

RESOLUTION NO. 7592

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SOUTH GATE ORDERING THE VACATION OF RAYO
AVENUE NORTH OF REISNER WAY AND REISNER WAY
EAST OF RAYO AVENUE TO SHULTZ PROPERTIES,
INC., IN THE AMOUNT OF \$115,925**

WHEREAS, the City Council of the City of South Gate adopted Resolution No. 7576 on December 10, 2013 declaring its intention to vacate, pursuant to the provisions of the Public Street, Highways and Service Easements Vacation law (California Streets and Highways Code Sections 8300 et seq.), Rayo Avenue north of Reisner Way and Reisner Way east of Rayo Avenue to Shultz Properties, Inc., as described in Exhibits A and B attached hereto and as shown on the map attached hereto as Exhibits A-1 and B-1; and

WHEREAS, a duly noticed public hearing concerning this matter was held as required by law on March 25, 2014, and a notice of public hearing relating to the proposed vacation proceedings was published in *The Press* on February, 6, 2014 and February 13, 2014. The notice of public hearing and a copy of the adopted Resolution of Intention were posted on February 4, 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 City Council held a duly noticed Public Hearing on April 22, 2014, ordering the vacation of Rayo Avenue north of Reisner Way and Reisner Way east of Rayo Avenue to Shultz Properties, Inc.; and

WHEREAS, proceedings for vacations of the Rayo Avenue and Reisner Way will be conducted pursuant to and in conformity with Chapter 3 of Part 3 of Public Streets, Division 9 of the California Streets and Highways Code commencing at Section 8300, et seq. (the "Street Vacation Law"); and

WHEREAS, reservation of utility easements have been requested by the Gas Company, Los Angeles County Flood Control District, and the City of South Gate;

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

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

SECTION 2. The City 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 City Council concurs with the findings of the Planning Commission action of August 12, 2012, that the vacation is in conformance with the General Plan of the City.

SECTION 4. Pursuant to Section 8324 of the Street Vacation Law, the City Council finds, from all evidence submitted, that vacation of Rayo Avenue north of Reisner Way and Reisner Way east of Rayo Avenue as described in Exhibits A and B and included herein and in the Resolution of Intention (Resolution No. 7576) is unnecessary for present or prospective public use and that the vacation of said streets is in the public interest.

SECTION 5. The City Council hereby orders the vacation of Rayo Avenue north of Reisner Way and Reisner Way east of Rayo Avenue, in the City of South Gate as described in Exhibits A, A-1, B and B-1 provided however that pursuant to Section 8324 of the Streets and Highways Code, recordation of said street vacations shall occur only upon satisfaction of the following by Shultz Properties, Inc.:

(a) Reserve an easement on Rayo Avenue for public utilities over, under, and across Rayo Avenue in favor of the City of South Gate; and

(b) Reserve an easement in favor of The Gas Company for their facilities over, under, and across Rayo Avenue and Reisner Way; and

(c) Reserve an easement in favor of Southern California Edison for their facilities over, under, and across Rayo Avenue and Reisner Way; and

(d) Reserve an easement for drainage facilities in favor of Los Angeles Flood Control District over, under, and across Reisner Way; and

(e) Provide to the Director of Public Works for approval and recordation satisfactory documents establishing the required easement reservation referenced under Section 5(a), 5(b), 5(c) and 5(d); and

(f) Payment of all City fees associated with said street vacations and public improvements associated with the creation of a new cul-de-sac at the corner of Rayo Avenue and Reisner Way as described in Exhibit C and shown on Exhibit C-1; and

(g) Preparation of street and other associated public improvement plans associated with said street vacations and creation of a new cul-de-sac at the corner of Rayo Avenue and Reisner Way as described in Exhibit C and shown on Exhibit C-1 subject to approval of the Director of Public Works and the Los Angeles County Fire Department; and

(h) Dedication of adequate easement for public street purposes as shown on Exhibit C-1 subject to approval of the Director of Public Works; and

(i) Receipt by the Director of Public Works of a Performance Bond Agreement and a performance bond in the amount of \$148,800.00, insuring the completion of the construction of the new cul-de-sac as shown on Exhibit C-1 to the satisfaction of the Director of Public Works; and

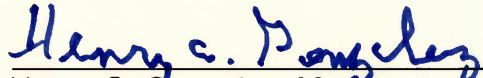
(j) Payment to the City in the sum of \$115,925 within 60 days of the recordation of this Resolution, but no sooner than the delivery of the quitclaim deeds for the street vacations by the City. This sum reflects a negotiated credit of \$19,450 to resolve an uncertainty whether the City received a payment of \$38,900 in 1985 from Shultz Properties, Inc.'s predecessor, Reisner Metal, in a related transaction affecting Reisner Way. In no event shall the quitclaim deeds be recorded prior to receipt by the City Clerk of the above sum. The recording of the vacation quitclaim deeds shall evidence the receipt of the above sum and no further proof shall be required. The purchase price of said street vacations is allocated as follows: Rayo Avenue vacation: \$71,350 and Reisner Way vacation: \$44,575.

SECTION 6. Pursuant to the Streets and Highways Code, Section 8325, the City Clerk is directed to cause a certified copy of this Resolution to 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 all items specified under Section 5 above.

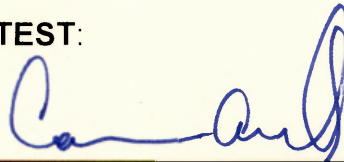
SECTION 7. The City Clerk shall certify to the adoption of this Resolution which shall be effective upon its adoption.

PASSED, APPROVED, and ADOPTED this 22th day of April 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
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 line:

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 an arc 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.

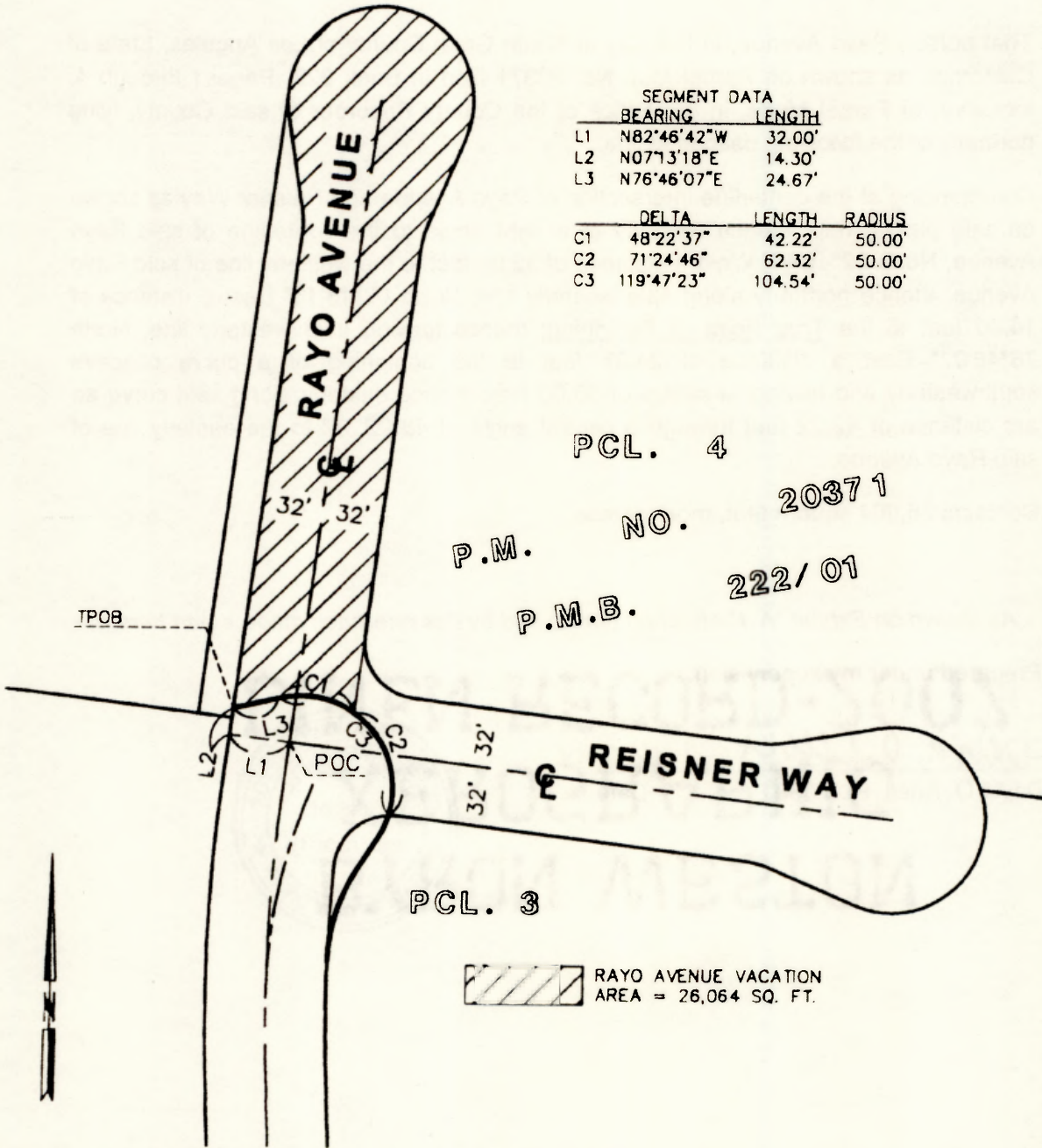
As shown on Exhibit "A-1" attached hereto and by this reference made a part hereof

Prepared under my supervision:

David O. Knell 1-16-2014
David O. Knell PLS 5301 Date




EXHIBIT 'A-1'



SEGMENT DATA			
	BEARING	LENGTH	
L1	N82°46'42"W	32.00'	
L2	N07°13'18"E	14.30'	
L3	N76°46'07"E	24.67'	
	DELTA	LENGTH	RADIUS
C1	48°22'37"	42.22'	50.00'
C2	71°24'46"	62.32'	50.00'
C3	119°47'23"	104.54'	50.00'

PCL. 4
 P.M. NO. 2037 1
 P.M.B. 222/01

 RAYO AVENUE VACATION
 AREA = 26,064 SQ. FT.

\\UNC-001\MAPPING\SOUTHEAST\RAYO\REISNER\02 EXHIBITS\S01 EXHIBIT A-1 VAC 80-8L5X11.DWG

WILDAN
 Engineering
 13184 CROSSROADS PARKWAY SUITE 400
 HOLISTON, MA 01746-3400
 (508) 688-8847

SCALE: 1"=80'	DATE: 01/15/2014
DRAWN BY: SOB	CHECKED BY: DOK

**SKETCH TO ACCOMPANY
 LEGAL DESCRIPTION**

EXHIBIT "B"

Legal Description
Reisner Way Vacation (Portion)

All of Reisner Way, 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, except that portion lying southwesterly of the following described line:

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°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°13'18" East a distance of a distance of 14.30 feet to the True Point of Beginning; thence leaving said westerly line, North 76°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, southeasterly and southerly along said curve a distance of 104.54 feet through a central angle of 119°47'23" to the southerly line of said Reisner Way.

Contains 23,388 square feet, more or less.

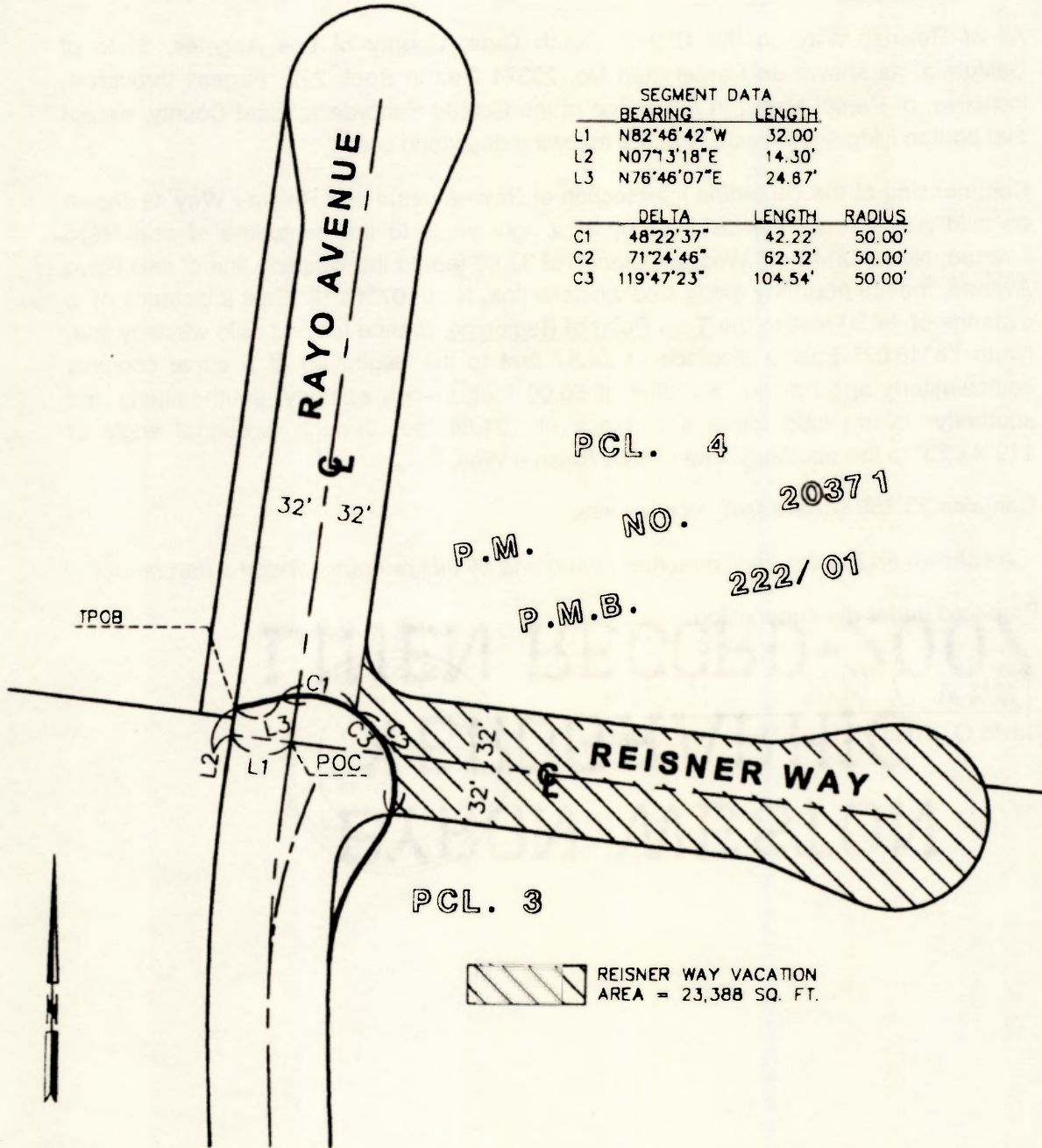
As shown on Exhibit "B-1" attached hereto and by this reference made a part hereof

Prepared under my supervision:

David O. Knell 1-16-2014
David O. Knell PLS 5301 Date



EXHIBIT 'B-1'



SEGMENT DATA			
	BEARING	LENGTH	
L1	N82°46'42"W	32.00'	
L2	N07°13'18"E	14.30'	
L3	N76°46'07"E	24.87'	
	DELTA	LENGTH	RADIUS
C1	48°22'37"	42.22'	50.00'
C2	71°24'46"	62.32'	50.00'
C3	119°47'23"	104.54'	50.00'

PCL. 4

P.M. NO. 2037 1
P.M.B. 222/01

PCL. 3



REISNER WAY VACATION
AREA = 23,388 SQ. FT.

WILLDAN
Engineering
13101 CEDARHURST PARKWAY SUITE 400
HOUSTON, TX 77060-3400
(281) 424-4200

SCALE: 1"=50' DATE: 01/15/2014
DRAWN BY: SCB CHECKED BY: DOK

**SKETCH TO ACCOMPANY
LEGAL DESCRIPTION**

\\WD-DC1\MAPPING\SOUTHGATE\RAYOESNER\02 EXHIBITS\01 EXHIBIT B-1 VAC 80-B.5X11.DWG

EXHIBIT "C"

Legal Description for Roadway Dedication at the southeast corner of Rayo Avenue and Reisner Way

That portion of Parcel 3 of Parcel Map No. 20371, in the City of South Gate, County of Los Angeles, State of California, as per map filed in Book 222, Pages 1 through 4, inclusive, of Parcel Maps, in the Office of the County Recorder of said County, bounded as follows:

Westerly, northwesterly, and northerly by the westerly, northwesterly, and northerly lines of said Parcel 3;

Southeasterly by a line described as follows:

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, 32.00 feet to the westerly line of said Rayo Avenue; thence along said westerly line, North $7^{\circ}13'18''$ East, 14.30 feet; thence leaving said westerly line, North $76^{\circ}46'07''$ East, 24.67 feet to the beginning of a curve concave southwesterly and having a radius of 50.00 feet; thence easterly, southeasterly, and southerly along said curve an arc length of 104.54 feet through a central angle of $119^{\circ}47'23''$ to the southerly line of Reisner Way, being the True Point of Beginning; thence continuing along said curve an arc length of 14.36 feet through a central angle of $16^{\circ}27'10''$; thence South $33^{\circ}00'40''$ West, 18.45 feet to the beginning of a curve concave southeasterly and having a radius of 95.00 feet and which is tangent at its southerly terminus to a curve on the existing easterly line of said Rayo Avenue having a radius of 895.40 feet; thence southerly along said curve an arc length of 52.40 feet through a central angle of $31^{\circ}36'04''$ to said point of tangency with the easterly line of Rayo Avenue, said point being the end of the described line.

Contains 624 square feet, more or less.

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

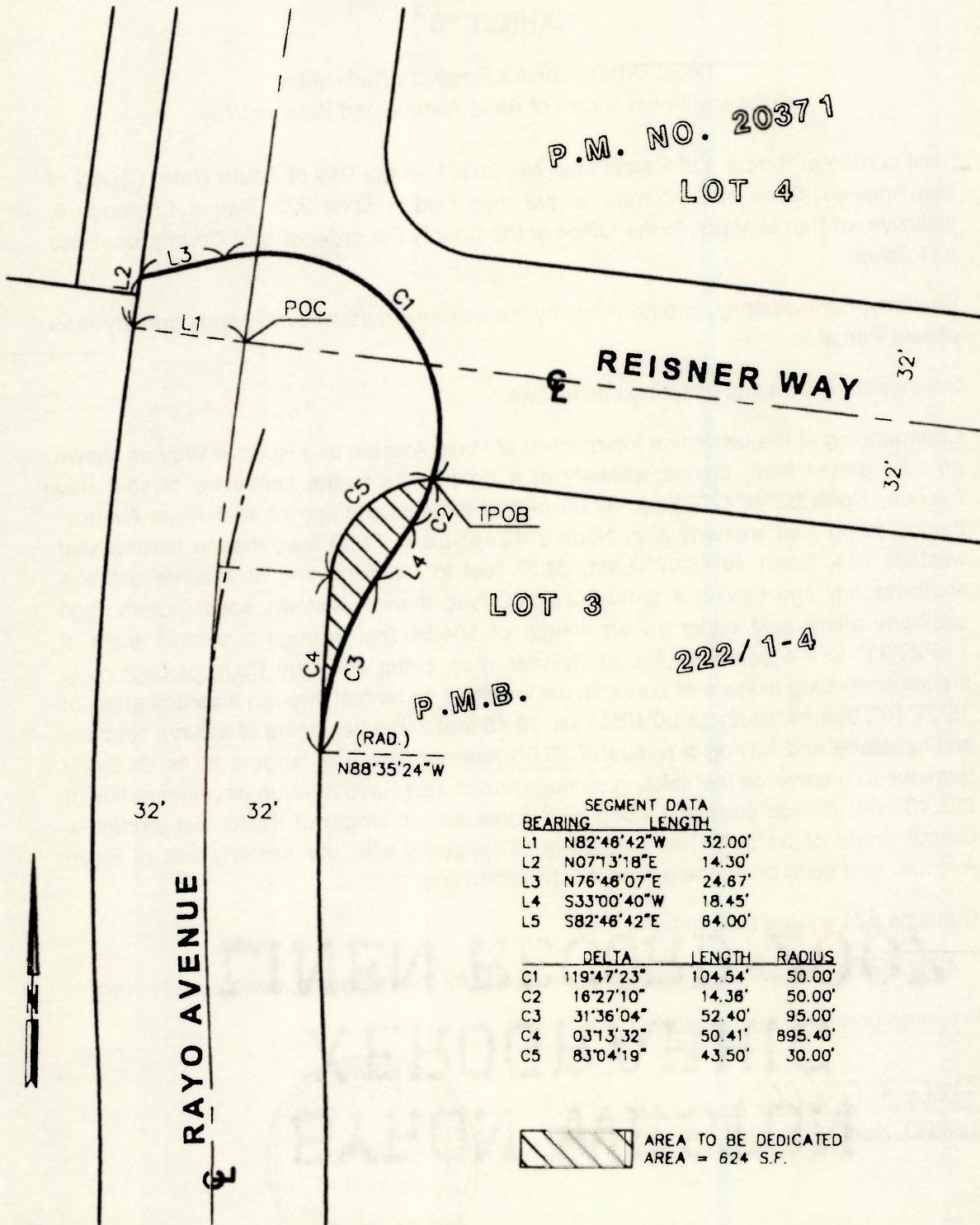
Prepared under my supervision:

David O. Knell 1-16-2014
David O. Knell PLS 5301 Date



EXHIBIT 'C-1'

P.M. NO. 20371
LOT 4




P.M.B.

(RAD.)
N88°35'24"W

SEGMENT DATA		
BEARING	LENGTH	
L1	N82°46'42"W	32.00'
L2	N07°13'18"E	14.30'
L3	N76°46'07"E	24.67'
L4	S33°00'40"W	18.45'
L5	S82°46'42"E	84.00'

DELTA	LENGTH	RADIUS	
C1	119°47'23"	104.54'	50.00'
C2	16°27'10"	14.36'	50.00'
C3	31°36'04"	52.40'	95.00'
C4	03°13'32"	50.41'	895.40'
C5	83°04'19"	43.50'	30.00'

 AREA TO BE DEDICATED
AREA = 624 S.F.

WILLDAN
Engineering
13101 CROSSROADS, FRESNO, CALIF. 93740-3429
(559) 435-6257

SCALE: 1"=40' DATE: 01/15/2014
DRAWN BY: SCB CHECKED BY: DOM

**SKETCH TO ACCOMPANY
LEGAL DESCRIPTION**

\\IND-001\MAPPING\OUTGATE\RAYO\REISNER\02 EXHIBITS\503 EXHIBIT C-1 DED 40-B.SX11.DWG

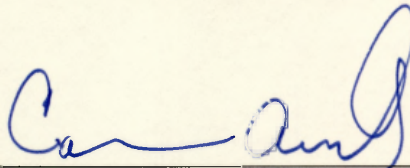
RESOLUTION CERTIFICATION PAGE

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. 7592 was adopted by the City Council at their Regular Meeting held on April 22, 2014, by the following vote:

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

Witness my hand and the seal of said City on April 30, 2014.



Carmen Avalos, City Clerk
City of South Gate, California