

REPORT TO CITY COUNCIL

DATE: APRIL 13, 2005

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER

BY: KEN BERKMAN, CITY ENGINEER

SUBJECT: APPROVE RESOLUTION NO. 05-1363 SUMMARILY VACATING A 10-FOOT-WIDE EASEMENT FOR SLOPE PURPOSES AND A 5-FOOT-WIDE FUTURE STREET DEDICATION, LOCATED WITHIN THE PROPERTY AT 5743 FAIRVIEW PLACE (APN 2055-020-068)

At its December 4, 2003 meeting, the Planning Commission approved the Conditional Use Permit for the property on 5743 Fairview Place. One of the conditions for this development was to prepare and submit documents to vacate the 10-foot-wide easement for slope purposes and 5-foot-wide future street dedication located within this property, as shown on the attached exhibits. The easement dedications appear to have been acquired by Los Angeles County to provide for the widening of Fairview Place. Since the City does not have any plan of widening Fairview Place per the General Plan, these easements for slope purposes and future street dedication are no longer needed.

Section 8300 et sec. of the California Streets and Highways Code allows for a summary vacation of the 10-foot-wide easement for slope purposes and 5-foot-wide future street dedication since the easement and dedication are not in use nor maintained by the City. However, there are utility easements within the same area of the easement for slope purposes and future street dedication; 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 and future street dedication. The Resolution is attached for your consideration.

RECOMMENDATION

Staff recommends the City Council:

1. Find that the 10-foot-wide easement for slope purposes and the 5-foot-wide future street dedication, identified in Resolution No. 05-1363, are no longer required within the City of Agoura Hills;
2. Adopt Resolution No. 05-1363, which makes the findings required by the Streets and Highways Code and orders the vacation of the 10-foot-wide easement for slope easement and the 5-foot-wide future street dedication on the property located at 5743 Fairview Place; and
3. Order the City Clerk to record the Resolution with the Los Angeles County Recorder.

Attachments: Resolution No. 05-1363
Exhibits "A" and "B" – Vacation Documents