# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

DEAN D. EFSTATHIOU, Acting Director

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
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ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460


August 5, 2008

IN REPLY PLEASE
REFER TO FILE: MP-5

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**
**SLOPE EASEMENT - UNINCORPORATED COMMUNITY OF GLENVIEW**
**(SUPERVISORIAL DISTRICT 3)**
**(3 VOTES)**

**SUBJECT**

This action is to vacate an existing slope easement that is no longer needed for public use east of Adamsville Road in the unincorporated community of Glenview.

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Find that this action is categorically exempt from the provisions of the California Environmental Quality Act.

2. Find that:

   a. The slope easement east of Adamsville Road has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation and that it may, therefore, be vacated pursuant to Section 8333(a) of the California Streets and Highways Code.

   b. The slope easement east of Adamsville Road is excess and not required for street and highway purposes and that it may, therefore, be vacated pursuant to Section 8334(a) of the California Streets and Highways Code.

c. The slope easement east of Adamsville Road is not useful as a nonmotorized transportation facility as required by Section 892 of the California Streets and Highways Code.

3. Adopt the Resolution of Summary Vacation.

## PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to vacate the slope easement east of Adamsville Road (Easement), since it no longer serves the purpose for which it was dedicated and is not required for public use.

### Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs that we provide Fiscal Responsibility (Goal 4). The vacation of the easement will eliminate unnecessary maintenance cost and reduce the County of Los Angeles' (County) possible future exposure to liability.

## FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The applicant has paid a $1,500 fee to defray the expense of the investigation. The fee was authorized by your Board in a resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321 (d) of the California Streets and Highways Code.

## FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The area to be vacated contains approximately 22,391 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." Streets and Highways Code Section 8306 defines "public service easement" to include limited use public easements other than for street or highway purposes.

The Streets and Highways Code Section 8334 provides "the legislative body of a local agency may summarily vacate any of the following: (a) an excess right of way of a street or highway not required for street or highway purposes."

The County's interest in the easement was acquired by Document No. 81-500936, recorded on May 19, 1981, of Official Records, in the office of the Registrar-Recorder/County Clerk of the County as an easement for slope purposes.

Schmitz & Associates, Inc., on behalf of Alta View LLC requested the vacation to build a retaining wall within the easement to provide an additional building area. Due to the surrounding area's topography, the building site can only be located in an area partly encompassing the area proposed for vacation.

Adoption of the attached resolution will terminate the County's rights and interest in the easement. Your action will result in the property being unencumbered of the easement, and available to the property owner for use without restriction of the easement.

## ENVIRONMENTAL DOCUMENTATION

This action is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) as specified in Sections 15305 and 15321 of the State CEQA Guidelines which states that this class of projects consisting of minor alterations in land use, limitations and actions to revoke entitlement for use, issued and adopted by the regulatory agency, have been determined not to have a significant effect on the environment.

## IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action will allow for additional property taxes through elimination of the easement.

**CONCLUSION**

Please return one adopted copy of this letter and one original and one copy of the resolution to the Department of Public Works, Mapping & Property Management Division, together with a copy of your Board's minute order. Retain one original for your files.

Respectfully submitted,

for Patrick V. Collins
DEAN D. EFSTATHIOU
Acting Director of Public Works

DDE:PAP:mr

Attachment

c: Chief Executive Office
County Counsel

This page is part of your document - DO NOT DISCARD

20081703374 Pages: 005

Recorded/Filed in Official Records
Recorder's Office, Los Angeles County,
California

09/22/08 AT 02:25PM

Fee: 0.00
Tax: 0.00
Other: 0.00
Total: 0.00

2316021 200809220050065 Counter

TITLE(S) :

LEAD SHEET

Assessor's Identification Number (AIN)
To be completed by Examiner OR Title Company in black ink.

Number of AIN's Shown

- -

E465488

THIS FORM IS NOT TO BE DUPLICATED

32 SEPT 2, 2008

# ORIGINAL

RECORDING REQUESTED BY
COUNTY OF LOS ANGELES

WHEN RECORDED MAIL TO

NAME MAPPING & PROPERTY MANAGEMENT

MAILING ADDRESS County of Los Angeles
Department of Public Works

P.O. Box 1460

CITY, STATE ZIP CODE Alhambra, Ca 91802-1460

Attention Jose L. Suarez

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SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

THIS DOCUMENT IS EXEMPT FROM RECORDING FEES
PURSUANT TO SECTION 27383 OF THE GOVERNMENT CODE

RESOLUTION OF SUMMARY VACATION
SLOPE EASEMENT EAST OF ADAMSVILLE ROAD
M0688128

32 SEPT 2, 2008

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ORIGINAL

**RESOLUTION OF SUMMARY VACATION**
**SLOPE EASEMENT EAST OF ADAMSVILLE ROAD**

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 slope 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 Adamsville Road, is located in the vicinity of Glenview 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 excess right of way not required for street or highway purposes.

4. The Easement is not useful as a nonmotorized transportation facility as defined in Section 887 of the California Streets and Highways Code.

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

6. Public Works is 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 2ND day of SEPTEMBER, 2008, 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 Carole B. Suzuki
Deputy

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

By
Deputy

JLS:mr
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32 SEPT 2, 2008

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**EXHIBIT A**

**SLOPE EASEMENT EAST OF ADAMSVILLE ROAD**
A.I.N. 4436-024-036 (Portion)
T.G. 589-J1
I.M. 144-097
R.D. 336
S.D. Third District
M0688128

**Legal Description**
(Vacation of Easement)

That portion of the Southeast quarter of Section 36, Township 1 North, Range 17 West, S.B.M., designated as "PARCEL 3" in the Easement deed, recorded on May 19, 1981, as Document No. 81-500936, of Official Records, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles.

Total Area: 22,391± square feet

APPROVED AS TO DESCRIPTION

May 15, 2008

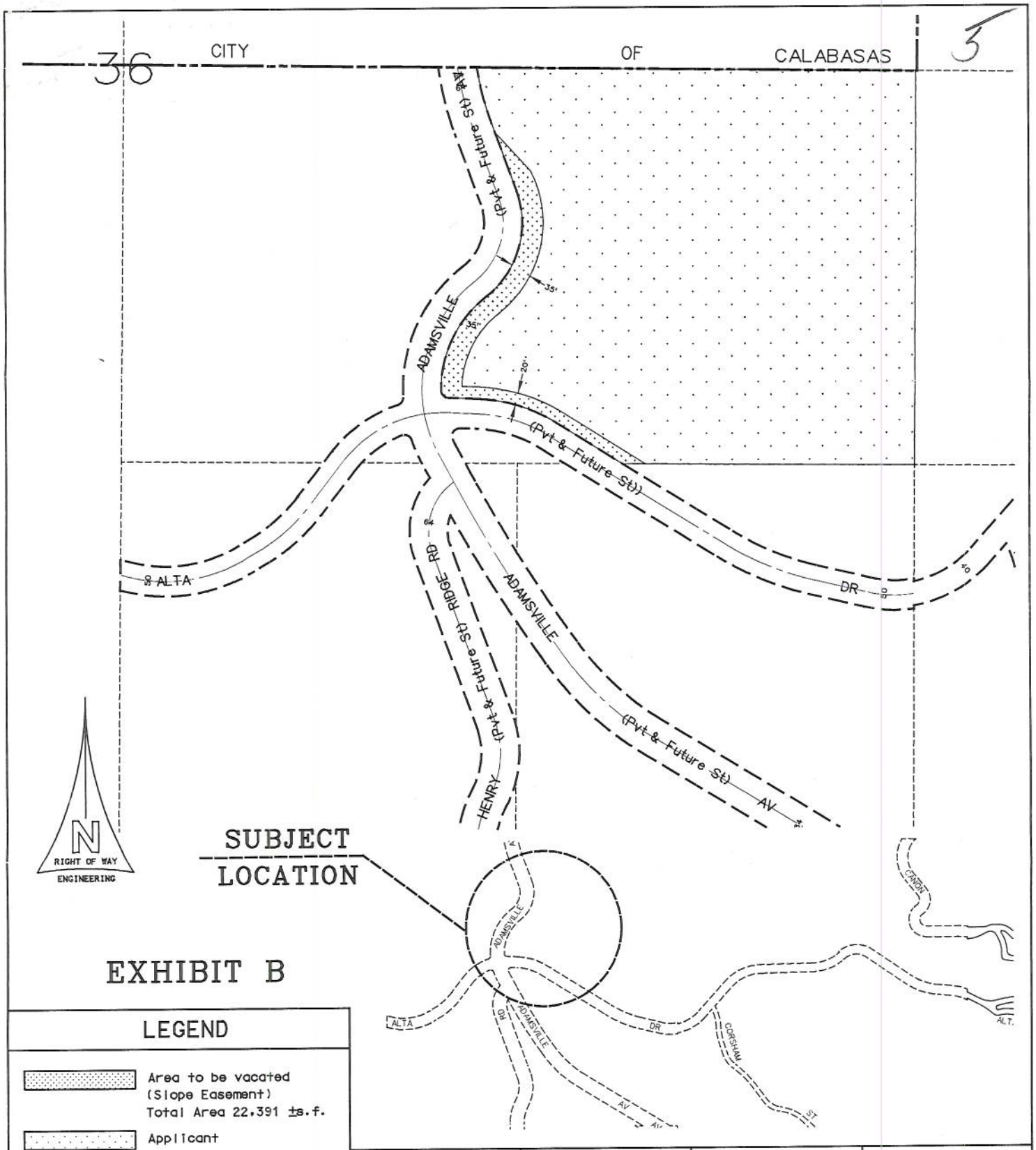
COUNTY OF LOS ANGELES

By

SUPERVISING CADASTRAL ENGINEER III
Mapping and 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.

RH:adg
P5\ld ADAMSVILLE RD




# EXHIBIT B

| LEGEND | |
|---|---|
| | Area to be vacated (Slope Easement) Total Area 22,391 ±s.f. |
| | Applicant |

| REVISIONS | 1. | 2. | 3. |
|---|---|---|---|

| DEPARTMENT OF PUBLIC WORKS | | | | MAPPING & PROPERTY MANAGEMENT DIVISION | |
|---|---|---|---|---|---|
| SD. 3 | RD. 336 | A.I.N. 4436-024-036 | T.G. 589-J1 | SLOPE EASEMENT E/O ADAMSVILLE ROAD | DRAWING NO. M0688128 |
| SCALE NONE | | DATE 6-22-06 | I.M. 144-097 | | |

32 SEPT 2, 2008

D:\myfiles\microstation files\County-vac\V8-M0688128.dgn