

RESOLUTION NO. 15-53

**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**

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 Sidewalk and Landscape easement at 580 Anton Boulevard, being more particularly described in Exhibit A and B attached hereto. 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 vacation will benefit the neighborhood with new improvements.

SECTION 2. On August 10, 2015, the proposed vacation of the Sidewalk and Landscape easement was referred to the City of Costa Mesa Planning Commission pursuant to Government Code Section 65402(a) and the Planning Commission determined that said vacation would be in conformity with the adopted City General Plan; and based on all of the information and evidence submitted the City Council finds that vacation of the Excess sidewalk and landscape easement is consistent with the City's general plan;

SECTION 3. On Tuesday, the 3<sup>rd</sup> day of November, 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 4. 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 5. 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 6. 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 6<sup>th</sup> day of October, 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. 15-53 and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 6<sup>th</sup> day of October, 2015, by the following roll call vote, to wit:

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

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 7<sup>th</sup> day of October, 2015.

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

(SEAL)

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 Northwesterly corner of said Tract No. 17017; thence along the Northerly line of said Tract No. 17017 South 88°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°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°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°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°53'22" East 16.19 feet to the TRUE POINT OF BEGINNING.

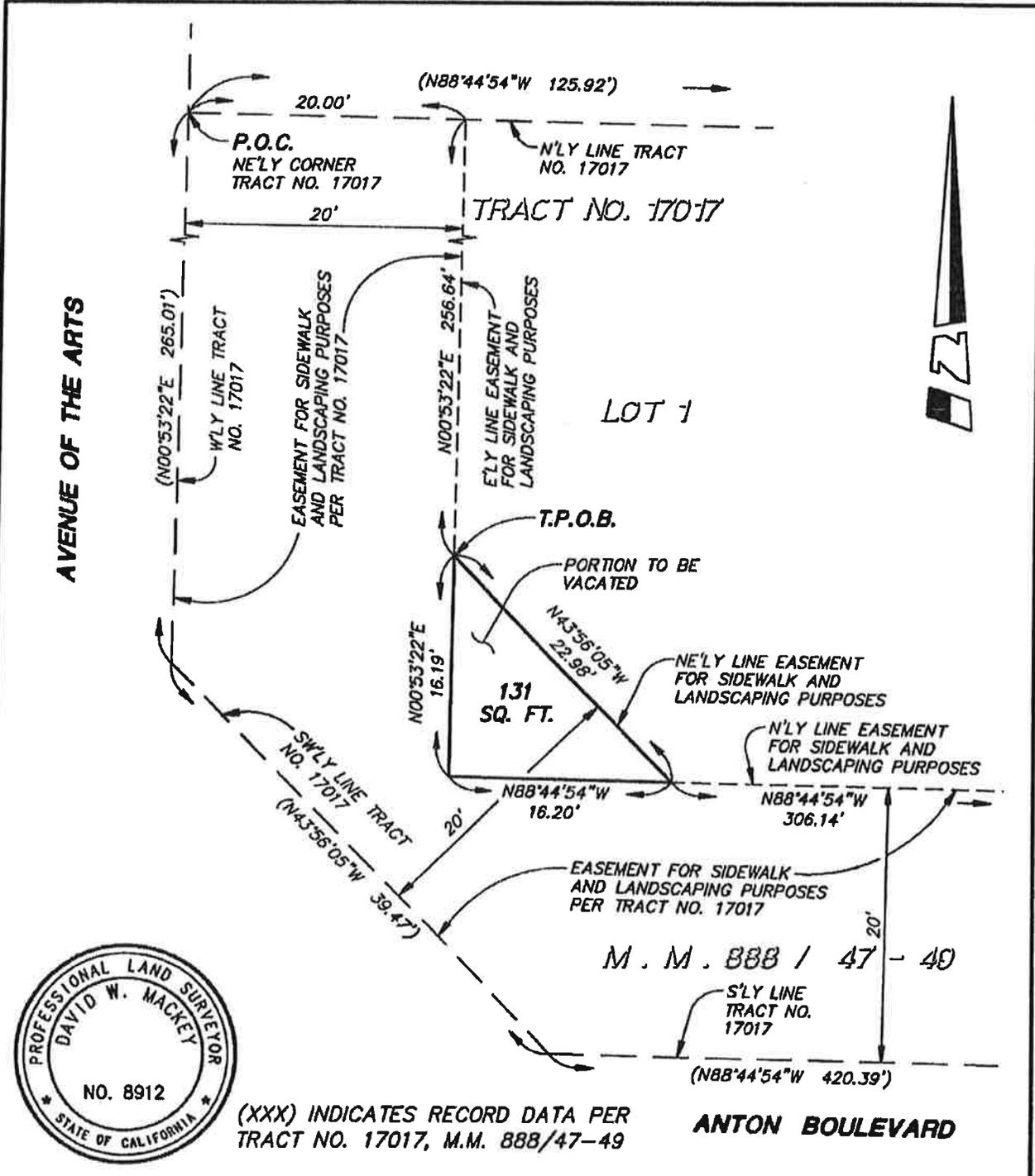
Containing an area of 131 square feet or acres, more or less.

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





# HUITT-ZOLLARS

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 Phone (949) 988-5815 Fax (949) 988-5820

APPROVED BY  
*David W. Mackay* 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