COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

DONALD L. WOLFE, Director

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IN REPLY PLEASE
REFER TO FILE: MP-5

November 14, 2006

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

RESOLUTION OF SUMMARY VACATION
STORM DRAIN EASEMENT EAST OF
SOLEDAD CANYON DRIVE - ACTON
SUPERVISORIAL DISTRICT 5
3 VOTES

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that the vacation of the easement for storm drain and storm drain ingress and egress and appurtenant structures east of Soledad Canyon Road, pursuant to the enclosed Resolution of Summary Vacation, is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Sections 15304, 15305, and/or 15321 of Title 14 of the California Code of Regulations (the State CEQA Guidelines).

2. Find that:

   a. The easement is no longer required for public use and that it may be vacated under the authority of Section 5400 of the California Health and Safety Code.

b. Pursuant to Section 8333(a) of the California Streets and Highways Code, the easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.

c. The easement is no longer needed for present or prospective public use.

d. The easement is not useful as a nonmotorized transportation facility.

3. Adopt the enclosed Resolution of Summary Vacation, storm drain easement east of Soledad Canyon Drive, to vacate the easement described in Exhibit A and depicted in Exhibit B of the Resolution.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Waterworks District No. 37, on behalf of the County of Los Angeles, the underlying fee owner, requested this vacation to remove from the public record County interest and public easement rights within the proposed vacation area. Waterworks District No. 37 is proposing to modify their water treatment operation to comply with new water quality regulations by constructing an additional building to house new treatment equipment. The only possible location for the new building is within the proposed vacation area. Vacation of the easement will provide additional buildable area.

It is in the County's best interest to vacate this easement since it no longer serves the purpose for which it was dedicated. With this action your Board will vacate an easement the County and the public no longer need.

Implementation of Strategic Plan Goals

This action is consistent with the County Strategic Plan Goal of Fiscal Responsibility as the vacation of the easement will eliminate unnecessary maintenance cost and reduce the County's possible exposure to liability.

FISCAL IMPACT/FINANCING

Vacation of the easement will not have a negative fiscal impact on the County's budget. The vacation processing fee has been waived as this is a County-initiated project. The waiver of the fee is authorized by your Board in a Resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321 (f) of the California Streets & Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The area to be vacated contains approximately 579 square feet and is shown on the map attached to the Resolution.

The Streets and Highways Code Section 8333 provides "The legislative body of a local agency may summarily vacate a public service easement in any of the following cases: (a) The easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation."

The County's interest was acquired by Final Order of Condemnation entered in Los Angeles County Superior Court Case No. 591113, a certified copy of which was recorded February 16, 1953, as Instrument No. 2621, in Book 40980, page 63, of Official Records, in the office of the Registrar-Recorder/County Clerk as an easement for storm drain and storm drain ingress and egress and appurtenant structures purposes.

Adoption of the enclosed Resolution will terminate the County's right and interest in the easement. Your action will also result in the property being unencumbered of the easement, thereby allowing the underlying fee owner to exercise its reversionary rights over the vacated area.

ENVIRONMENTAL DOCUMENTATION

Based on the above, this proposed vacation is categorically exempt from CEQA as specified in Sections 15304, 15305, and/or 15321 of the State CEQA Guidelines.

IMPACT ON CURRENT SERVICES OR PROJECTS

The Regional Planning Commission has determined that the proposed vacation is not in conflict with the County-adopted General Plan.

CONCLUSION

This action is in the County's best interest. Enclosed are two originals of the Resolution of Summary Vacation, approved as to form by County Counsel. Upon adoption of the Resolution, please return one executed original and a copy to us for further processing. We will record the Resolution and return the executed original to you when recorded. In the interim, please retain one executed original for your files.

One adopted copy of this letter is requested.

Respectfully submitted,

for DONALD L. WOLFE
Director of Public Works

JLS:mr
P5\blm0676103

Enc.

cc: Chief Administrative Office
County Counsel

RESOLUTION OF SUMMARY VACATION
STORM DRAIN EASEMENT EAST OF SOLEDAD CANYON DRIVE

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The County of Los Angeles is the holder of an easement for storm drain and storm drain ingress and egress and appurtenant structures purposes (hereinafter referred to as the Easement) in, over, and across the real property legally described in Exhibit A, and depicted on Exhibit B, both attached hereto. The Easement, east of Soledad Canyon Road, is generally located in the vicinity of Acton in the County of Los Angeles State of California.

2. The Easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.

3. The Easement is no longer needed for present or prospective public use.

4. There are no in-place public utility facilities that are in use and would be affected by the vacation of the Easement.

5. The Easement is hereby vacated pursuant to Section 5400 of the Health and Safety Code, State of California, and Chapter 4, Part 3, Division 9 of the Streets and Highways Code, State of California, commencing with Section 8330.

6. Public Works be authorized to record the certified original Resolution in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, at which time the Easement shall no longer constitute a public easement.

7. From and after the date this Resolution is recorded, the Easement no longer constitutes a street, highway, or public service easement.

The foregoing Resolution was on the _____ day of _____, 20_____, adopted by the Board of Supervisors of the County of Los Angeles and ex-officio, the governing body of all other special assessment and taxing districts for which said Board so acts.

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.,
County Counsel

By _____
Deputy

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By _____
Deputy

JLS:mr
P5\blm0676103

EXHIBIT A

STORM DRAIN EASEMENT
EAST OF SOLEDAD CYN ROAD
A.P.N. 3208-014-900
T.G. 4465-B2
I.M. 279-217
R.D. 557
S.D. 5
M0676103

LEGAL DESCRIPTION
(Vacation of Easement)

All that certain 10-foot-wide strip of land in Lots 5 and 6, Block 21, Resubdivision of Blocks 20 and 21 of the Town of Acton, as shown on map recorded in Book 66, page 10, of Miscellaneous Records, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, described as PARCEL 518-10 in a Final Order of Condemnation, had in Superior Court Case No. 591113, a certified copy of which was recorded on February 16, 1953, as Instrument No. 2621, in Book 40980, page 63, of Official Records, in the office of said Registrar-Recorder/County Clerk.

Containing: 579± square feet.

APPROVED AS TO DESCRIPTION

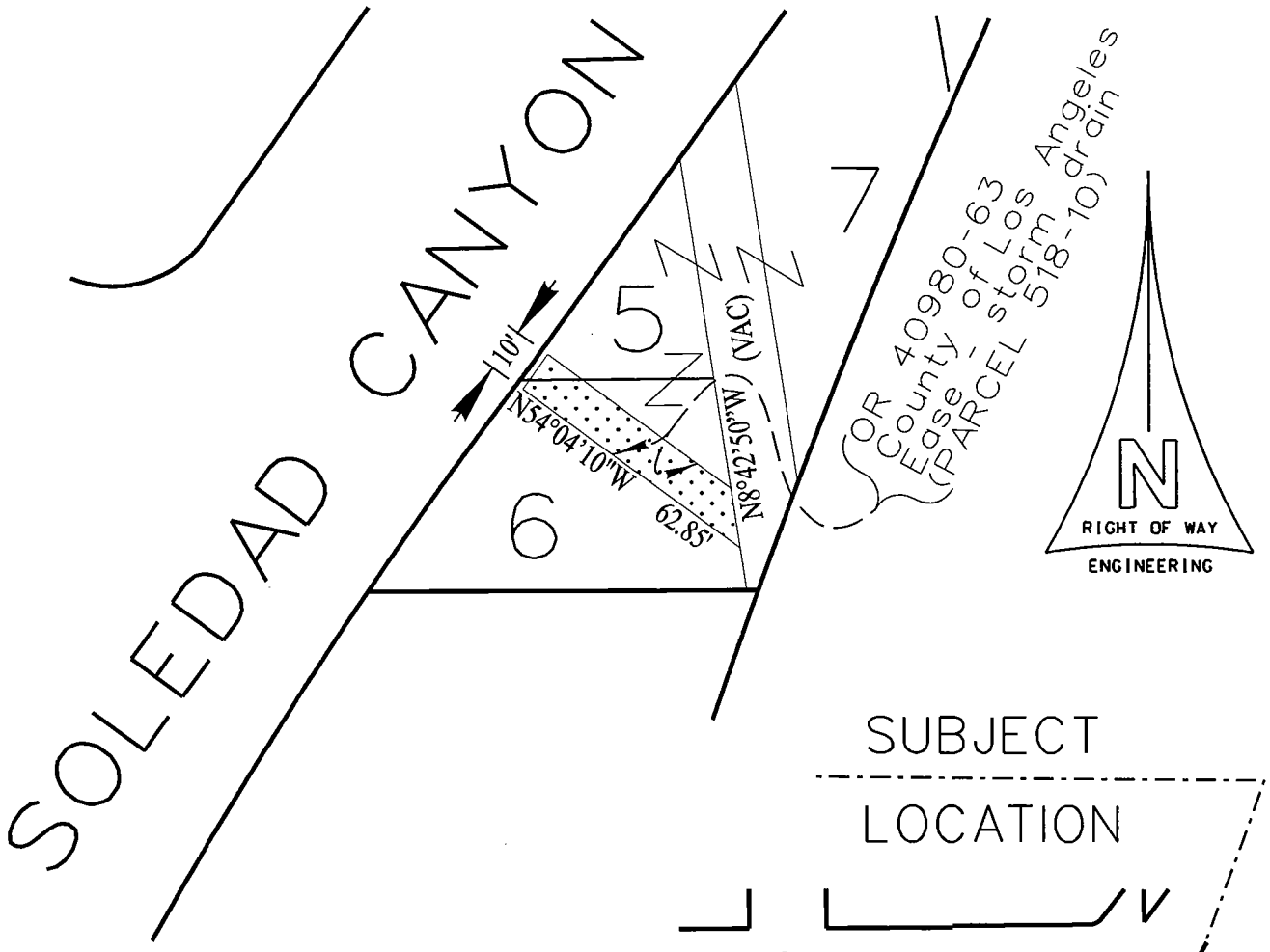
June 26, 2006

COUNTY OF LOS ANGELES

By _____
SUPERVISING CADASTRAL ENGINEER II
Mapping & Property Management Division

This real property description has been prepared in conformance with the Professional Land Surveyors' Act. The signatory herein is exempt pursuant to Section 8726 of the California Business and Professions Code.

NS:sl
MP-5\Leg ns sde



SUBJECT LOCATION

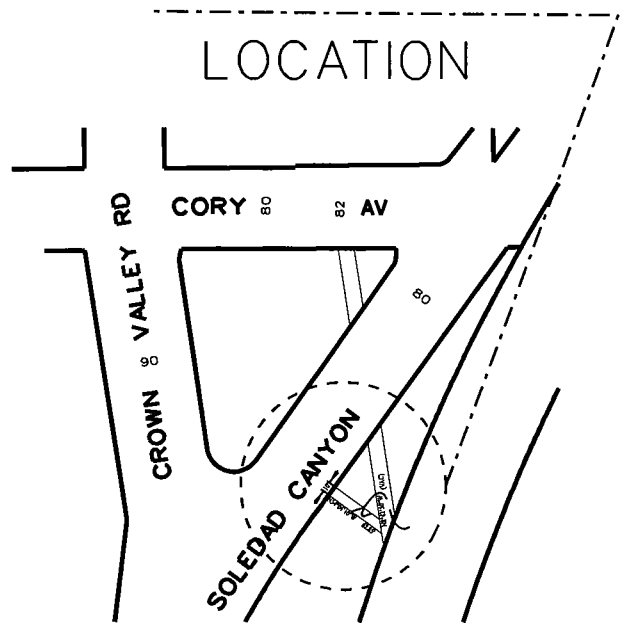


EXHIBIT B

LEGEND
Area to be vacated Total Area 579.10± s.f.

REVISIONS	1.	2.	3.

DEPARTMENT OF PUBLIC WORKS				MAPPING & PROPERTY MANAGEMENT DIVISION	
SD. 5	RD. 557	A.P.N. 3208-014-900	T.G. 4465 B-2	VACATION OF STORM DRAIN EASE E/O SOLEDAD CYN RD	DRAWING NO. M0676103
SCALE NONE		DATE 10-04-05	I.M. 279-217		