

12-0306  
CD 5

TO CITY CLERK FOR PLACEMENT ON NEXT  
REGULAR COUNCIL AGENDA TO BE POSTED #54

**MOTION**

MAR 02 2012

On March 5, 2002, under Council File No. 01-1459, the City Council adopted new procedures for processing street vacations, which require the adoption of a Rule 16 motion to initiate street vacation proceedings at the request and instance of an application from the petitioner. Under these new procedures, when a petitioner submits an application and a fee deposit to the Bureau of Engineering, the Chair of the Public Works Committee is required to introduce a motion for the purposes of assigning a Council File Number and initiating the investigation of the vacation.

John A. Henning, Jr., on behalf of Robert P. Hrtica, Trustee of the MOA Trust, owners of the properties legally described as Lot 1, of Tract No. 12742, Lot 21, of Tract No. 19229, and Arb PT of SE 1/4 SEC 7 TIS R14W, has submitted an application for a vacation located in Council District 5. The petitioner has also submitted a fee deposit to cover the cost of processing the vacation proceedings.

Additionally, the adoption of the following recommendations does not constitute or imply approval of the vacation.

I THEREFORE MOVE that upon adoption of this motion, alley vacation proceedings to vacate Oriole Way from Oriole Drive to its easterly terminus, be initiated pursuant to California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law.

I FURTHER MOVE that the Bureau of Engineering be directed to investigate the feasibility of this vacation request.

I FURTHER MOVE that the Bureau of Engineering present its report regarding the feasibility of vacating the requested area to the Public Works Committee.

I FURTHER MOVE that upon review of the Public Works Committee, the City Clerk be directed to schedule this request for the City Council's consideration at the appropriate time under the City's Street Vacation procedures.

Presented by: Joe Buscaino  
Joe Buscaino  
Councilman, 15<sup>th</sup> District

Seconded by: Paul Korb  
Council Member

[Signature]  
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