

RESOLUTION NO. 2019-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, SUMMARILY VACATING AND ABANDONING AN EASEMENT FOR STREET AND HIGHWAY PURPOSES ON WEST COVINA PARKWAY ADJACENT TO 1400 WEST COVINA PARKWAY THAT IS NO LONGER REQUIRED FOR PUBLIC USE WITHIN THE CITY OF WEST COVINA AND AS MORE PARTICULARLY DESCRIBED IN THIS RESOLUTION

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA DOES RESOLVE AS FOLLOWS:

SECTION 1. These proceedings are pursuant to the Public Streets, Highway and Service Easement Vacation Law, commencing with Section 8300 of the Streets and Highways Code of the State of California. The City Council hereby finds and determines that the following described easement for street or highway purposes should be summarily vacated for the reason that it is an excess right-of-way and is not required for street or highway purposes.

SECTION 2. Pursuant to Section 8330 through 8334.5 of the Streets and Highways Code, the legislative body hereby summarily vacates the excess right-of-way described in **Exhibits "A"** and **"B"** attached hereto and incorporated herein by this reference as though fully set forth herein.

SECTION 3. The City Council resolves that the provisions of Government Code section 65402, subdivision (a) shall not apply because this vacation involves: (1) the disposition of the remainder of a larger parcel which was acquired and used in part for street purposes; (2) acquisitions, dispositions, or abandonments for street widening; or (3) alignment projects, provided such dispositions for street purposes, acquisitions, dispositions, or abandonments for street widening, or alignment projects are of a minor nature.

SECTION 4. The City Council finds that this vacation of excess right-of-way constitutes the disposition of the remainder of a larger parcel which was acquired and used in part for street purposes, is minor in nature and, therefore, not subject to the provisions of Government Code section 65402, and further determines, without report from the planning agency, that this easement vacation is consistent with the General Plan.

SECTION 5. Pursuant to Streets and Highways Code Section 892, the City Council finds that the excess right-of-way to be vacated is not useful as a non-motorized transportation facility, and as such, the vacation serves the public interest and is a public benefit since the vacated street area is unnecessary for present or future public use.

SECTION 6. The City Council finds that the proposed vacation is categorically exempted from the California Environmental Quality Act, in as much as it is a minor alteration of streets, easements and similar facilities and will not involve the removal of scenic resources including a stand of trees, rock outcropping, or a historic building, in accordance with 14 California Administrative Code 15301.

SECTION 7. That within the street to be vacated, there are no public utility facilities that would be affected by the vacation.

SECTION 8. That from and after the date of the recordation of this resolution, the street, highway, or public service easement vacated no longer constitutes a street, highway, or public service easement.


SECTION 9. The City Clerk is ordered to record in the Office of the Los Angeles County Recorder a certified copy of the Resolution of Vacation, attested by the Clerk under the seal of the City, and to give notice of the recordation required by law. From and after the date the Resolution is recorded, the street and highway easement shall no longer constitute a public easement.

PASSED, APPROVED AND ADOPTED on May 7, 2019.




Lloyd Johnson
Mayor

APPROVED AS FORM



Scott E. Porter
City Attorney

ATTEST



Carrie Gallagher, CMC
Assistant City Clerk

EXHIBIT "A"

THAT PORTION OF LOT 132 OF E. J. BALDWIN'S 4TH SUBDIVISION, AS PER MAP RECORDED IN BOOK 8 PAGE 186 OF MAPS, IN THE OFFICE OF THE COUNTY OF LOS ANGELES RECORDER, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHWESTERLY LINE OF THE NORTHEASTERLY 40.00 FEET OF SAID LOT, SAID POINT BEING DISTANT NORTH 48° 34' 50" WEST, 220.00 FEET FROM THE SOUTHEASTERLY LINE OF SAID LOT;

THENCE, PARALLEL WITH SAID SOUTHEASTERLY LINE, SOUTH 41° 24' 45" WEST, 10.00 FEET TO A LINE THAT IS PARALLEL WITH AND 50.00 FEET SOUTHWESTERLY, FROM SAID NORTHEASTERLY LINE;

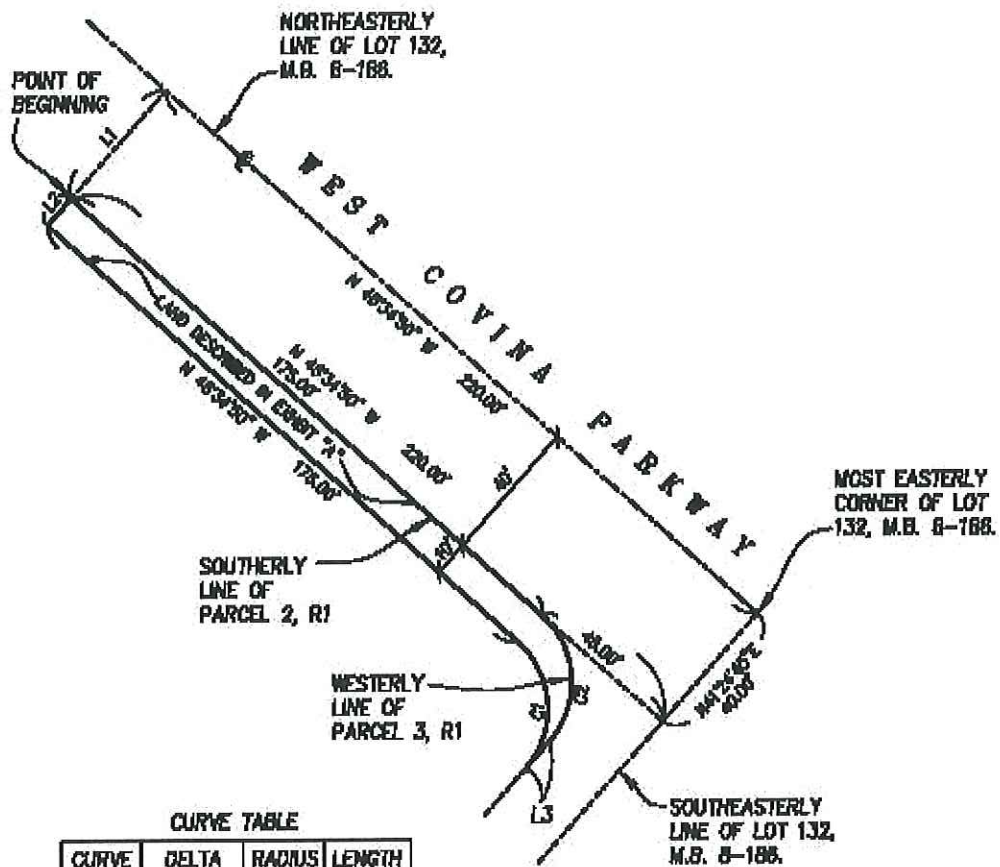
THENCE, ALONG SAID LAST MENTIONED PARALLEL LINE, SOUTH 48° 34' 50" EAST, 175.00 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 25.00 FEET;

THENCE, EASTERLY AND SOUTHERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 89° 59' 35" AN ARC LENGTH OF 39.27 FEET;

THENCE, TANGENT TO SAID CURVE, NORTH 41° 24' 45" EAST, 10.00 FEET TO THE BEGINNING OF A TANGENT CURVE AS DESCRIBED IN PARCEL NO. 3 OF THAT CERTAIN INSTRUMENT RECORDED ON JULY 3, 1961, AS INSTRUMENT NO. 3384, IN BOOK D 1274 PAGE 244 O. R.;

THENCE, NORTHERLY AND WESTERLY, ALONG LAST-MENTIONED CURVE TO THE SOUTHERLY LINE OF PARCEL NO. 2 OF SAID INSTRUMENT RECORDED JULY 3, 1961;

THENCE, NORTHWESTERLY, ALONG SAID SOUTHERLY LINE OF PARCEL NO. 2 TO THE POINT OF BEGINNING.



CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH
C1	89°59'35"	25.00'	38.27'
C2	89°59'35"	25.00'	38.27'

LINE TABLE

LINE	BEARING	DISTANCE
L1	N41°25'10"E	40.00'
L2	N41°24'45"E	10.00'
L3	N41°24'45"E	10.00'

R1 = INSTRUMENT NO. 3384, BOOK D 1274, PAGE 244, O.R.

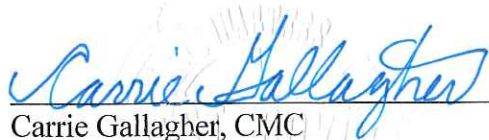
SCALE: 1"=40'

EXHIBIT "B"

DATE: 01/25/2011 JOB NO.: 10000 SHEET 1 OF 1

I, CARRIE GALLAGHER, Assistant City Clerk of the City of West Covina, California, do hereby certify that the foregoing resolution was duly adopted by the City Council of the City of West Covina, California, at a regular meeting thereof held on the 7th day of May 2019, by the following vote of the City Council:

AYES: Castellanos, Lopez-Viado, Shewmaker, Wu, Johnson
NOES: None
ABSENT: None
ABSTAIN: None



Carrie Gallagher

Carrie Gallagher, CMC
Assistant City Clerk