

October 18, 2005

Honorable Mayor and Members of
the Hermosa Beach City Council

Regular Meeting of
October 25, 2005

A PUBLIC HEARING FOR THE VACATION OF 1.13 FEET OF LOMA DRIVE AND 1.70 FEET OF 8TH STREET ADJACENT TO THE PROPERTY AT 760 LOMA DRIVE

Recommendation:

It is recommended that the City Council:

1. Approve and adopt the attached City Council Resolution entitled: "A Resolution Of The Council Of The City Of Hermosa Beach Ordering The Vacation And Abandonment For Public Purposes 1.13-Feet Of The East Side Of Loma Drive and 1.70-Feet of the South Side of 8th Street Along The Frontage Of The Property Located At 760 Loma Drive".

Background:

Mr. Hanna was granted approval by the Planning Commission to construct a second story to his existing residence at 760 Loma Drive (on the south east corner at 8th Street). The new improvement will meet all required setbacks however the existing structure encroaches into the public right-of-way 1.13-feet on Loma Drive and a wall encroaches 1.70-feet on 8th Street. In addition to the wall encroachment on 8th Street the building encroaches 21/2-inches as well. Public Works required that the applicant construct new sidewalk, curb and gutter along both sides of the lot. The new curb is to be set at the ultimate master-planned location for both streets. The existing encroachments do not interfere with these improvements therefore staff determined that these portions of the public right-of-way are not necessary for present or prospective public use.

Staff recommends vacation of this excess right-of-way on Loma Drive and 8th Street to eliminate the structure encroachments, which conflict with the requirements set forth in Section 12.16.080 of the Municipal Code.

On September 20, 2005, the Planning Commission determined that this vacation is consistent with the Circulation Element of the General Plan. On September 27, 2005, the City Council adopted Resolution No. 05-6427, declaring its intention to vacate said right-of-way and setting the Public Hearing for the proposed street vacation (see attached Resolution No. 05-6427). Notices of the vacation were published and posted as required by law.

Fiscal Impact:

There are no costs to the City. The property owner will be required to pay the \$150 fee for recording the Quit Claim Deed.

Attachments:

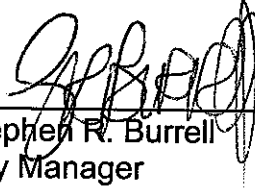
1. Resolution No. 05-6427
2. Resolution (proposed)
3. Quit Claim Deed
4. Plot Plan

Respectfully submitted,



Richard D. Morgan, P.E.
Director of Public Works/City Engineer

Concur:



Stephen R. Burrell
City Manager

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RESOLUTION NO. 05-6427

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA DECLARING ITS INTENTION TO VACATE AND ABANDON FOR PUBLIC PURPOSES 1.13 FEET OF LOMA DRIVE AND THE 1.70 FEET OF THE SOUTH SIDE OF 8TH STREET ALONG THE FRONTAGE OF THE PROPERTY LOCATED AT 760 LOMA DRIVE

WHEREAS, that portion of the east side of Loma Drive and that portion of the south side of 8th Street affecting the property of 760 Loma Drive are unnecessary for present or prospective public street purposes, and

WHEREAS, said portions of streets as above described are shown on the official map of the City of Hermosa Beach, California at the office of the City Clerk of said City to which all parties interested are referred for particulars as to the proposed vacation and abandonment, and

WHEREAS, the City Council elects to proceed in said vacation and abandonment under Sections 8300 to 8324, inclusive of the Street and Highway Code of the State of California as amended.

NOW THEREFORE be it resolved by the City Council of the City of Hermosa Beach, California, as follows:

SECTION 1. Hereby determines that the public convenience and necessity require that an easement be retained for construction and maintenance of utility lines within the limit of the street vacation as described herein above.

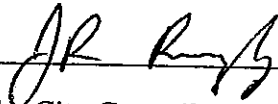
SECTION 2. Directs the City Clerk of Hermosa Beach, California to give and post as required by law, notice of passage of this resolution of intention, and give therein the legal description of said portions of streets proposed to be vacated and abandoned and specify the time and place of public hearing of this resolution which is hereby fixed as follows:

The hearing to be before the City Council of Hermosa Beach, California, at 1315 Valley Drive, in the City Council Chambers, at the hour of 7:30 p.m. on October 25, 2005 at which time and place all persons interested may appear and object or protest to the proposed vacation and

1 abandonment of said street. If the City Council finds from the evidence submitted that the street is
2 unnecessary for present or prospective use, it may make its order vacating all or part of the street.

3 **SECTION 3.** This resolution shall take effect immediately upon its adoption

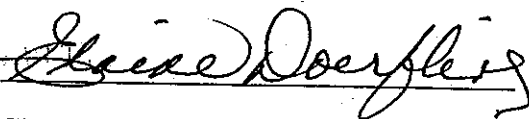
4 **PASSED, APPROVED and ADOPTED** this 27th day of September 2005.

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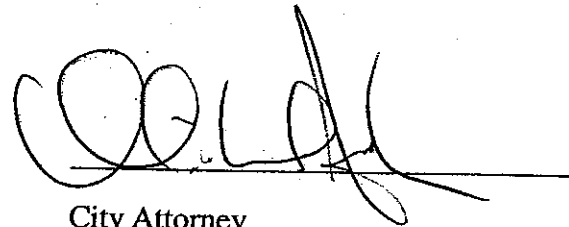
8 **PRESIDENT** of the City Council and **MAYOR** of the City of Hermosa Beach, California

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11 **ATTEST:**

APPROVED AS TO FORM:

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15 City Clerk

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City Attorney

RESOLUTION NO. 05-_____

A RESOLUTION OF THE COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, ORDERING THE VACATION AND ABANDONMENT FOR PUBLIC PURPOSES 1.13 FEET OF THE EAST SIDE OF LOMA DRIVE AND 1.70 FEET OF THE SOUTH SIDE OF 8TH STREET ALONG THE FRONTAGE OF THE PROPERTY LOCATED AT 760 LOMA DRIVE.

WHEREAS, the City Council of the City of Hermosa Beach, California, did, on the 27th day of September, 2005, adopt Resolution No. 05-6427 declaring its intention to vacate that portion of the east side of Loma Drive affecting the property of 760 Loma Drive is unnecessary for present or prospective public street purposes, and

WHEREAS, said portion of street as above described is shown on the official map of the City of Hermosa Beach, California, at the office of the City Clerk of said City to which all parties interested are referred for particulars as to the proposed vacation and abandonment, and

WHEREAS, notices of said vacation have been posted in the time, form, and manner required by law; and

WHEREAS, a public hearing on the matter was held on the 25th day of October 2005 as prescribed by law.

NOW THEREFORE be it resolved by the City Council of the City of Hermosa Beach, California, as follows:

SECTION 1. That the easterly 1.13 feet of Loma Drive adjacent to the northerly 29.00 feet of Lot 1, Block E, of Tract No. 1677 and the southerly 1.70 feet of 8th Street adjacent to the westerly 67.50 feet of said lot 1, in the City of Hermosa Beach, County of Los Angeles, State of California, as per Map recorded in Book 20, Page 184 of maps, in the office of the Los Angeles County Recorder is unnecessary for present or prospective public street purposes, and that the public interest, necessity and convenience required that the City Council of said City order the vacation and abandonment of that portion of said street.

SECTION 2. That the City Clerk of the City of Hermosa Beach, California, shall cause a certified copy of said order to be recorded in the office of the Recorder of the County of Los Angeles.

SECTION 3. This resolution shall take effect immediately upon its adoption.

PASSED, APPROVED and ADOPTED this 25th day of October 2005.

PRESIDENT of the City Council and **MAYOR** of the City of Hermosa Beach, California

ATTEST:

APPROVED AS TO FORM:

City Clerk

City Attorney

When Recorded Mail to:

City Clerk
City of Hermosa Beach
1315 Valley Drive
Hermosa Beach, CA 90254

A.P.N. : 4187-030-001

QUIT CLAIM DEED

For valuable consideration, receipt of which is hereby acknowledged,

The City of Hermosa Beach, a Municipal Corporation

do(es) hereby grant to

Mark Hanna, a single man and Michele Gleason, a single woman, as joint tenants

That property in the City of Hermosa Beach, County of Los Angeles, State of California, described as follows:

SEE ATTACH EXHIBIT "A"

Dated this _____ day of _____,

X _____ X _____

STATE OF CALIFORNIA)

SS.

COUNTY OF _____)

ON _____ BEFORE ME, _____, A
NOTARY PUBLIC, PERSONALLY
APPEARED

PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE)
TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND
ACKNOWLEDGED THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED
CAPACITY(IES) AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE
PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE
INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE _____

EXHIBIT "A"

THAT PORTION OF LOMA DRIVE, 40 FEET WIDE, AND THAT PORTION OF 8TH STREET, 40 FEET WIDE, AS SHOWN ON TRACT NO. 1677 IN THE CITY OF HERMOSA BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 20, PAGE 184 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AND VACATED BY THE CITY OF HERMOSA BEACH BY RESOLUTION NO. 05- AND RECORDED CONCURRENTLY HEREWITH. MORE PARTICULARLY DESCRIBED AS:

THE EASTERLY 1.13 FEET OF SAID LOMA DRIVE ADJACENT TO THE NORTHERLY 29.00 FEET OF LOT 1, BLOCK E, OF SAID TRACT 1677 AND THE SOUTHERLY 1.70 FEET OF SAID 8TH STREET ADJACENT TO THE WESTERLY 67.50 FEET OF SAID LOT 1.

SAID PARCELS CONTAINS 147.52 SQUARE FEET

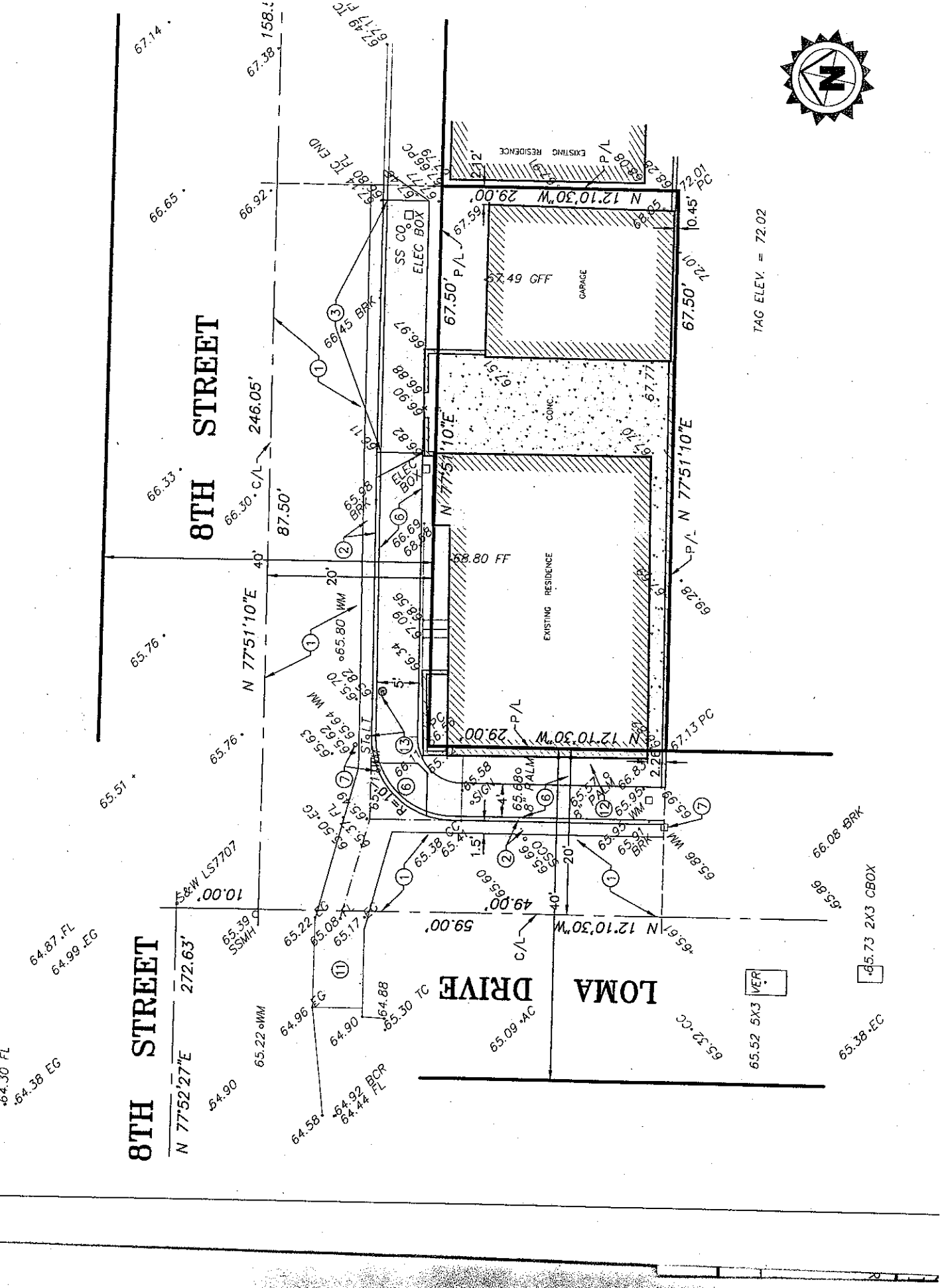
RESERVING UNTO THE CITY OF HERMOSA BEACH, ITS SUCCESSORS AND ASSIGNS, THE PERPETUAL EASEMENT AND RIGHT TO ENTER AT ANY TIME OR FROM TIME TO TIME, OVER, THROUGH, UNDER, ALONG AND ACROSS SAID LAND AS DESCRIBED ABOVE FOR ANY AND ALL UTILITIES, SANITARY SEWERS, STORM WATER DEVICES, PIPES, LINES AND APPURTENANCES THERETO. NO IMPROVEMENT SHALL BE CONSTRUCTED WITHIN SAID EASEMENT, WHICH WOULD IMPEDE THE OPERATION, MAINTENANCE AND/OR REPAIR OF SAID FACILITIES. CONSTRUCTION OF ANY IMPROVEMENTS, INCLUDING CHANGES IN GRADE, SHALL BE SUBJECT TO THE PRIOR WRITTEN APPROVAL OF ALL CITY DEPARTMENTS AND PUBLIC UTILITIES RESPONSIBLE FOR THE AFOREMENTIONED FACILITIES.



8TH STREET

8TH STREET

LOMA DRIVE



TAG ELEV. = 72.02

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64.38 EG
64.87 FL
64.99 EG
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