



REPORT TO CITY COUNCIL

DATE: JUNE 25, 2014
TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
FROM: GREG RAMIREZ, CITY MANAGER 
BY: RAMIRO ADEVA, DIRECTOR OF PUBLIC WORKS/CITY ENGINEER 
SUBJECT: ADOPT RESOLUTION NO. 14-1753; SUMMARILY VACATING A VARIABLE WIDTH SLOPE EASEMENT LOCATED WITHIN APN 2055-022-072 ON LAPWORTH DRIVE IN AGOURA HILLS

In February 2014, staff was contacted by the property owner (Shahnaz B. Bina) of a vacant parcel located on Lapworth Drive (APN 2055-022-072), requesting the City vacate an existing slope easement that was transferred from the Los Angeles County to the City at the time of incorporation. As shown on the attached Exhibits A & B, the variable width slope easement is to be vacated. The original dedication of the slope easement was required by the Los Angeles County's General Plan for road maintenance purposes when the area was unincorporated. Since incorporation, the City has vacated these easements to eliminate the liability of inheriting a failing slope, within these areas, from the County.

Section 8300 et seq. of the California Streets and Highways Code allows for a summary vacation of an easement for slope purposes not in use nor maintained by the City. However, there are utility easements within the same area of the easement for slope purposes; therefore, the underlying easements for the utilities shall be reserved.

The Streets and Highways Code requires that the City adopt a resolution that makes certain findings and resolves to vacate the easement. That resolution is attached for your consideration.

RECOMMENDATION

Staff respectfully recommends the City Council:

1. Find that the easement for slope purposes identified in Resolution No. 14-1753 is no longer required within the City of Agoura Hills;
2. Adopt Resolution No. 14-1753, which makes the findings required by the Streets and Highways Code and orders the vacation of the slope easement on the property located at Lapworth Drive (APN 2055-022-072); and
3. Authorize the City Clerk to record the Resolution with the Los Angeles County Recorder.

Attachments: Resolution No. 14-1753
Exhibits "A & B" –Vacation Documents

RESOLUTION NO. 14-1753

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, SUMMARILY VACATING A VARIABLE WIDTH SLOPE EASEMENT LOCATED WITHIN ASSESSOR'S PARCEL NUMBER 2055-022-072 ON LAPWORTH DRIVE IN AGOURA HILLS

THE CITY COUNCIL OF THE CITY OF AGOURA HILLS HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

Section 1. That certain variable width slope easement to the County of Los Angeles, State of California, as per map filed in Book 98, Pages 22 and 23 of parcel maps in the office of the County Recorder ,shall be, and is hereby, vacated. Such vacation is made pursuant to Chapter 4, Section 8330 of the California Streets and Highway Code which provides the authority and the procedure for vacating easements which exceed the needs of the City as established by the City General Plan.

Section 2. The City Council finds the dedication of said easement no longer necessary.

Section 3. The City Council finds that any and all easements for utilities, public and private, in place on the vacated portion of said easement that are in use or that will be affected by the vacation shall remain until so vacated by said utilities.

Section 4. Pursuant to Section 2381 of the Streets and Highways Code of the State of California, the City Council finds and determines the right-of-way proposed for vacation is not useful as non-motorized transportation facilities.

Section 5. That portion of land, as described in Section 1 and in attached Exhibits A, shall be recorded as vacated from this date forward as it no longer serves the needs of the City as established by the City General Plan.

PASSED, APPROVED, AND ADOPTED this 25th day of June, 2014, by the following vote to wit:

AYES: ()
NOES: ()
ABSENT: ()
ABSTAIN: ()

William D. Koehler, Mayor

ATTEST:

Kimberly M. Rodrigues, City Clerk

EXHIBIT A

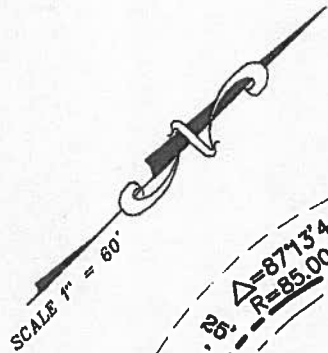
SLOPE EASEMENT VACATION

THAT CERTAIN SLOPE EASEMENT TO THE COUNTY OF LOS ANGELES, SHOWN AS VARIABLE WIDTH, LYING WITHIN PARCEL 1 OF PARCEL MAP NO. 8511, IN THE CITY OF AGOURA HILLS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 98, PAGES 22 AND 23 OF PARCEL MAPS IN THE OFFICE OF THE COUNTY RECORDER.

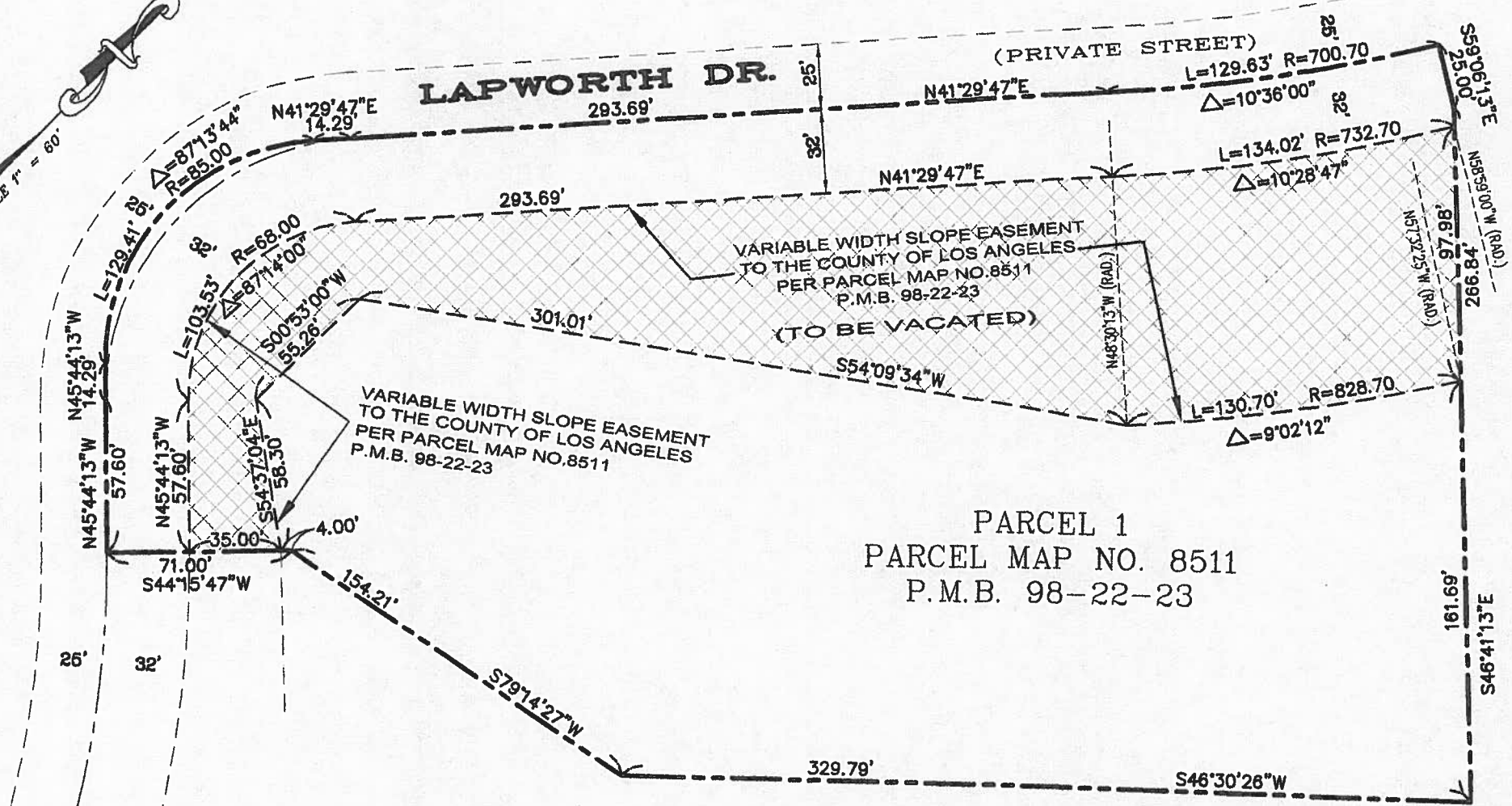
AS SHOWN ON EXHIBIT B, ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.



Exp. 12-31-14



LAPWORTH DR.



PARCEL 1
PARCEL MAP NO. 8511
P.M.B. 98-22-23


LEGEND:



SLOPE EASEMENT TO BE VACATED



04-04-2014

TITLE:		EXHIBIT B	
		APN: 2055-022-072 (LAPWORTH DR.)	
CLIENT:	BRIGITTE BINA	JOB NO.:	13-7408
SCALE:	1" = 60'	DATE:	04/04/14
DESIGNED BY:	F.G. / W.G.	REVISION (S):	
DRAWN BY:	RZD	SHEET	1
CHECKED BY:	C.D.L.	OF 1 SHEET	
 CIVIL ENGINEERING & LAND SURVEYING 347 S. ROBERTSON BLVD. BEVERLY HILLS, CALIFORNIA 90211 TEL. (310) 859-0871 FAX (310) 859-0845 info@mglansur.com www.mglansur.com			