

RESOLUTION NO. 16-65

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ORDERING THE VACATION OF A PORTION OF WEST 17TH STREET AND A PORTION OF SUPERIOR AVENUE AT 671-673 WEST 17TH STREET

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY RESOLVES AS FOLLOWS:

WHEREAS, the City Council of the City of Costa Mesa did, on the 5th day of July, 2014, adopt Resolution No. 16-58, entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DECLARING ITS INTENTION TO ORDER THE VACATION A PORTION OF WEST 17TH STREET AND A PORTION OF SUPERIOR AVENUE AT 671-673 WEST 17TH 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 20th day of September, 2016, 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 20th day of September, 2016; and

WHEREAS, the original 1976 dedication is in excess of the final alignment of West 17th Street and Superior Avenue. 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 portion of streets 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 20th day of September, 2016.

Stephen M. Mensinger, Mayor

ATTEST:

APPROVED AS TO FORM:

Brenda Green, City Clerk

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. 16-65 and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 20th day of September, 2016, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS: Foley, Genis, Monahan, Righeimer, and Mensinger

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Costa Mesa this 21st day of September, 2016.

BRENDA GREEN, City Clerk

EXHIBIT A

SKETCH TO ACCOMPANY LEGAL DESCRIPTION PORTION OF 17 STREET & SUPERIOR AVENUE RIGHT-OF-WAY VACATION

PARCEL A

BEING PARCEL 1 IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS DESCRIBED IN AN EASEMENT DEED TO THE CITY OF COSTA MESA RECORDED JUNE 3, 1976 AS INSTRUMENT NO. 4875 IN BOOK 11759, PAGES 1379 THROUGH 1382, INCLUSIVE, OF OFFICIAL RECORDS OF SAID COUNTY.

PARCEL B

BEING THOSE PORTIONS OF PARCELS 2 AND 3 IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS DESCRIBED IN AN EASEMENT DEED TO THE CITY OF COSTA MESA RECORDED JUNE 3, 1976 AS INSTRUMENT NO. 4875 IN BOOK 11759, PAGES 1379 THROUGH 1382, INCLUSIVE, OF OFFICIAL RECORDS OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1 PER TRACT 17639 FILED IN BOOK 927 PAGES 47 THROUGH 50, INCLUSIVE, OF MISCELLANEOUS MAPS ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, THENCE ALONG THE WEST LINE OF SAID LOT 1 SOUTH 00°19'58" WEST, A DISTANCE OF 23.00 FEET TO A POINT ON A LINE PARALLEL WITH AND 53.00' SOUTHERLY OF THE CENTERLINE OF 17TH STREET;

THENCE ALONG SAID PARALLEL LINE NORTH 89°38'54" WEST, A DISTANCE OF 615.11 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 15.00 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE A DISTANCE OF 23.57 FEET THROUGH A CENTRAL ANGLE OF 90°01'08" TO THE EASTERLY RIGHT-OF-WAY LINE OF POMONA AVENUE, (60.00' WIDE);

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE NORTH 00°19'58" EAST, A DISTANCE OF 16.00 FEET;

THENCE NORTH 41°46'31" EAST, A DISTANCE OF 22.67 FEET;

THENCE SOUTH 89°38'54" EAST, A DISTANCE OF 182.24 FEET; THENCE NORTH 89°41'24" EAST, A DISTANCE OF 432.89 FEET TO THE POINT OF BEGINNING.

CONTAINING 12,341 SQUARE FEET, 0.283 ACRES, 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 12/31/17

DATE

6/16/16

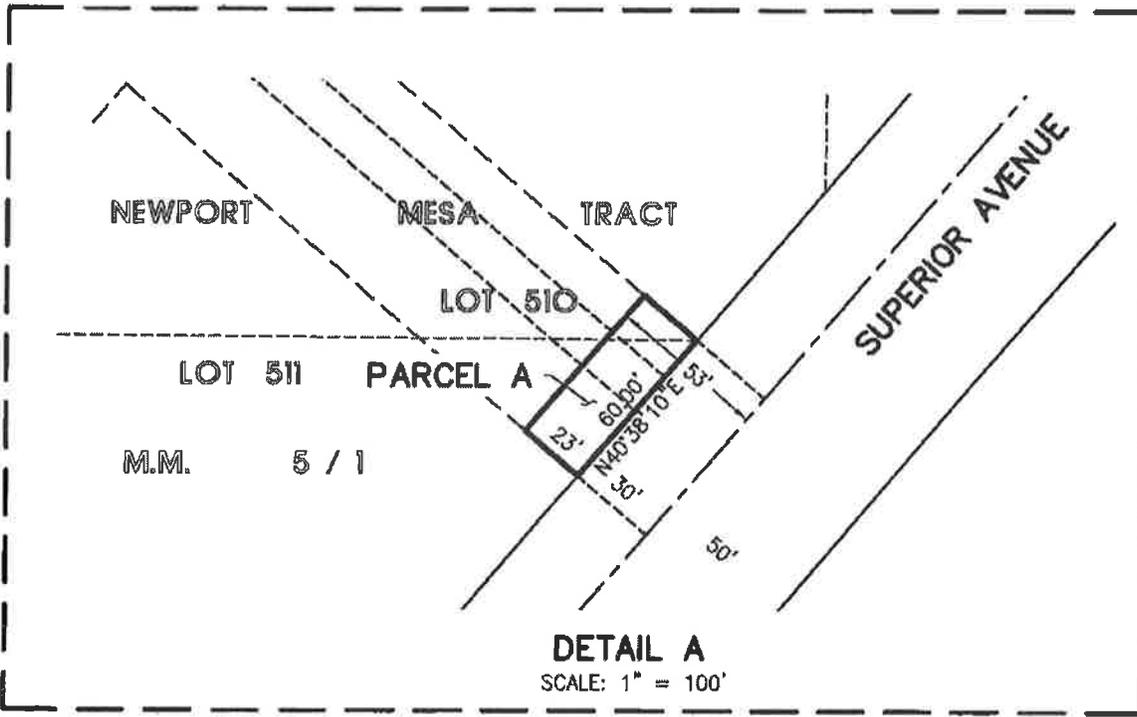
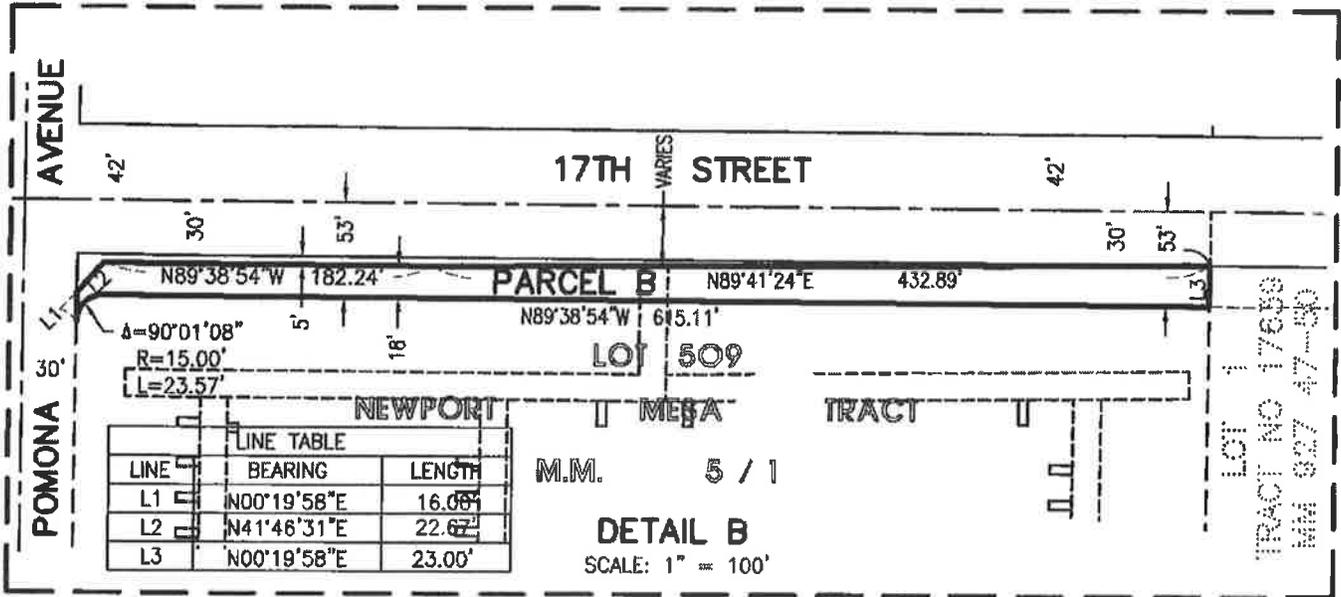


CITY OF COSTA MESA

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| PROJECT WESTGATE GATEWAY | | TITLE STREET ABANDONMENT | |
| C&V CONSULTING, INC. CIVIL ENGINEERING LAND PLANNING AND SURVEYING 6 ORCHARD LAKE FOREST, CALIFORNIA 92630 PHONE (949) 916-3800 FAX (949) 916-3805 | REFERENCE | DATE 6/16/16 | SHEET NO. 1 of 1 |
| | J.N. WEST-001 | SCALE AS SHOWN | |

EXHIBIT B

SKETCH TO ACCOMPANY LEGAL DESCRIPTION
 PORTION OF 17 STREET & SUPERIOR AVENUE RIGHT-OF-WAY VACATION



CITY OF COSTA MESA

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| PROJECT WESTGATE GATEWAY | | TITLE STREET ABANDONMENT | |
| C&V CONSULTING, INC. CIVIL ENGINEERING LAND PLANNING AND SERVICES 6 ORCHARD LAKE FOREST, CALIFORNIA 92630 PHONE (949) 916-3800 FAX (949) 916-3805 | | REFERENCE | DATE 6/16/16 |
| | | J.N. WEST-001 | SCALE AS SHOWN |
| | | SHEET NO. 1 OF 1 | |