

RESOLUTION NO. 7471

CITY OF SOUTH GATE
LOS ANGELES COUNTY, CALIFORNIA

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH GATE ORDERING THE VACATION OF MASON STREET BETWEEN ATLANTIC AVENUE AND HILDRETH AVENUE, HILDRETH AVENUE BETWEEN FIRESTONE BOULEVARD AND MASON STREET, AND BURKE AVENUE BETWEEN FIRESTONE BOULEVARD AND MASON STREET, CITY PROJECT NO. 364-ST

WHEREAS, the City Council of the City of South Gate adopted and approved the Firestone Boulevard/Atlantic Avenue Intersection Improvement Project ("the Project") on October 9, 2007 in conjunction with its adoption and certification of a Final Environmental Impact Report for the Project; and

WHEREAS, as part of the consideration of the Project, and as is referenced in the Final Environmental Impact Report, the City Council studied and considered a modification to the Project that would require the vacation rather than improvement of portions of Mason Street, Hildreth Avenue, and Burke Avenue together with the commensurate savings of funds for the Project if circulation and access to public amenities of the Project could otherwise be met; and

WHEREAS, the City Council adopted Resolution No. 7461 on December 13, 2011 approving a modification to the Firestone Boulevard/Atlantic Avenue Intersection Improvement Project and declaring its intention to vacate Mason Street between Atlantic Avenue and Hildreth Avenue, Hildreth Avenue between Firestone Boulevard and Mason Street, and Burke Avenue between Firestone Boulevard and Mason Street, in the City of South Gate, County of Los Angeles, State of California, as described in Exhibits A and B attached hereto and fully incorporated by this reference; and

WHEREAS, on October 18, 2011, the Planning Commission found the proposed street vacation for Mason Street between Atlantic Avenue and Hildreth Avenue, Hildreth Avenue between Firestone Boulevard and Mason Street, and Burke Avenue between Firestone Boulevard and Mason Street to be consistent with the General Plan and categorically exempt in accordance with the California Environment Quality Act ("CEQA"); and

WHEREAS, notice of a public hearing relating to the proposed vacation proceedings was published in *The Press* on Thursday, December 22, 2011 and December 29, 2011 and the notice of public hearing and a copy of the adopted Resolution of Intention were posted on December 15 and December 20, 2011, and

January 3, 2012, 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, proceedings for vacation of portions of Mason Street, Hildreth Avenue, and Burke Avenue 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 the Gas Company, Los Angeles County Flood Control District, Redflex, and Time Warner Cable;

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 October 18, 2011 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 October 18, 2011 that the proceedings to vacate Mason Street between Atlantic Avenue and Hildreth Avenue, Hildreth Avenue between Firestone Boulevard and Mason Street, and Burke Avenue between Firestone Boulevard and Mason Street as described in Exhibits A and B provided, have already been the subject of prior environmental review under the California Environmental Quality Act (CEQA) by way of the Final Environmental Impact Report for the Project adopted and certified on October 10, 2007.

SECTION 3. Pursuant to Section 8324 of the Street Vacation Law, the City Council finds, from all evidence submitted, that vacation of Mason Street between Atlantic Avenue and Hildreth Avenue, Hildreth Avenue between Firestone Boulevard and Mason Street, and Burke Avenue between Firestone Boulevard and Mason Street described and included herein and in the Resolution of Intention (Resolution No. 7461) is unnecessary for present or prospective public use and that the vacation of said portions of said streets is in the public interest.

SECTION 4. The City Council hereby orders the vacation of Mason Street between Atlantic Avenue and Hildreth Avenue, Hildreth Avenue between Firestone Boulevard and Mason Street, and Burke Avenue between Firestone Boulevard and Mason Street, in the City of South Gate 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 City of South Gate's receipt of certain property dedications from the adjoining property owner, Atlantic-Firestone, LLC, for the widening of Firestone Boulevard and Atlantic Avenue and all associated water and sewer easements therein; and

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

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. The City's receipt, acceptance and recordation of certain right-of-way dedications to support the City Project on Firestone Boulevard and Atlantic Avenue; and
2. The required water and sewer easements have been recorded; and
3. The delivery of a vehicular access rights agreement between the Developer and the Owner of the northeast parcel of the site plan number 299 has been recorded or sufficient right-of-way to improve Wright Place to public street standards has been dedicated to the City and recorded; and
4. The existing utilities on said streets have been disconnected, abandoned in place and/or relocated/removed.

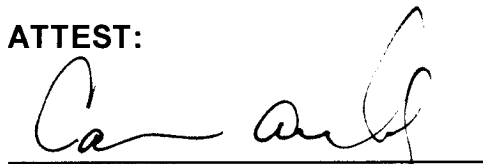
PASSED, APPROVED and ADOPTED this 10th day of January 2012.

CITY OF SOUTH GATE:



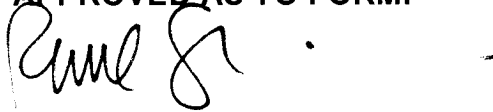
Maria Davila, Mayor

ATTEST:



Carmen Avalos, City Clerk
(SEAL)

APPROVED AS TO FORM:



Raul F. Salinas, City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION FOR THE
VACATION OF MASON STREET, BURKE AVENUE AND HILDRETH AVENUE

THAT CERTAIN REAL PROPERTY IN THE CITY OF SOUTH GATE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

MASON STREET

THAT PORTION OF MASON STREET (FORMERLY BLUMASON STREET), 40 FEET WIDE AND VARIABLE WIDTH, AS SHOWN ON THE MAP OF TRACT NO. 5561 RECORDED IN BOOK 91, PAGES 17 THROUGH 19, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, LYING EASTERLY OF THE NORTHERLY PROLONGATION OF A LINE PARALLEL WITH AND DISTANT EASTERLY 15 FEET, MEASURED AT RIGHT ANGLES, FROM THE WESTERLY LINE OF LOT 61 OF SAID MAP OF TRACT 5561.

BURKE AVENUE

BURKE AVENUE, 40 FEET WIDE AND VARIABLE WIDTH, AS SHOWN ON SAID MAP OF TRACT NO. 5561.

HILDRETH AVENUE

HILDRETH AVENUE, 45 FEET WIDE, AS DESCRIBED IN THE DEED RECORDED JUNE 1, 1967 AS INSTRUMENT NO. 2847 IN BOOK D3659, PAGE 191 OF OFFICIAL RECORDS OF SAID COUNTY AND AS SHOWN ON PARCEL MAP NO. 18851 FILED IN BOOK 207, PAGES 53 THROUGH 55, INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

Prepared under my supervision:

David O. Knell 10-14-2011
David O. Knell PLS 5301 Date



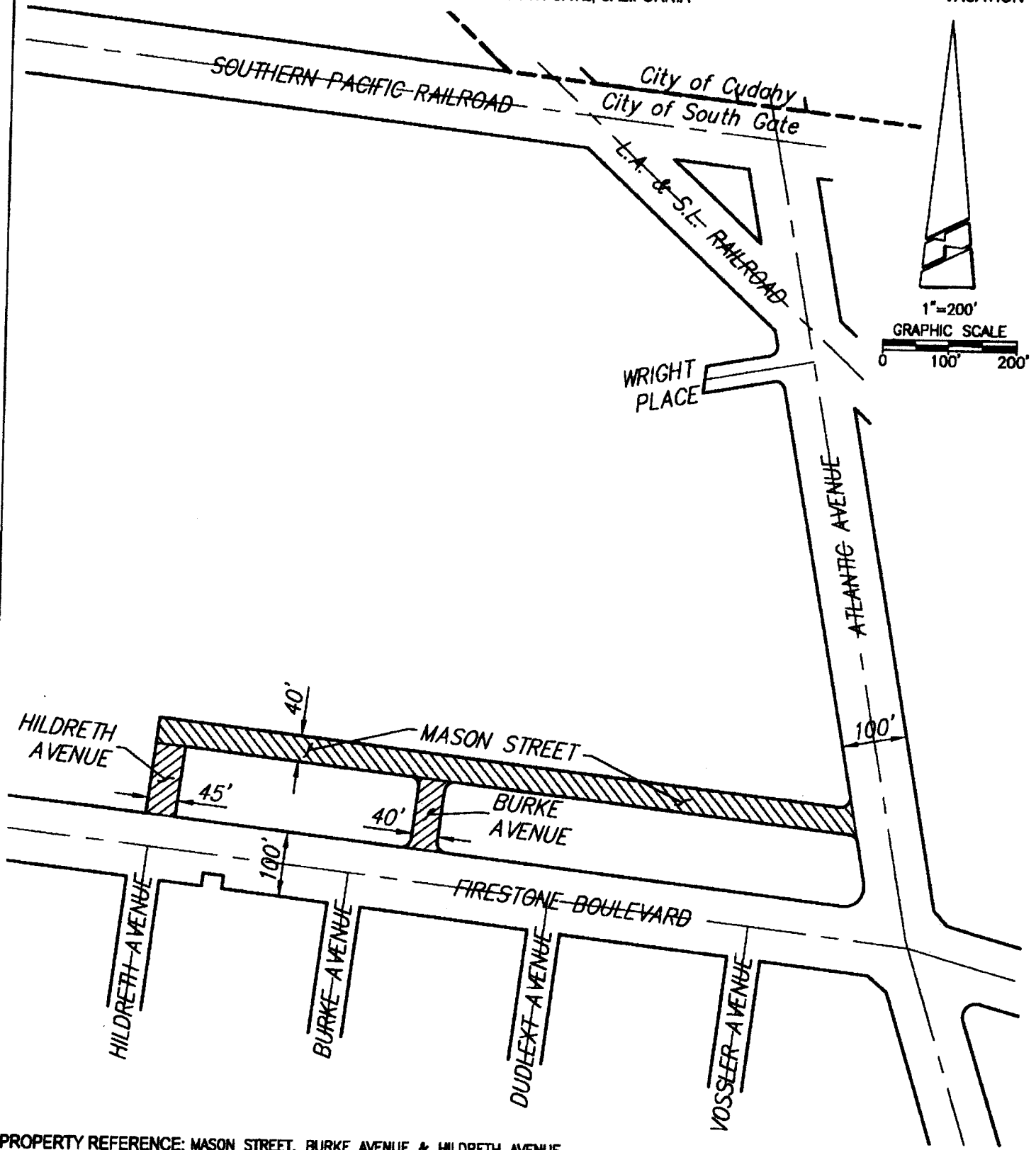
See Exhibit "B" attached hereto and by this reference made a part hereof

NOTE: EXHIBIT "B" IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT A SURVEY OF THE PROPERTY.

EXHIBIT "B"

PUBLIC HIGHWAY VACATION
IN THE CITY OF SOUTH GATE, CALIFORNIA

PROPOSED PUBLIC HIGHWAY VACATION



PROPERTY REFERENCE: MASON STREET, BURKE AVENUE & HILDRETH AVENUE

WILLDAN
Engineering

13191 Crossroads Pkwy North
Suite 405
Industry, California 91746
562/866-8200 fax 562/866-2120

SCALE	1"=200'	DATE	Oct. 12, 2011
DRAWN BY	GTH		
CHECKED BY	D.J. NELL		

PLAT TO ACCOMPANY
LEGAL DESCRIPTION

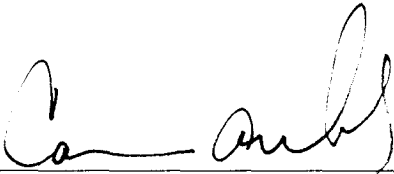
RESOLUTION CERTIFICATION PAGE

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. 7471 was adopted by the City Council at their Regular Meeting held on January 10, 2012, by the following vote:

Ayes: Council Members: Davila, Hurtado, Gonzalez and Morales
Noes: Council Members: None
Absent: Council Members: De Witt
Abstain: Council Members: None

Witness my hand and the seal of said City on January 11, 2012.



Carmen Avalos, City Clerk
City of South Gate, California