

REPORT TO CITY COUNCIL

DATE: JANUARY 26, 2004

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER

BY: KEN BERKMAN, CITY ENGINEER

SUBJECT: APPROVE RESOLUTION NO. 05-1354; VACATING A 25-FOOT-WIDE ROADWAY EASEMENT LOCATED WITHIN THE PROPERTY AT 5847 COLODNY DRIVE (APN 2055-028-042).

In November 2004, the Planning Division received a request from the property owner at 5847 Colodny Drive, Ms. Sang Kim, requesting the City vacate an existing 25-foot-wide roadway easement for Balkins Drive located within her property. As shown on the attached exhibit, the 25-foot-wide easement is located adjacent to the southerly property line. The original dedication of the roadway easement appears to have been acquired to provide for possible future through traffic from Colodny Drive to Fairview Place. Given the fact that the properties in between these two roadways are developed, the easement in question is no longer needed.

Section 8300 et sec. of the California Streets and Highways Code allows for a summary vacation of the 25-foot-wide roadway easement since the easement is not in use nor maintained by the City. However, there are utility easements within the same area of the roadway easement; 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:

The City Engineer respectfully recommends that the City Council:

1. Find that the 25-foot-wide roadway easement identified in Resolution No. 05-1354 is no longer required within the City of Agoura Hills;
2. Adopt Resolution No. 05-1354, which makes the findings required by the Streets and Highways Code and orders the vacation of the 25-foot-wide roadway easement on the property located at 5847 Colodny Drive; and
3. Order the City Clerk to record the resolution with the Los Angeles County Recorder.

Attachments: Resolution No. 05-1354
Exhibits "A" and "B" – Balkins Drive Easement to be Abandoned