

RESOLUTION NO. 7576
CITY OF SOUTH GATE
LOS ANGELES COUNTY, CALIFORNIA

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SOUTH GATE DECLARING ITS INTENTION TO
VACATE RAYO AVENUE NORTH OF REISNER WAY
AND REISNER WAY WEST OF RAYO AVENUE TO
SHULTZ PROPERTIES, INC., AND SETTING A PUBLIC
HEARING FOR JANUARY 28, 2014**

WHEREAS, pursuant to the provisions of the Public Street, Highways and Service Easements Vacation law (California Streets and Highways Code Sections 8300 et seq.), the City Council of the City of South Gate (the "City") hereby declares its intention to vacate Rayo Avenue north of Reisner Way to its northerly terminus and Reisner Way west of Rayo Avenue to its easterly end to Shultz Properties, Inc., in the City of South Gate County of Los Angeles, State of California, as described in Exhibit A, B, and C attached hereto and as shown on the map attached hereto as Exhibit A-1, B-1, and C-1; and

WHEREAS, Shultz Properties, Inc, by written request of the City requested the vacation of Rayo Avenue north of Reisner Way consisting of approximately 26,064 square feet, as more fully described on Exhibit "A" attached hereto and fully incorporated by this reference (the "Rayo Vacation") and Reisner Way, west of Rayo Avenue consisting of approximately 23,187 square feet, as more fully described on Exhibit "B" attached hereto and fully incorporated by this reference (the "Reisner Vacation"); and

WHEREAS, The Planning Commission's Resolution No. 2012-10 on August 21, 2012, determined that the vacation of Reisner Way and Rayo Avenue to be consistent with the City's General Plan, and that vacation will have no environmental effect such that an additional CEQA study of vacation is required; and

WHEREAS, the City Council of the City of South Gate has determined that the Rayo Vacation and the Reisner Vacation are surplus to the needs of and a burden upon the City; and

WHEREAS, the City Council hereby declares its intention to vacate and quitclaim to Shultz Properties, Inc. the Rayo Vacation and the Reisner Vacation; and

WHEREAS, proceedings for vacation of the Rayo Vacation and the Reisner Vacation would be conducted pursuant to and in conformity with Chapter 3 of Part 3 of Public Streets, Highways and Service Easement Street Vacation Law of Division 9 of the Street and Highways Code commencing at Section 8320, et seq. (the "Street Vacation Law");

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

SECTION 1. The Council hereby finds and determines that the recitals set forth in this Resolution are true and correct.

SECTION 2, The Council hereby finds and determines that the subject streets may be vacated pursuant to the summary vacation authority and procedure set forth in the Street Vacation Law.

SECTION 3. The Planning Commission determined the proposed vacations of these streets as described above and as designated in Exhibits A, B, and C to be consistent with the City's General Plan at its August 21, 2012 meeting.

SECTION 4. Notice is hereby given that a public hearing shall be held on the proposed street vacations on January 28, 2014, at the hour of 6:30 p.m. in the City Council Chambers at City Hall, 8680 California Avenue, South Gate, California, at which time any and all interested persons may present evidence to object to the proposed vacations.

SECTION 5. The City of South Gate hereby directs the City Clerk to cause notices of public hearing to be published pursuant to Section 8322 of the California Streets and Highway Code to be posted conspicuously along the portion of the streets proposed to be vacated pursuant to Section 8323 of the California Streets and Highway Code.

SECTION 6. The City Clerk shall certify to the adoption of this Resolution initiating the street vacation process, which shall be effective upon its adoption.

SECTION 7. If, at the conclusion of the January 28, 2014 hearing, the City Council determines to vacate the streets as identified herein, then a separate Resolution to that effect shall be adopted. In that case, the City Council shall direct the City Clerk to record the adoption of that vacation resolution, pursuant to California Street and Highway Code,

Section 8324(b), only after the following events occur:

(a) The City of South Gate receives a property dedication from Shultz Properties, Inc. for the property described on Exhibit "C" attached hereto and fully incorporated by this reference; which dedication shall be recorded prior to recordation of the vacations; and

(b) Adequate easements for utilities are granted by Shultz Properties, Inc. to any and all utility company in both shapes of vehicular access rights or real property for the

facility itself as established by the Public Works Director; which easements shall be recorded prior to recordation of the vacations; and

(c) Payment of all City fees associated with the vacations and all construction costs associated with the creation of a new Cul-de-Sac at the corner of Rayor Avenue and Reisner Way as described on Exhibit "C"; and

(d) Preparation of an improvement plan associated with the vacations to the satisfaction of both the Fire Marshall and the Director of Public Works; and

(e) Payment by Shultz Properties, Inc. to the City of the sum of \$96,475.00 as consideration for the street vacations.

SECTION 8. This vacation is categorically exempted under section 15301, Class 1 (c) existing Streets without Scenic value.

SECTION 9. The City Clerk shall certify to the adoption of the Resolution, which shall be effective upon its adoption.

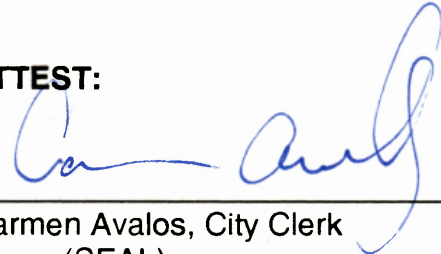
PASSED, APPROVED, and ADOPTED this 10th day of December, 2013.

CITY OF SOUTH GATE:



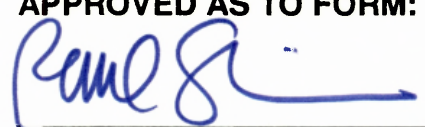
Gil Hurtado, Mayor

ATTEST:



Carmen Avalos, City Clerk
(SEAL)

APPROVED AS TO FORM:



Raul F. Salinas, City Attorney

EXHIBIT "A"

Legal Description Rayo Avenue Vacation (Portion)

That portion Rayo Avenue, in the City of South Gate, County of Los Angeles, State of California, as shown on Parcel Map No. 20371 filed in Book 222, Pages 1 through 4, inclusive, of Parcel Maps, in the Office of the County Recorder of said County, lying northerly of the following described:

Commencing at the centerline intersection of Rayo Avenue and Reisner Way as shown on said parcel map; thence westerly at a right angle to the centerline of said Rayo Avenue, North $82^{\circ}46'42''$ West a distance of 32.00 feet to the westerly line of said Rayo Avenue, thence northerly along said westerly line, North $07^{\circ}13'18''$ East a distance of 14.30 feet to the True Point of Beginning; thence leaving said westerly line, North $76^{\circ}46'07''$ East a distance of 24.67 feet to the beginning of a curve concave southwesterly and having a radius of 50.00 feet; thence easterly along said curve a distance of 42.22 feet through a central angle of $48^{\circ}22'37''$ to the easterly line of said Rayo Avenue.

Contains 26,064 square feet, more or less.

As shown on Exhibit "A-1" attached hereto and by this reference made a part hereof

Prepared under my supervision:

David O. Knell PLS 5301

Date