

REPORT TO CITY COUNCIL

DATE: OCTOBER 26, 2005

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER

BY: KEN BERKMAN, CITY ENGINEER

SUBJECT: APPROVE RESOLUTION NO. 05-1391; SUMMARILY VACATING A PORTION OF SLOPE EASEMENT LOCATED WITHIN THE PROPERTY AT 27901 BLYTHEDALE ROAD (APN 2055-001-038)

As a condition for planning case number 03-CUP-007, the applicant (Jeff Aviezer) was required to vacate an existing 10-foot-wide slope easement located along his property at 27901 Blythedale Road (see attached). 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 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. 05-1391 is no longer required within the City of Agoura Hills;
2. Adopt Resolution No. 05-1391, which makes the findings required by the Streets and Highways Code and orders the vacation of the easement for slope easement on the property located at 27901 Blythedale Road; and
3. Order the City Clerk to record the Resolution with the Los Angeles County Recorder.

Attachments: Resolution No. 05-1391
Exhibits "A" and "B" –Vacation Documents