ACCELERATED REVIEW PROCESS – G

Office of the City Engineer

Los Angeles, California

To the Honorable Council

Of the City of Los Angeles

JUL 0 8 2005

Honorable Members:

C. D. No. 11

SUBJECT:

Abbot Kinney Boulevard and Brooks Avenue Vacation District - Resolution to Vacate – VAC-E1400486-R - Council File No. 94-0657.

RECOMMENDATIONS:

A. That the City Council reaffirm its findings of March 8, 1995, under Council File No. 94-0657 that this vacation is in substantial conformance with the General Plan pursuant to Section 96.5 (5) of the City Charter.

B. That the Resolution to Vacate No. 05-1400486-R for this vacation be adopted.

C. That there is a public benefit to this street vacation. Upon vacation of the street, the City is relieved of its ongoing obligation to maintain the street. In addition, the City is relieved of any potential liability that might result from continued ownership of the involved street easements.

D. That following Council adoption, Resolution to Vacate No. 05-1400486-R be transmitted to the Land Development Group of the Bureau of Engineering for recordation of the Resolution with the County Recorder.

TRANSMITTALS:

1. Draft of Resolution to Vacate No. 05-1400486-R.

DISCUSSION:

Resolution to Vacate: All conditions of the Council's action of March 8, 1995, under Council File No. 94-0657 have been fulfilled.

Resolution to Vacate No. 02-1400486 was approved by the City Council on November 5, 2002. It has been discovered that the easements for public utilities being reserved from the vacation area in said resolution were in error. The resolution (05-1400486-R)

transmitted for approval will correct the errors in the previous document. Upon adoption and recordation of the Resolution to Vacate No. 05-1400486-R, the original Resolution to Vacate No. 02-1400486 recorded in the office of the LA County Registrar – Recorder as Document # 03-1468016, be deemed null and void.

Resolution to Vacate No. 05-1400486-R has been approved as to form and legality by the City Attorney.

Environmental Considerations: The City Council, on October 21, 1997, found that the Negative Declaration No. BE 230-97, filed with the City Clerk on July 11, 1997, complies with the California Environmental Quality Act of 1970.

Los Angeles City Charter: The Council's action of March 8, 1995 complies with the requirements of Section 96.5 (5) of the City Charter.

Respectfully submitted,

Edmond Yew

Edmond Yew, Manager
Land Development Group
Bureau of Engineering

EY/DKS/jt
LDG

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Respectfully submitted,

Edmond Yew

Edmond Yew, Manager
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Bureau of Engineering

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RESOLUTION TO VACATE NO. 05-1400486 - R
(California Streets and Highways Code
Section 8324, 8325, and 8340)

Vacation of 1) A portion of the southwesterly side of Hampton Drive at its intersection with Brooks Avenue, and 2) Portions of the northerly sides of Abbot Kinney Boulevard and Brooks Avenue from Main Street to approximately 170 feet easterly thereof – Ordinance of Intention No. 171,759 – Street Vacation Map No. VAC-97-1400486.

Pursuant to Ordinance of Intention No. 171,759 and after notice was posted as required by law and the said ordinance was published, the Council considered the evidence submitted regarding said vacation and determined that said streets should be vacated subject to the reservations and exceptions as contemplated by said ordinance and subject to the conditions of vacation having been complied with.

Therefore, from all of the evidence submitted, the Council finds that 1) A portion of the southwesterly side of Hampton Drive at its intersection with Brooks Avenue, and 2) Portions of the northerly sides of Abbot Kinney Boulevard and Brooks Avenue from Main Street to approximately 170 feet easterly thereof proposed for vacation in the said Ordinance of Intention are unnecessary for present or prospective public street purposes; and

The particular portions of the public streets which are to be vacated and said permanent easements and rights for sanitary sewer facilities (Vacation Area No. 1) and for drainage facilities (Vacation Area No. 2) to be reserved therefrom were described by reference in said Ordinance of Intention and are described herein as follows:

Vacation Area No. 1:

A portion of the southwesterly side of Hampton Drive (formerly known as Lake Street), 60 feet wide, as shown adjoining Lot 103, Ocean Park Place, as per map recorded in Book 5, page 32, of Maps, in the office of the County Recorder of Los Angeles County; bounded and described as follows:

Commencing at the intersection of the northeasterly line of said lot with the easterly line of said lot; thence North 39° 13' 07" West along said northeasterly line a distance of 6.21 feet to a point of intersection with a non-tangent curve concave to the east and having a radius of 129 feet, a radial line of said curve to said point of

This document is being recorded to revise the public utility easements reserved from the vacation areas as legally described in that Resolution recorded on May 22, 2003 as Document No. 03-1468016.

intersection bears North 83° 47' 53" West, said point of intersection also being the TRUE POINT OF BEGINNING; thence northerly along said curve, through a central angle of 14° 17' 38" an arc distance of 32.18 feet; thence northwesterly along a reverse curve concave to the southwest and having a radius of 20 feet, through a central angle of 93° 25' 13" an arc distance of 32.61 feet; thence North 72° 55' 28" West, a distance of 35.02 feet to the beginning of a tangent curve concave to the north and having a radius of 75 feet; thence northwesterly along said last-mentioned curve, through a central angle of 33° 42' 21" an arc distance of 44.12 feet; thence South 39° 13' 07" East, a distance of 118.63 feet to the TRUE POINT OF BEGINNING.

RESERVING AND EXCEPTING therefrom, an overhead power distribution easement for the use of the Department of Water and Power over the entire area described hereinabove.

ALSO, RESERVING AND EXCEPTING therefrom, an easement for public sanitary sewer purposes for the use of the City of Los Angeles, lying northeasterly of a line parallel with and distant 25 feet northeasterly measured at right angles from said northeasterly line of Lot 103 having a bearing of North 39° 13' 07" West.

Vacation Area No. 2:

A portion of the northerly side of Brooks Avenue, 40 feet wide, as shown adjoining Lot Nos. 102 and 103 of said Ocean Park Place and a portion of Abbot Kinney Boulevard as shown adjoining Lot Nos. 7, 8, 9, and the Los Angeles Pacific Railway Right-of-Way of Burk's Place, as per map recorded in Book 5, page 31, of Maps, in the office of said County Recorder, bounded and described as follows:

Commencing at the most westerly corner of said Lot 9; thence South 33° 25' 00" East along the southwesterly line of said lot a distance of 15.79 feet to the TRUE POINT OF BEGINNING; thence continuing along said southwesterly line a distance of 36.96 feet; thence South 38° 35' 26" East, 36.00 feet to the beginning of a tangent curve concave to the north and having a radius of 20 feet; thence easterly along said curve, through a central angle of 84° 48' 56" an arc distance of 29.61 feet; thence North 56° 35' 38" East, 13.47 feet to the beginning of a tangent curve concave to the south and having a radius of 113.00 feet; thence southeasterly along said curve, through a central angle of 46° 45' 18" an arc distance of 92.11 feet; thence South 76° 39' 04" East, 48.86 feet to the beginning of a tangent curve concave to the northwest and having a radius of 20.00 feet; thence easterly along said last-mentioned curve, through a central angle of 102° 29' 22" an arc distance of 35.78 feet; thence North 0° 51' 34" East, 59.12 feet; thence South 56° 35' 38" West, 98.80 feet; thence North 76° 39' 04" West, 135.00 feet; thence South 56° 35' 38" West, 13.73 feet; thence North 76° 39' 04" West, 17.22 feet to the TRUE POINT OF BEGINNING.

RESERVING AND EXCEPTING therefrom, an easement for drainage purposes for the use of the County of Los Angeles Department of Public Works, lying southeasterly of the southeasterly line of said Lot Nos. 102 and 103 and its southwesterly prolongation.

ALSO, RESERVING AND EXCEPTING therefrom, a water and power distribution easement for the use of the Department of Water and Power, lying southeasterly of the southeasterly line of said Lot Nos. 102 and 103 and its southwesterly prolongation.

ALSO, RESERVING AND EXCEPTING therefrom, an overhead power distribution easement for the use of the Department of Water and Power, lying within a 12-foot wide strip of land, the sidelines thereof, lying 6.00 feet on each side of the centerline described as follows:

Commencing at the intersection of the northwesterly line of Brooks Avenue, 40 feet wide, as shown on said Burk's Place, in said office of the County Recorder, and the northeasterly line of that portion of land described in Irrevocable Offer to Dedicate recorded on January 9, 1986 as Instrument 86-031104 of said Official Records; thence North 76° 39' 04" West, 52.60 feet along said northeasterly line to the True Point of Beginning, thence South 44° 18' 00" East, 31.18 feet to the terminus of said centerline, thence South 44° 18' 00" East, 7.75 feet to said northwesterly line of Brooks Avenue, distance thereon South 56° 35' 38" West, 28.66 feet from the Point of Commencement.

The sidelines thereof being extended or shortened so as to terminate on the sidelines of said parcel of land.

The City Clerk shall certify this Resolution and affix the City seal, and shall transmit a sealed copy of this Resolution to the Land Development Group of the Bureau of Engineering for recordation in the office of the County Recorder of Los Angeles County.

IT IS THEREFORE RESOLVED that from and after the recordation of this Resolution, the areas described hereinabove are vacated subject to the reservations and exceptions of said permanent easements.

I certify that the foregoing Resolution was adopted by the Council of the City of Los Angeles at its meeting of _____, by a majority vote of all its members.

Frank Martinez, City Clerk

Approved as to form and legality

Rockard Delgadillo, City Attorney

By _____
Deputy

By _____ 1/10/05
Deputy Date

Council File No. 94-0657

R/W No. 33272

