



REPORT TO CITY COUNCIL

DATE: MARCH 11, 2015

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER, 

BY: RAMIRO ADEVA, DIRECTOR OF PUBLIC WORKS/CITY ENGINEER 

SUBJECT: CONTINUED OPEN PUBLIC HEARING TO CONSIDER THE ADOPTION OF RESOLUTION NO. 15-1777; APPROVING THE VACATION OF A STRIP OF RIGHT-OF-WAY ON THE EAST SIDE OF CHESEBRO ROAD, FROM DOROTHY DRIVE TO THE SOUTHERLY PROPERTY LINE OF 5076 CHESEBRO ROAD (DIOJI)

As a condition for planning case numbered 14-CUP-001 (Dioji), the applicant was required to vacate a portion of public right-of-way along their property located at 5076 Chesebro Road. As shown on the attached exhibits, the proposed vacation would be on the east side of Chesebro Road from Dorothy Drive to the applicant's southerly property line. It should be noted, Chesebro Road would continue to serve as a balanced roadway system that provides adequate accessibility to existing and future land uses in conformance with the General Plan's Circulation Element.

On January 28, 2015, the City Council approved Resolution No. 15-1774, declaring the Council's intention to vacate this strip of public right-of-way and setting the public hearing date for February 11, 2015. On February 5, 2015, the Planning Commission approved Resolution No. 15-1123, which determined that the proposed vacation conforms to the City's General Plan and Section 65402 of the State's Government Code. On February 11, 2015, the City Council agreed to continue this item to the March 11, 2015, City Council meeting due to an error in publishing the public notice.

Section 8300 et seq. of the California Streets and Highways Code allows for a non-summary vacation of public right-of-way if the City finds that such a vacation conforms to the General Plan; that the portion of roadway easement in question is no longer necessary for present or prospective public use; and that the right-of-way in question would not be useful for present or prospective public use. However, there are utility easements within the same area of the roadway easement. Therefore, the underlying easements for the utilities shall be preserved.

RECOMMENDATION

Staff respectfully recommends the City Council:

1. Approve Resolution No. 15-1777, to vacate a strip of public right-of-way on the east side of Chesebro Road, from Dorothy Drive to the southerly property line of 5076 Chesebro Road; and
2. Authorize the City Clerk to forward a certified copy of the Resolution to the Los Angeles County Recorder's Office for recording.

Attachments: Resolution No. 15-1777
Exhibits "A" and "B" – Legal Description and Map of Area to be Vacated

RESOLUTION NO. 15-1777

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, VACATING A STRIP OF RIGHT-OF - WAY ON THE EAST SIDE OF CHESEBRO ROAD FROM DOROTHY DRIVE TO THE SOUTHERLY PROPERTY LINE OF 5076 CHESEBRO ROAD (DIOJI)

The City Council of the City of Agoura Hills hereby resolves, finds and determines as follows:

Section 1. Pursuant to the provisions of the California Streets and Highway Code (Sections 8300 et seq.), Public Streets, Highways and Service Easements Vacation Law, the City Council of the City of Agoura Hills hereby declares its intention to vacate a strip of public right-of-way on the east side of Chesebro Road, from Dorothy Drive to the southerly property line of 5076 Chesebro Road in the City of Agoura Hills, County of Los Angeles, State of California, as described in Exhibit "A" and as shown in Exhibit "B"; attached hereto.

Section 2. Reference is made to the attached Exhibits "A" and "B", which describe the areas to be vacated and are on file and open to public inspection in the office of the City Clerk.

Section 3. On February 5, 2015, the Planning Commission held a duly noticed public hearing on the proposed vacation and reported that such vacation is in conformance with the General Plan of the City of Agoura Hills.

Section 4. On January 28, 2015 the City Council set the date, time, and location of the public hearing on the proposed vacation. Notice of the City Council public hearing was published in a local newspaper of general circulation and posted along the proposed vacation area in accordance with State Law, and any and all interested persons were given the opportunity to present evidence for or against the proposed vacation.

Section 5. The City Council hereby determines that public convenience and necessity require the reservation of easements and rights, at any time, to construct, maintain, operate, replace, remove, renew and enlarge lines for operation of water and sewer facilities, including access to protect such works from all hazards, and an easement to; from time-to-time construct, maintain, operate, replace, remove, and renew such aerial and underground communication facilities (including ingress and egress) consisting of poles, anchors, guys, cables, wires, cross arms, conduits, manholes, hand holes, markers, pedestals, terminal equipment cabinets, electrical conductors and necessary fixtures and appurtenances, and hereby declares that these proceedings and the vacation of said portions of Vendell Place, as herein described, are subject to such reservations and exceptions.

PASSED, APPROVED AND ADOPTED THIS 11TH DAY OF MARCH, 2015, BY
THE FOLLOWING VOTE TO WIT:

AYES: (0)
NOES: (0)
ABSTAIN: (0)
ABSENT: (0)

By: _____
Illece Buckley Weber, Mayor

ATTEST:

Kimberly M. Rodrigues, City Clerk

EXHIBIT "A"

LEGAL DESCRIPTION

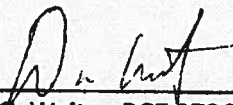
CHESEBRO ROAD VACATION

THAT PORTION OF CHESEBRO ROAD WEST OF AND CONTIGUOUS TO LOT 17 IN BLOCK 13 OF TRACT MAP 8451, IN THE CITY OF AGOURA HILLS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 104, PAGES 79 TO 90 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST TERMINATION OF THE NORTH LINE OF LOT 17 WHICH BEARS SOUTH 81°-33'-00" WEST, AND DISTANT 112.75 FEET; SAID NORTH LINE ALSO BEING THE SOUTH RIGHT OF WAY LINE OF DOROTHY DRIVE, (60 FEET WIDE); AS SHOWN ON SAID TRACT MAP SAID WEST TERMINATION BEING A POINT ON A CURVE CONCAVE TO THE SOUTH EAST, HAVING A RADIUS OF 15.00 FEET;

THENCE, ALONG THE NORTH WESTERLY AND WESTERLY LINE OF SAID LOT 17 THE FOLLOWING THREE COURSES; WESTERLY AND SOUTH WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°-00'-00" AN ARC DISTANT OF 23.56 FEET; THENCE TANGENT TO SAID CURVE SOUTH 8°-27'-00" EAST 119.00 FEET TO A POINT ON A TANGENT CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 157.90 FEET, CONCAVE TO THE EAST, THENCE, SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15°-02'-59" AN ARC DISTANCE OF 41.48 FEET; TO THE SOUTH LINE OF THAT PARCEL OF LAND DESCRIBED IN DEED RECORDED ON 7-11-2012 IN DOCUMENT NO. 20121023137, A RADIAL THROUGH SAID CURVE BEARS NORTH 66°-30'-01" EAST. THENCE, NON TANGENT TO SAID CURVE SOUTH 81°-33'-00" WEST 3.08 FEET TO A POINT ON A NON-TANGENT CURVE HAVING A RADIUS OF 300.00 FEET AND CONCAVE TO THE EAST; A RADIAL THROUGH SAID POINT ON SAID CURVE BEARS NORTH 69°-59'-01" EAST; THENCE NORTHERLY ALONG SAID CURVE THOUGH A CENTRAL ANGLE OF 7°-54'-23", AN ARC DISTANCE OF 41.40 FEET; THENCE TANGENT TO SAID CURVE NORTH 12°-06'-37" WEST 118.28 FEET TO A POINT ON TANGENT CURVE HAVING A RADIUS OF 15.00 FEET CONCAVE TO THE SOUTH EAST; THENCE NORTHERLY AND NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 93°-39'-37", AN ARC DISTANCE OF 24.52 FEET THENCE, TANGENT TO SAID CURVE NORTH 81°-33'-00" EAST 10.73 FEET TO THE POINT OF BEGINNING.

Westland Civil, Inc.



Donald G. Waite, RCE 27364
Expires: March 31, 2015

1/29/15

DATE

