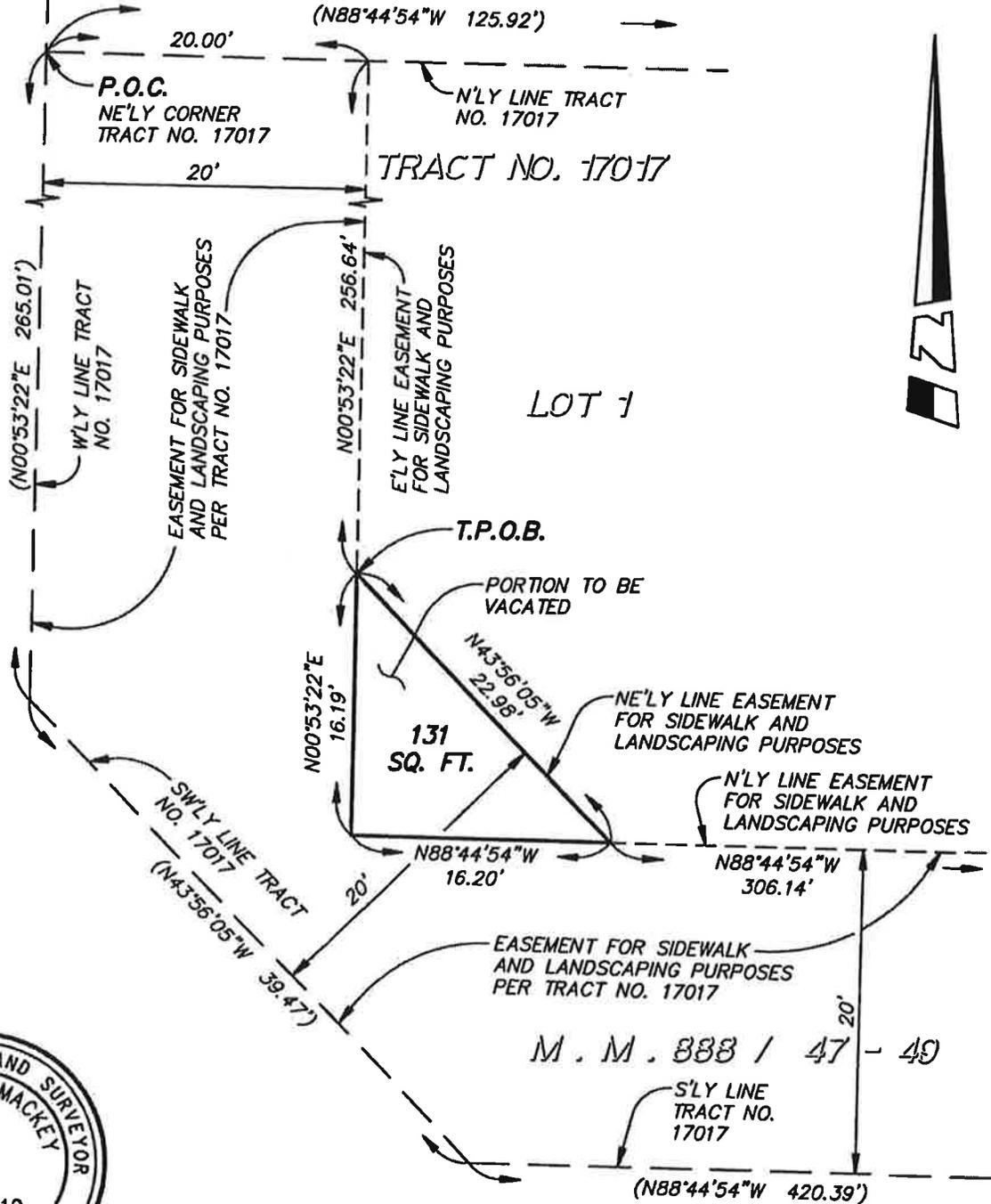
Subject to covenants, conditions, reservations, restrictions, rights-of-way and easements, if any, of record.

All as shown on Exhibit "B" attached hereto and by this reference made a part hereof.

David W. Mackey 8-6-15
DAVID W. MACKEY, PLS 8912



AVENUE OF THE ARTS



(XXX) INDICATES RECORD DATA PER TRACT NO. 17017, M.M. 888/47-49

ANTON BOULEVARD

HUITT-ZOLLARS

Huitt-Zollars, Inc. Irvine
 2603 Main Street, Suite 400, Irvine, CA 92614
 Phone (949) 988-5815 Fax (949) 988-5820

APPROVED BY

David W. Mackey 8-6-15

SKETCH TO ACCOMPANY
 A LEGAL DESCRIPTION
EXHIBIT 'B'
**VACATION OF EASEMENT
 FOR SIDEWALK AND
 LANDSCAPING PURPOSES**

SCALE	1"=10'
DRAWN BY	DWM
CHECKED BY	JJL
DATE	8/6/2015
JOB NO.	R301409.02