

RESOLUTION NO. 7597

**CITY OF SOUTH GATE
LOS ANGELES COUNTY, CALIFORNIA**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SOUTH GATE ORDERING THE VACATION OF
WRIGHT PLACE FROM ATLANTIC AVENUE WEST TO
ITS TERMINUS, CITY PROJECT NO. 364-ST, SUBJECT
TO CERTAIN CONDITIONS**

WHEREAS, the City acquired a public roadway easement in Wright Place by way of offer of dedication contained in Tract Map No. 5561 dated 1924; and

WHEREAS, Wright Place has historically served two privately held parcels, namely property that is now part of the "azalea" held shopping center and property upon which the former Ameron corporate offices were located; and

WHEREAS, the City Council did adopt Resolution No. 7471 conditioning the vacation of portions of Mason Street, Hildreth Avenue, and Burke Avenue upon, among other things, the dedication for and improvement of Wright Place to public street standards or the delivery of a vehicular access rights agreement between the developer of the "azalea" shopping center ("Developer") and the owner of the northeast parcel of the site plan number 299 (former Ameron site) ("Owner") replacing Wright Place with alternate access for those two properties; and

WHEREAS, the Developer has delivered a copy of a Reciprocal Easement Agreement between itself and the Owner of the northeast parcel of Site Plan 299 (former Ameron site) to the City and the City has found the Reciprocal Easement Agreement to provide adequate access to the properties identified in that Agreement, and the Developer has furthermore committed itself to simultaneously record that Reciprocal Easement Agreement with the recordation of this Resolution vacating Wright Place from Atlantic Avenue west to its terminus; and

WHEREAS, on February 4, 2014, the Planning Commission found the proposed street vacation for Wright Place west of Atlantic Avenue to its terminus to be consistent with the General Plan and categorically exempt in accordance with the California Environment Quality Act ("CEQA"); and

WHEREAS, on March 18, 2014, the City Council did adopt Resolution No. 7590 declaring its intent to vacate Wright Place west of Atlantic Avenue to its terminus as a roadway no longer necessary for public roadway purposes; and

WHEREAS, notice of a public hearing relating to the proposed vacation proceedings was published in *The Press* on April 3, 2014 and April 10, 2014 and the notice of public hearing and a copy of the adopted Resolution of Intention were posted on April 8, 2014, in the manner and form of and within and for the times required, respectively, by Sections 8322 and 8323 of the Streets and Highways Code ("Street Vacation Law"); and

WHEREAS, the public hearing was opened on April 22, 2014, and continued to May 13, 2014; and

WHEREAS, proceedings for vacation of Wright Place west of Atlantic Avenue to its terminus are being conducted pursuant to and in conformity with Chapter 3, Part 3, Division 9 of the California Streets and Highways Code, Section 8320, *et. seq.* ("Street Vacation Law"); and

WHEREAS, the vacation proceedings are consistent with the requirements of the provisions of the Street Vacation Law Section 8300, *et seq.*; and

WHEREAS, reservation of utility easements have been requested by Southern California Gas Company, Southern California Edison Company and Los Angeles County Sanitation District;

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF SOUTH GATE DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council concurs with the findings of the Planning Commission action of February 4, 2014, that the vacation is in conformance with the General Plan of the City.

SECTION 2. The City Council concurs with the findings of the Planning Commission action of February 4, 2014, that the proceedings to vacate Wright Place west of Atlantic Avenue to its terminus as described in Exhibits A and B provided, are categorically exempt under the California Environmental Quality Act (CEQA) pursuant to Guidelines Section 15301, Class 1 (c).

SECTION 3. Pursuant to Section 8324 of the Street Vacation Law, the City Council finds, from all evidence submitted, that Wright Place west of Atlantic Avenue to its terminus described, and included herein and in the Resolution of Intention to vacate (Resolution No. 7590), is unnecessary for present or prospective public use and that the vacation of said street is in the public interest.

SECTION 4. The City Council hereby orders the vacation of Wright Place west of Atlantic Avenue to its terminus as described in Exhibits A and B; provided, however that pursuant to Section 8324 of the Streets and Highways Code, said vacation shall occur subject to:

(a) The simultaneous recording of that certain Reciprocal Easement Agreement between the Developer of the azalea Regional Shopping Center and the owner of the northeast parcel of Site Plan 299;

(b) An easement is reserved to Southern California Gas Company, Southern California Edison Company, and Los Angeles County Sanitation District; and

(c) All other public utilities located in the proposed vacation site are disconnected, abandoned in place, relocated and/or removed from the proposed vacation site; and

(d) Payment to the City by the Developer of the "azalea" shopping center in the sum of \$18,750 prior to the recordation of this Resolution, but no sooner than the delivery of the quitclaim deeds for the residual portion of the street vacation by the City to the adjacent owners of record. This sum reflects a negotiated amount representing the benefit that will accrue to the adjacent owners due to the vacation of Wright Place.

SECTION 5. Pursuant to the Streets and Highways Code, Section 8325, the City Clerk is directed to cause a certified copy of this Resolution be recorded in the Official Records, County of Los Angeles, California only upon receipt of written authorization from the Director of Public Works, and upon satisfaction of the following:

1. Delivery of the original Reciprocal Easement Agreement to the City for simultaneous recordation with this Resolution; and
2. Any reserved easements have been recorded;
3. Any other utilities for which no easement has been reserved have been disconnected, abandoned in place and/or relocated/removed; and
4. Payment as noted in Section 4, above, has been received.

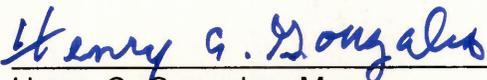
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SECTION 6. The Mayor is hereby authorized to execute any quit claim deeds, and related legal documentation as may be necessary, to effectuate the transfer of the City's interests in Wright Place to the adjacent owners subject to the conditions set forth in this Resolution, in a form acceptable to the City Attorney.

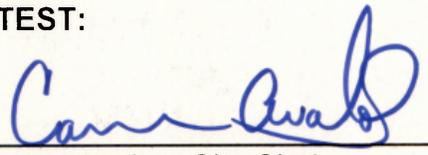
SECTION 7. The City Clerk shall certify to the adoption of this Resolution which shall be effective upon its adoption.

PASSED, APPROVED and ADOPTED this 13th day of May 2014.

CITY OF SOUTH GATE:


Henry C. Gonzalez, Mayor

ATTEST:


Carmen Avalos, City Clerk
(SEAL)

APPROVED AS TO FORM:

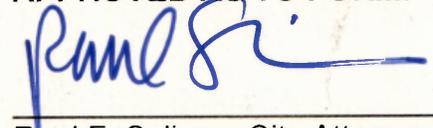

Raul F. Salinas, City Attorney

EXHIBIT "A"
LEGAL DESCRIPTION

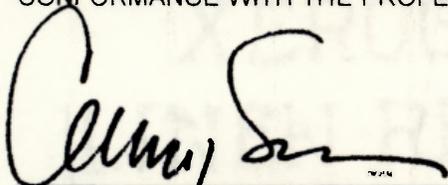
IN THE CITY OF SOUTH GATE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, BEING THAT PORTION OF WRIGHT PLACE, 40.00 FEET WIDE AS SHOWN ON PARCEL MAP NO. 18851 AS PER MAP FILED IN BOOK 207, PAGES 53 THROUGH 55 OF PARCEL MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTERLINE INTERSECTION OF ATLANTIC AVENUE AND WRIGHT PLACE AS SHOWN ON SAID PARCEL MAP; THENCE, ALONG THE CENTERLINE OF SAID WRIGHT PLACE, SOUTH 79°46'37" WEST, 96.00 FEET TO A POINT ON A LINE THAT IS PARALLEL WITH AND 96.00 FEET WESTERLY, MEASURED AT RIGHT ANGLES FROM SAID CENTERLINE OF ATLANTIC AVENUE, SAID POINT BEING THE **TRUE POINT OF BEGINNING**; THENCE, ALONG SAID PARALLEL LINE, SOUTH 10°13'23" EAST, 20.00 FEET TO THE SOUTHERLY LINE OF SAID WRIGHT PLACE; THENCE, ALONG SAID SOUTHERLY LINE, SOUTH 79°46'37" WEST, 76.94 FEET TO THE EASTERLY LINE OF PARCEL 2 OF LOT LINE ADJUSTMENT NO. 80, RECORDED SEPTEMBER 30, 2004 AS INSTRUMENT NO. 04-2526512 OF OFFICIAL RECORDS OF SAID COUNTY; THENCE, ALONG SAID EASTERLY LINE, NORTH 07°02'20" EAST, 41.88 FEET TO THE NORTHERLY LINE OF SAID WRIGHT PLACE; THENCE, ALONG SAID NORTHERLY LINE, NORTH 79°46'37" EAST, 110.52 FEET TO A LINE THAT IS PARALLEL WITH AND 50.00 FEET EASTERLY, MEASURED AT RIGHT ANGLES FROM SAID CENTERLINE OF ATLANTIC AVENUE; THENCE, ALONG SAID PARALLEL LINE, SOUTH 10°13'23" EAST, 20.00 FEET TO SAID CENTERLINE OF WRIGHT PLACE; THENCE, ALONG SAID CENTERLINE, SOUTH 79°46'37" WEST, 46.00 FEET TO THE **TRUE POINT OF BEGINNING**.

THE ABOVE DESCRIBED PROPERTY CONTAINS 3,749 SQUARE FEET MORE OR LESS.

ALL AS MORE PARTICULARLY SHOWN ON EXHIBIT "B", ATTACHED HERETO AND MADE A PART HEREOF.

THIS DESCRIPTION WAS PREPARED BY ME, OR UNDER MY SUPERVISION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.



GREGORY T. SCHLARBAUM P.L.S. 6704
DATE PREPARED: 3/12/14



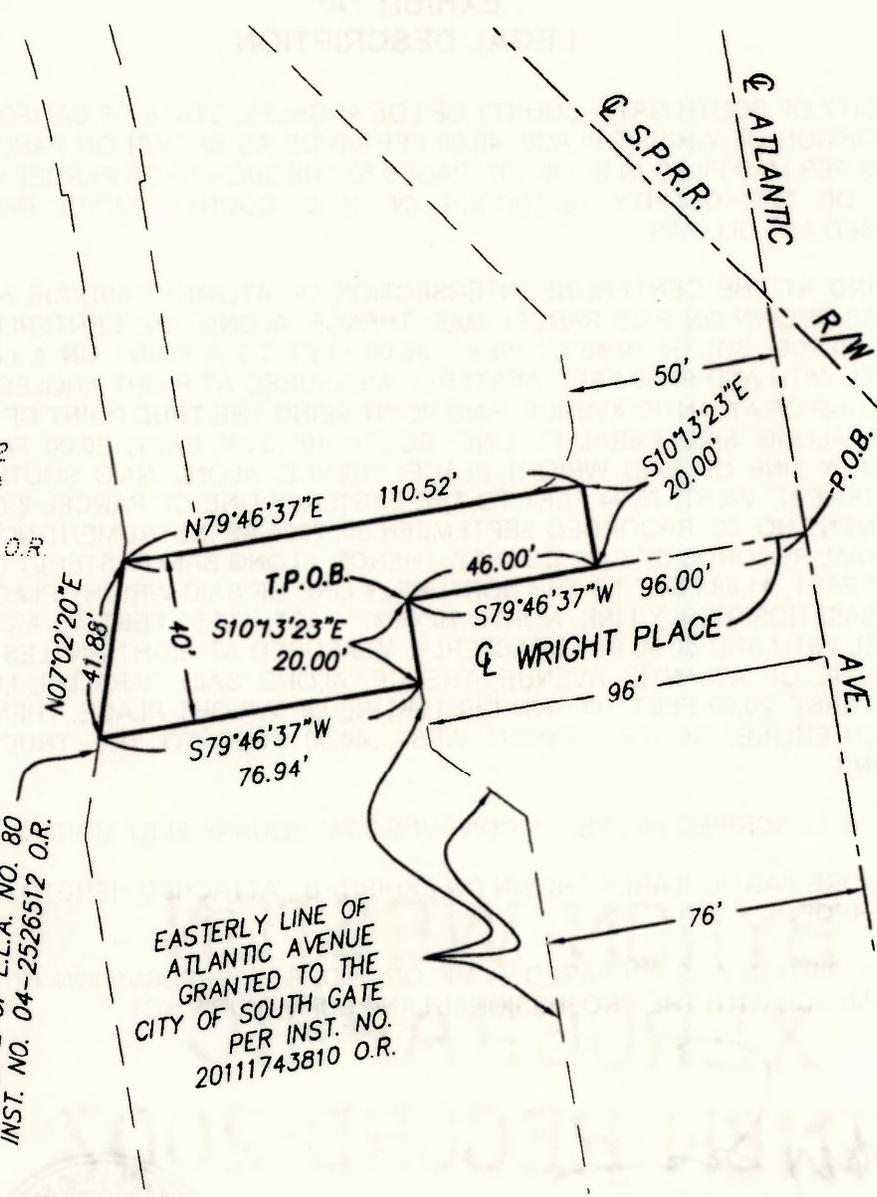
EXHIBIT "B"

PLAT TO ACCOMPANY LEGAL DESCRIPTION FOR EXHIBIT "A"

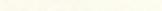
PARCEL 2
L.L.A. 80
INST. NO.
04-2526512 O.R.

EASTERLY LINE OF
PARCEL 2 OF L.L.A. NO. 80
INST. NO. 04-2526512 O.R.

EASTERLY LINE OF
ATLANTIC AVENUE
GRANTED TO THE
CITY OF SOUTH GATE
PER INST. NO.
20111743810 O.R.



LEGEND

-  DEDICATION
-  EXISTING PROPERTY LINE
-  STREET CENTERLINE

SCALE: 1"=40'

SHEET 1 OF 1

EXHIBIT "B"
CITY OF SOUTH GATE, CALIFORNIA

ORC Engineering, Inc.
Civil Engineering/Land Surveying/Land Planning

160 S. 04 Springs Road, Ste. 210
Anaheim Hills, California 92808
(714) 685-6860

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RESOLUTION CERTIFICATION PAGE

STATE OF CALIFORNIA)

COUNTY OF LOS ANGELES) SS

CITY OF SOUTH GATE)

I, Carmen Avalos, City Clerk of the City of South Gate, California, hereby certify that the whole number of Members of the City Council of said City is five; that Resolution No. 7597 was adopted by the City Council at their Regular Meeting held on May 13, 2014, by the following vote:

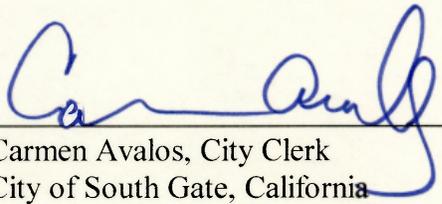
Ayes: Council Members: Gonzalez, Morales, Davila and Hurtado

Noes: Council Members: None

Absent: Council Members: De Witt

Abstain: Council Members: None

Witness my hand and the seal of said City on May 14, 2014.



Carmen Avalos, City Clerk
City of South Gate, California