REPORT TO CITY COUNCIL

DATE: MARCH 22, 2017

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. 17-1841; SUMMARILY VACATING A 10-FOOT SLOPE EASEMENT LOCATED WITHIN THE PROPERTY AT 6401 CHESEBRO ROAD (APN 2055-022-054 & 2055-025-067)

On March 4, 2017, the Engineering Department received a letter from the property owners at 6401 Chesebro Road (Habib and Sherry Sadeghi), requesting the City vacate a 10-foot-wide slope easement that was transferred from the Los Angeles County to the City at the time of incorporation. Their request to vacate the easement was submitted in order to relocate the leach field within a portion of the easement area as part of the repairs to their septic system.

As shown on the attached Exhibits A & B, the property is made up of two parcels (APN 2055-022-054 & 2055-025-067) with the 10-foot-wide easement to be vacated adjacent to the easterly property lines. The original dedication of the slope easement was required by Los Angeles County, while the area was unincorporated, and was based on the County General Plan, which required a slope easement be established for road maintenance purposes. With the incorporation of Agoura Hills and the subsequent adoption of the City's General Plan, slope easements established for road maintenance purposes are no longer needed.

Section 8300 et seq. of the California Streets and Highways Code allows for a summary vacation of the easement for slope purposes not in use, nor maintained by the City. 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. 17-1841 is no longer required within the City of Agoura Hills;

2. Adopt Resolution No. 17-1841, which makes the findings required by the Streets and Highways Code and orders the vacation of the slope easement on the property located at 6401 Chesebro Road (APN 2055-022-054 & 2055-025-067); and
3. Authorize the City Clerk to record the Resolution with the Los Angeles County Recorder.

Attachments: Resolution No. 17-1841
Vacation Documents

RESOLUTION NO. 17-1841

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, SUMMARILY VACATING A 10-FOOT SLOPE EASEMENT, LOCATED WITHIN THE PROPERTY AT 6401 CHESEBRO ROAD IN AGOURA HILLS.

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

Section 1. That portions of Parcel 1 on Parcel Map No. 6023 in Book 75, Pages 75 and 76; along with, Parcel 1 on Parcel Map No. 10937 in Book 128, Page 40 of Record Surveys in the office of the County Recorder of Los Angeles County, located parallel to the easterly boundary of said property, in the City of Agoura Hills, County of Los Angeles, State of California, as described in the attached Exhibits A & B, 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 & B, 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 22nd day of March, 2017, by the following vote to wit:

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

Denis Weber, Mayor

ATTEST:

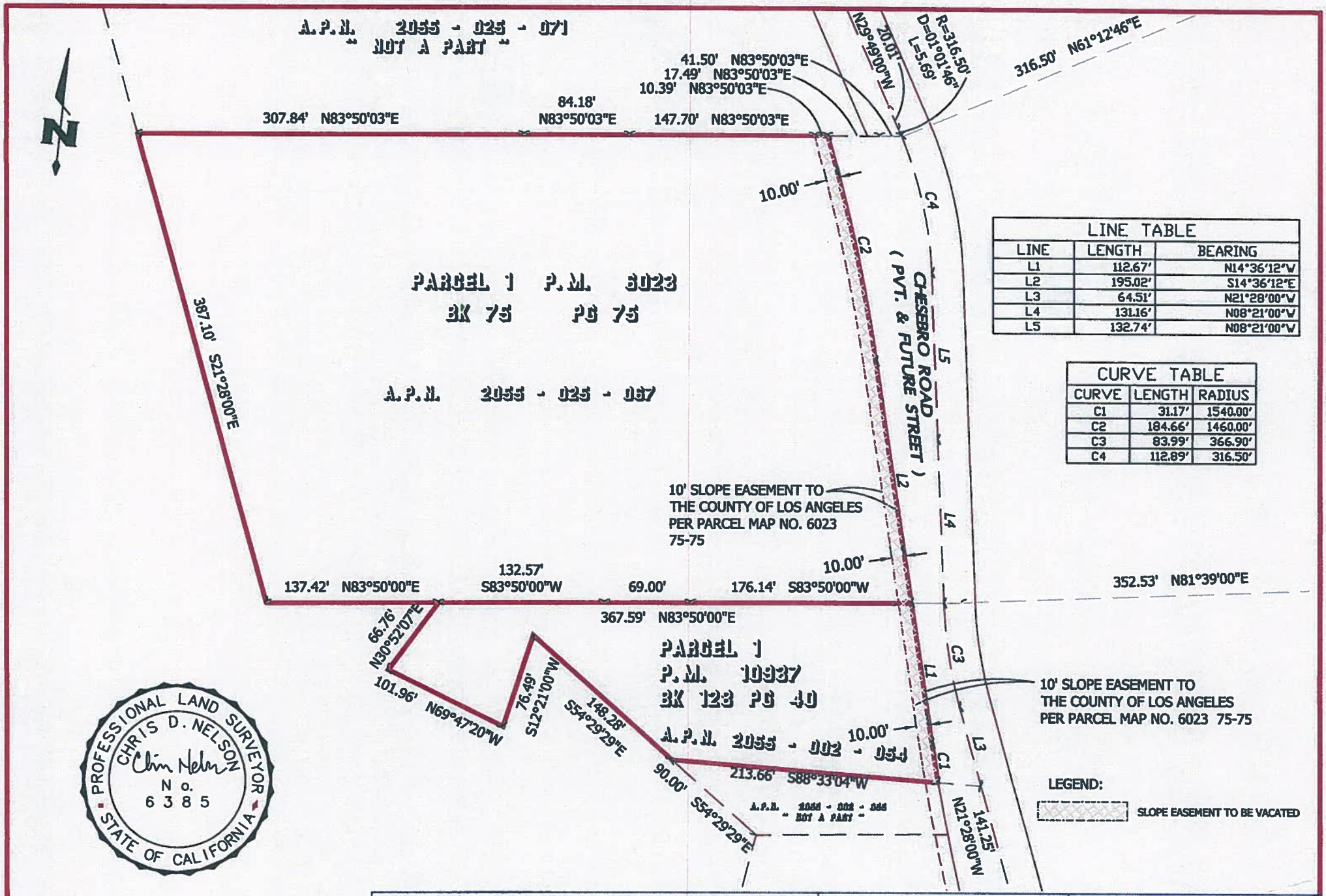
Kimberly M. Rodrigues, City Clerk

EXHIBIT A
SLOPE EASEMENT VACATION

THAT CERTAIN SLOPE EASEMENT TO THE COUNTY OF LOS ANGELES, SHOWN AS A 10.00' WIDTH EASEMENT, LYING WITHIN PARCEL 1 OF PARCEL MAP NO. 6023, IN THE CITY OF AGOURA HILLS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 75, PAGES 75 AND 76 OF PARCEL MAPS IN THE OFFICE OF THE COUNTY RECORDER.

ALONG WITH, THAT CERTAIN SLOPE EASEMENT TO THE COUNTY OF LOS ANGELES, SHOWN AS A 10.00' WIDTH EASEMENT, LYING WITHIN PARCEL 1 OF PARCEL MAP NO. 10937, IN THE CITYOF AGOURA HILLS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 128, PAGE 40 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.



LINE TABLE		
LINE	LENGTH	BEARING
L1	112.67'	N14°36'12"W
L2	195.02'	S14°36'12"E
L3	64.51'	N21°28'00"W
L4	131.16'	N08°21'00"W
L5	132.74'	N08°21'00"W

CURVE TABLE		
CURVE	LENGTH	RADIUS
C1	31.17'	1540.00'
C2	184.66'	1460.00'
C3	83.99'	366.90'
C4	112.89'	316.50'

PROFESSIONAL LAND SURVEYOR
CHRIS D. NELSON
No. 6385
STATE OF CALIFORNIA

EXHIBIT "B"

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CHRIS NELSON P.L.S. 6385

SCALE:	1" = 100'
DRAWN BY:	DWK
CHECKED BY:	CN
SHEET No.	1 OF 1
DRAWING NUMBER	16-4110
DATE:	02-14-17