

ACCELERATED REVIEW PROCESS – G

Office of the City Engineer

Los Angeles, California

To the Honorable Council
Of the City of Los Angeles

JUL 16 2014

Honorable Members:

C. D. No. 13

SUBJECT:

Alley Westerly of Vine Street between Santa Monica Boulevard and Eleanor Avenue –
Resolution to Vacate – VAC-E1401172 – Council File No. 10-1942

RECOMMENDATIONS:

- A. That the City Council reaffirm its findings of August 15, 2012, that the vacation of the Alley westerly of Vine Street between Santa Monica Boulevard and Eleanor Avenue is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City's Environmental Guidelines.
- B. That the City Council reaffirm its findings of August 15, 2012, that this vacation is in substantial conformance with the General Plan pursuant to Section 556 of the City Charter.
- C. That the Resolution to Vacate No. 14-1401172 for this vacation be adopted.
- D. That following Council adoption, Resolution to Vacate No. 14-1401172, be transmitted to the Land Development Group of the Bureau of Engineering for recordation of the Resolution with the County Recorder.

TRANSMITTALS:

- 1. Council action of August 15, 2012.
- 2. City Engineer's report dated July 31, 2012, per Public Works Committee instructions on July 25, 2014.
- 3. Draft of Resolution to Vacate No. 14-1401172.

DISCUSSION:

Resolution to Vacate: At the meeting of the City Council on September 25, 2012, no protests were filed against this vacation. All conditions of the Council's action of August 15, 2012, under Council File No. 10-1942 have been fulfilled. The Resolution to Vacate is being presented pursuant to Council instructions of August 15, 2012.

Resolution to Vacate No. 14-1401172 has been approved as to form and legality by the City Attorney.

Environmental Considerations: The City Council, on August 15, 2012, found that this project is exempt from the California Environmental Quality Act of 1970, pursuant to the categorical exemptions included in the City's Environmental Guidelines under Article III, Class 5(3).

Los Angeles City Charter: The Council's action of August 15, 2012 complies with the requirements of Section 556 of the City Charter.

Respectfully submitted,



Edmond Yew, Manager
Land Development Group
Bureau of Engineering

RESOLUTION TO VACATE NO. 14-1401172
(California Streets and Highways
Code Sections 8324, 8325 and 8340)

Vacation of the alley westerly of Vine Street between Santa Monica Boulevard and Eleanor Avenue.

On September 25, 2012, the City Council considered the evidence submitted regarding said vacation and determined that said alley should be vacated subject to the reservations and exceptions as contemplated and subject to the conditions of vacation having been complied with, (CF 10-1942). All conditions of the Council's action have been fulfilled.

Therefore, from all of the evidence submitted, the Council finds that the alley westerly of Vine Street between Santa Monica Boulevard and Eleanor Avenue proposed for vacation is unnecessary for present or prospective public alley purposes; and

The particular portion of the public alley which is to be vacated and said permanent easements and rights for public utility facilities to be reserved therefrom is described herein attached Exhibits "A" and "B".

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

ALSO, RESERVING AND EXCEPTING THEREFROM, an easement for the use of AT&T over the entire area described hereinabove.

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 area described hereinabove is vacated, subject to the reservation and exception of said permanent easement.

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.

Approved as to form and legality
Michael N. Feuer, City Attorney

By Michael N. Feuer 7/10/14
Deputy Date

HOLLY L. WOLCOTT, Interim City Clerk

By _____
Deputy

Council File No. 10-1942
R/W No. 33840

EXHIBIT "B"

LEGAL DESCRIPTION FOR CITY OF LOS ANGELES
STREET VACATION NO. 1401172

Located 120 feet west of the west line of Vine Street being 90 feet wide and between Eleanor Avenue and Santa Monica Boulevard.

More particularly described as follows:

Beginning at the southwest corner of Lot 7, Blk. A, Seneca Heights Tract, recorded in M.B. 16-72 of Los Angeles County Records, thence S 89° 56' 00" W 15.00 ft. to the southeast corner of Lot 6 of said Seneca Heights Tract, thence N 0° 04' 00" W, 260.00 ft. to a point in the east line of Lot 3 of said Seneca Heights Tract, thence N 89° 56' 00" E 15.00 ft. to the new northwest corner of Lot 11 of said Seneca Heights Tract. Also being the south line of Santa Monica Boulevard, 93 feet wide; thence S 0° 04' 00" E, 260.00 ft. to the point of beginning.

Note:

APN (BK 5533 PG. 17)

SEE EXHIBIT "A" ATTACHED

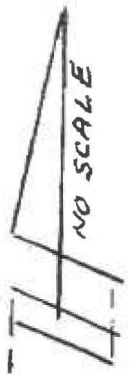


Joseph Rigdon



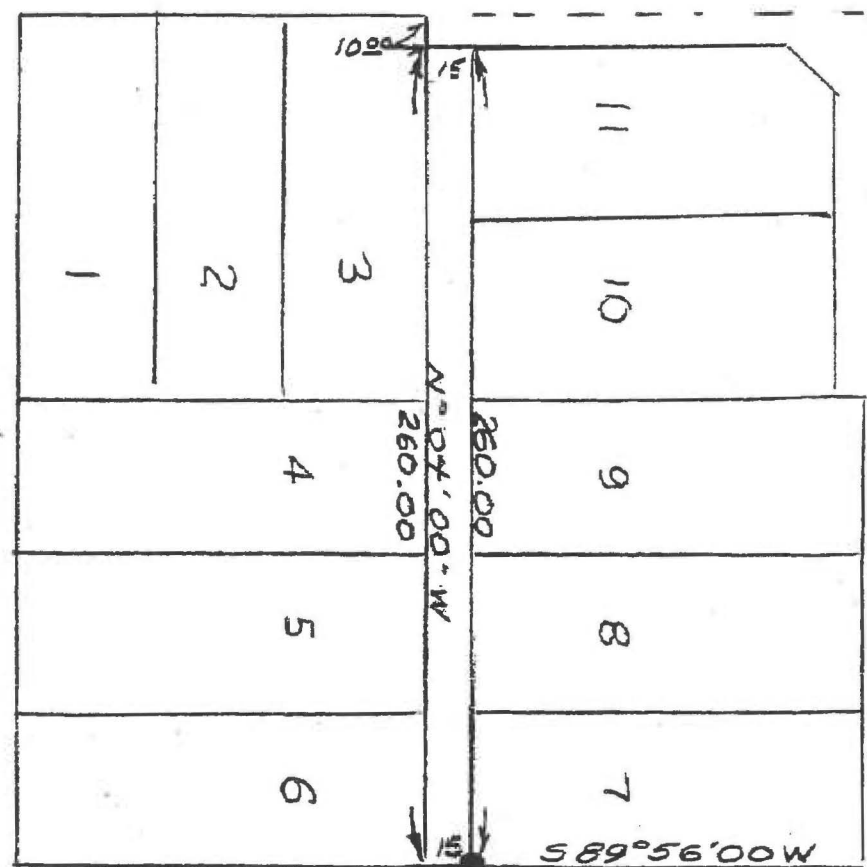
3-27-2014

EXHIBIT "A"



SANTA MONICA BLVD. 93 93

LILLIAN



VINE

90

90

40 ELEANOR

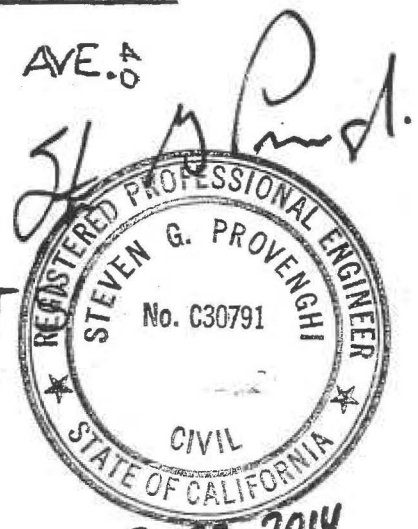
POB

40 AVE.

SENECA HEIGHT



Kris Joseph Rigdon



3-27-2014

CITY OF LOS ANGELES
CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

JUNE LAGMAY
City Clerk

HOLLY L. WOLCOTT
Executive Officer

When making inquiries relative to
this matter, please refer to the
Council File No.

Office of the
CITY CLERK

Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
General Information - (213) 978-1133
Fax: (213) 978-1040

SHANNON HOPPES
Council and Public Services
Division

www.cityclerk.lacity.org

August 17, 2012

To All Interested Parties:

The City Council adopted the action(s), as attached, under Council File
No. 10-1942, at its meeting held August 15, 2012, to set a Public Hearing
Date of September 25, 2012.

City Clerk
kw

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TO THE COUNCIL OF THE
CITY OF LOS ANGELES

File No. 10-1942

Your

PUBLIC WORKS

Committee

reports as follows:

CATEGORICAL EXEMPTION and PUBLIC WORKS COMMITTEE REPORT relative to vacating an alley westerly of Vine Street between Santa Monica Boulevard and Eleanor Avenue (VAC E1401172).

Recommendations for Council action:

1. FIND that the vacation of an alley westerly of Vine Street between Santa Monica Boulevard and Eleanor Avenue is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City's Environmental Guidelines.
2. ADOPT the FINDINGS of the City Engineer dated July 31, 2012, as the Findings of the Council, as modified by the Public Works Committee and attached to Council file No. 10-1942.
3. FIND that the street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law be instituted for the vacation of the public right-of-way indicated below and shown colored blue on Exhibit A of the June 7, 2012 City Engineer report and attached to the Council file:

The alley westerly of Vine Street, between Santa Monica Boulevard and Eleanor Avenue.

4. ADOPT the accompanying City Engineer report dated July 31, 2012 to approve the vacation.
5. INSTRUCT the City Clerk to set a public hearing date for **SEPTEMBER 25, 2012**.

Fiscal Impact Statement: The City Engineer reports that the petitioner has paid a fee of \$10,700.00 for the investigation of this request pursuant to Section 7.42 of the Administrative Code. Any deficit fee to recover the cost pursuant to Section 7.44 of the Administrative Code will be required of the petitioner.

Community Impact Statement: None submitted.

SUMMARY

At its regular meeting held on July 25, 2012, the Public Works Committee considered the recommendations of the City Engineer as contained in its June 7, 2012 report. The City Engineer reported that the area sought to be vacated is an alley westerly of Vine Street between Santa Monica Boulevard and Eleanor Avenue (a map of the area is included as Exhibit A in the June 7, 2012 City Engineer report and is attached to the Council file). The purpose of the vacation request is to provide a private gated driveway for the petitioner's property. This vacation procedure is being processed under procedures established by Council on March 5, 2002 as detailed in Council file No. 01-1459.

Bureau of Engineering Staff testified that they recommended denial of the vacation due to the fact that the vacation was not in conformance with the general plan. However, after thoughtful deliberation, the Committee stated that the alley was appropriate for vacation inasmuch as there was a compelling argument for the property owners to maintain the alley. After providing an opportunity for public comment, the Committee moved to recommend approval of the vacation as detailed above in Recommendation Nos. 1-5. This matter is now submitted to Council for its consideration.

Respectfully submitted,
PUBLIC WORKS COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
BUSCAINO:	YES
KREKORIAN:	YES
GARCETTI:	YES

ME
CD 13
10-1942_rpt_pw_7-26-12



ADOPTED

AUG 15 2012

LOS ANGELES CITY COUNCIL

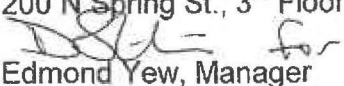
SET FOR HEARING Sept 25, 2012

-Not Official Until Council Acts-

CITY OF LOS ANGELES
INTERDEPARTMENTAL CORRESPONDENCE

Date: July 31, 2012

To: Michael Espinosa, Legislative Assistant I
City Clerk
200 N. Spring St., 3rd Floor, MS 160

From:  for
Edmond Yew, Manager
Land Development Group, Bureau of Engineering
201 N Figueroa St., Rm 200, MS 901

Subject: **RECOMMENDATIONS AND CONDITIONS FOR CF 10-1942**

Attached here are the recommendations and conditions for Street Vacation E1401172, Council File 10-1942, as per the instructions of the Public Works Committee in approving the vacation request at the July 25th Meeting.

EY:dw

CF 10-1942, (VAC E1401172)

RECOMMENDATIONS:

- A. That street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law be instituted by a two-thirds vote of the entire Council for the vacation of the public right-of-way indicated below and shown colored blue on the attached Exhibit "A":

The alley westerly of Vine Street, between Santa Monica Boulevard and Eleanor Avenue.

- B. That the Council find that the vacation is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City's Environmental Guidelines.
- D. That the City Council find 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.
- E. That, in conformance with Section 556 of the City Charter, the Council make the finding that the vacation is in substantial conformance with the purposes, intent and provisions of the General Plan.
- F. That, in conformance with Section 892 of the California Streets and Highways Code, the Council determine that the vacation area is not necessary for non-motorized transportation facilities.
- G. That, in conformance with Section 8324 of the California Streets and Highways Code, the Council determine that the vacation area is not necessary for present or prospective public use.
- H. That the City Clerk schedule the vacation for public hearing at least 30 days after the Public Works Committee approval so the City Clerk and Bureau of Engineering can process the Public Notification pursuant to Section 8324 of the California Streets and Highways Code.

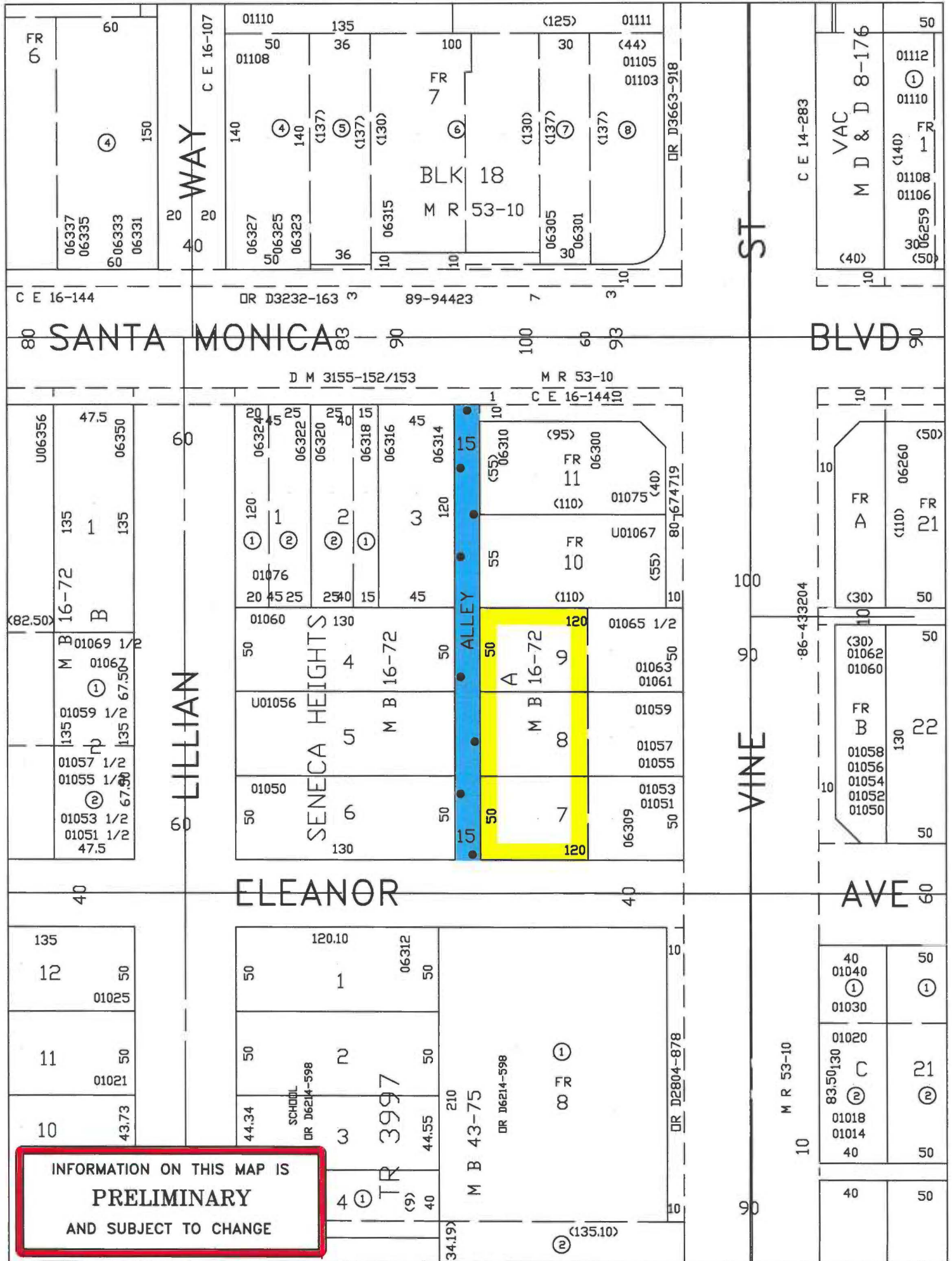
CONDITIONS:

The Conditions specified in this report are established as the requirements to be complied with by the petitioner for this vacation. Vacation proceedings in which the conditions

have not been completed within 2 years of the Council's action shall be terminated, with no further Council action.

1. That any fee deficit under Work Order E1401172 be paid.
2. That a suitable map, approved by the Central District Engineering office, delineating the limits, including bearings and distances, of the area to be vacated be submitted to the Land Development Group prior to the preparation of the Resolution to Vacate.
3. That a suitable legal description describing the area being vacated and all easements to be reserved, including copies of all necessary supporting documentation, be submitted to the Land Development Group of the Bureau of Engineering prior to preparation of the Resolution to Vacate.
4. That a title report indicating the vestee of the underlying fee title interest in the area to be vacated be submitted to the City Engineer.
5. That the following improvements be constructed in a manner satisfactory to the City Engineer:
 - a) Close the alley intersections at Eleanor Avenue and at Santa Monica Boulevard with full height curb, gutter and sidewalk, or with standard driveway approaches.
 - b) Repair or replace any broken, off-grade, or missing curb, gutter or sidewalk along Eleanor Avenue adjoining the petitioner's property.
 - c) That provisions be made to drain or divert any surface flows from impounding within the area to be vacated.
6. That arrangements be made with all utilities agencies maintaining facilities in the area including but not limited to the Department of Water and Power and AT &T, for the removal of affected facilities or the providing of easements or rights for the protection of affected facilities to remain in place.
7. That consents to the vacation be secured from the owner of Lots 10 and 11 of Block A of the Seneca Heights Tract; from the owner of Lot 3 of Block A of the Seneca Heights Tract, and from the owner of Lots 4,5, and 6 of Block A of the Seneca Heights Tract, adjoining the area to be vacated.
8. That upon the reviews of the title report identifying the underlying fee title interest of the vacation area, agreements be recorded satisfactory to the Bureau of Engineering to hold each parcel of land under one ownership and its adjoining portion of the area to be vacated, as one parcel to preclude the creation of

landlocked parcels. This is to remain effective until such time as a new subdivision map is recorded over said area, a parcel map exemption is permitted or until released by the authority of the City of Los Angeles.



TITLE: ALLEY WESTERLY OF VINE STREET BETWEEN SANTA MONICA BOULEVARD AND ELEANOR AVENUE

WORK ORDER NO. VAC- E1401172
 COUNCIL FILE NO. 10-1942
 COUNCIL DIST. 4 DIV. INDEX 342
 ENG. DIST. CENTRAL T.G. 593-F6
 DISTRICT MAP 144 B 185



DEPT. OF PUBLIC WORKS
 BUREAU OF ENGINEERING
 CITY OF LOS ANGELES

EXHIBIT A

Legend: Vacation boundary as shown

