



COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ALHAMBRA, CALIFORNIA 91803-1331
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ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

GAIL FARBER, Director

November 16, 2010

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

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

18 NOVEMBER 16, 2010

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**RESOLUTION OF SUMMARY VACATION
FOR A FUTURE STREET NORTH OF AVENUE P
IN THE UNINCORPORATED COMMUNITY OF LAKE LOS ANGELES
(SUPERVISORIAL DISTRICT 5)
(3 VOTES)**

SUBJECT

This action will allow the County of Los Angeles to abandon an offer of dedication of road right of way (Future Street), north of Avenue P in the unincorporated community of Lake Los Angeles, that is no longer required for public use. John Beaudette, on behalf of his neighbors who are all adjoining property owners along the future street, requested the abandonment of the future street to enhance their properties and provide additional building area.

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 the offer of dedication of road right of way north of Avenue P, in the unincorporated community of Lake Los Angeles, 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.
3. Find that the offer of dedication of road right of way north of Avenue P is excess and not required for street or highway purposes and that it may, therefore, be vacated pursuant to Section 8334(a) of the California Streets and Highways Code.

4. Find that the offer of dedication of road right of way north of Avenue P is not useful as a nonmotorized transportation facility as required by Section 892 of the California Streets and Highways Code.
5. Terminate the offer of dedication of road right of way (future street) and abandon the County of Los Angeles' right to accept and open the street pursuant to Section 66477.2(c) of the California Government Code.
6. Adopt the Resolution of Summary Vacation.
7. Upon approval, authorize the Department of Public Works to record the certified original resolution with the office of the Los Angeles County Registrar-Recorder/County Clerk.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to allow the County of Los Angeles (County) to abandon the offer of dedication of road right of way north of Avenue P (Offer), in the unincorporated community of Lake Los Angeles, 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 the provision of Operational Effectiveness (Goal 1). The abandonment of the Offer will result in added revenue through assessment and taxation.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The applicants have paid a \$1,500 fee to defray the expense of the investigation. The money was deposited into the Road Fund. The fee was authorized by the County of Los Angeles Board of Supervisors (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 of the future street to be abandoned contains approximately 62,356 square feet and is shown on the map that is attached to the enclosed Resolution of Summary Vacation.

The California 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 California 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."

Government Code Section 66477.2(c) provides "Offers of dedication which are covered by subdivision (a) may be terminated and abandoned in the same manner as prescribed for the summary vacation of streets by Part 3 (commencing with Section 8300) of Division 9 of the Streets and Highways Code."

The County's interest in the future street was acquired by dedication in Tract No. 28494, filed in Book 767, pages 25 to 32 inclusive, of Maps, in the office of the Los Angeles County Registrar-Recorder/County Clerk as an easement for street purposes.

The Offer was never accepted by the County, no improvements were ever made to the right of way by the County, and this area has never been used for County highway purposes.

John Beaudette, on behalf of his neighbors who are all adjoining property owners along the future street, requested the abandonment of the future street to enhance their properties and provide additional building area.

Adoption of the enclosed resolution and the subsequent recordation will terminate the County's rights and interest in the Offer. Your action will result in the properties being unencumbered by the Offer and made available to the property owners for use without restriction of the Offer.

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 state 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 the elimination of the Offer.

The Honorable Board of Supervisors

11/16/2010

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CONCLUSION

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

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:SGS:mr

Enclosures

c: Auditor-Controller (Accounting Division - Asset
Management)
Chief Executive Office
County Counsel
Executive Office

**RESOLUTION OF SUMMARY VACATION
FUTURE STREET NORTH OF AVENUE P**

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 recipient of an offer of dedication for road purposes (hereinafter referred to as the Offer) in, over, and across the real property legally described in Exhibit A and depicted on Exhibit B, both attached hereto. The Offer, north of Avenue P, is located in the unincorporated community of Lake Los Angeles in the County of Los Angeles, State of California.
2. The Offer 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 Offer is excess right of way not required for street or highway purposes.
4. The Offer is not useful as a nonmotorized transportation facility as defined in Section 887 of the California Streets and Highways Code.
5. The Offer is hereby terminated and abandoned pursuant to Section 66477.2 (c) of the California Government Code and pursuant to Chapter 4, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8330.
6. The Department of 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 Offer will be terminated, and the County's rights to accept said offer of dedication will be abandoned.
7. From and after the date this resolution is recorded, the Offer will no longer constitute a street, highway, or public service easement.

The foregoing resolution was on the 16th day of November, 2010, 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:

ANDREA SHERIDAN ORDIN
County Counsel

By Julia Weissman
Deputy

GT:mr

P:\mppub\admin\maria\Board Ltr Enclosure\RESOL FUTURE ST AVE P

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

By [Signature]
Deputy



EXHIBIT A

Project Name: **FUTURE STREET NORTH OF AVENUE P 20-1ABN**

A.I.N. 3072-002-001 to 011

T.G. 4199-H4

I.M. 324-337

R.D. 555

S.D. 5

M0688119

LEGAL DESCRIPTION

PARCEL NO. 20-1ABN (Abandonment of future street):

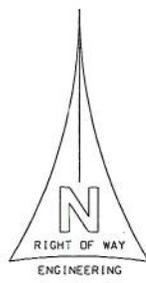
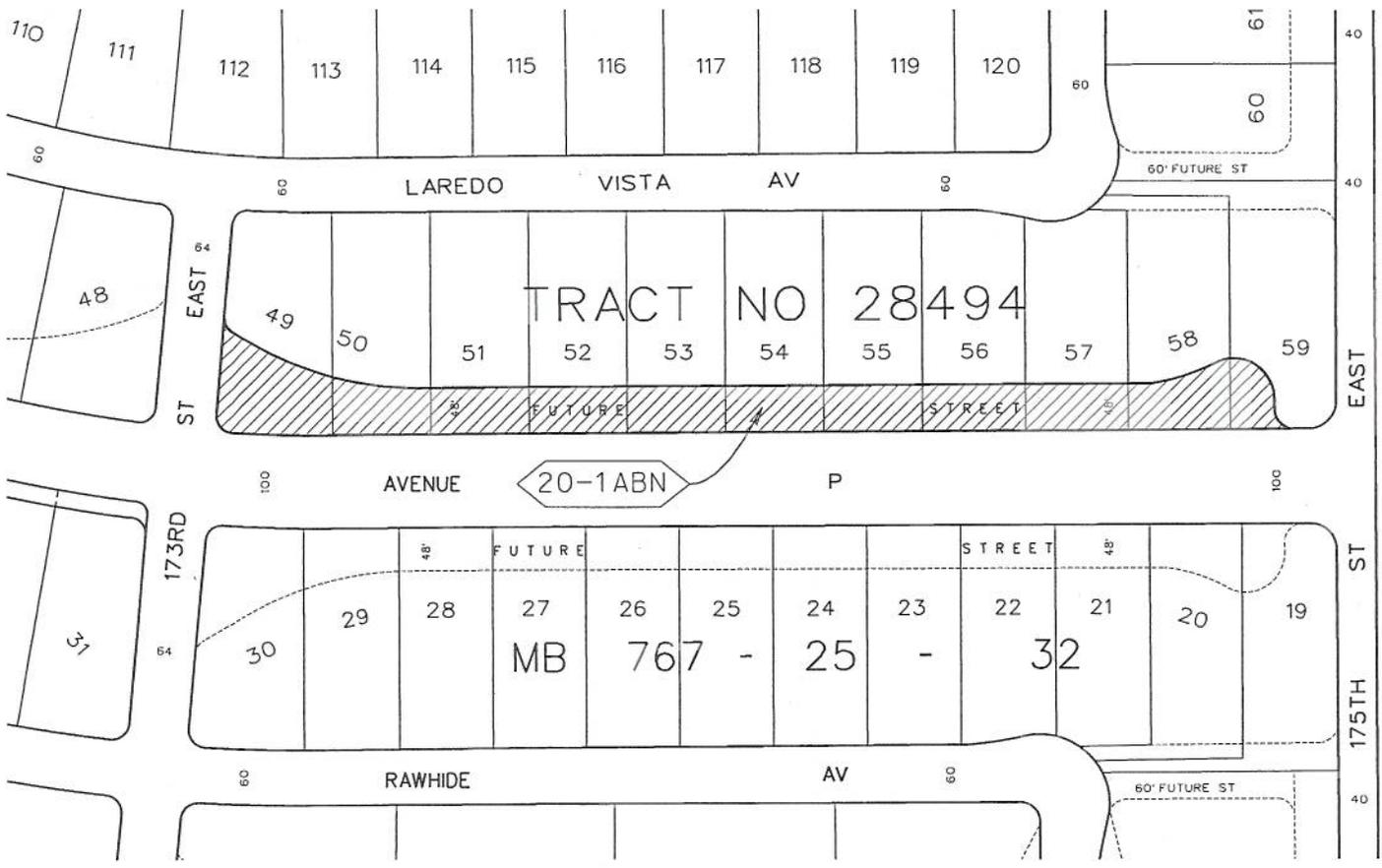
Those portions of Lots 49 to 59, inclusive, of Tract No. 28494, as shown on map filed in Book 767, pages 25 to 32, inclusive, of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, designated as "FUTURE STREET" on said map.

EXCEPTING therefrom those portions lying within the northerly 50 feet of said Lot 58 and Lot 59.

Total Area: 62,356 ± square feet

APPROVED AS TO DESCRIPTION
September 29, 2010
COUNTY OF LOS ANGELES
By 
SUPERVISING CADASTRAL ENGINEER III
Survey/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.



SUBJECT LOCATION

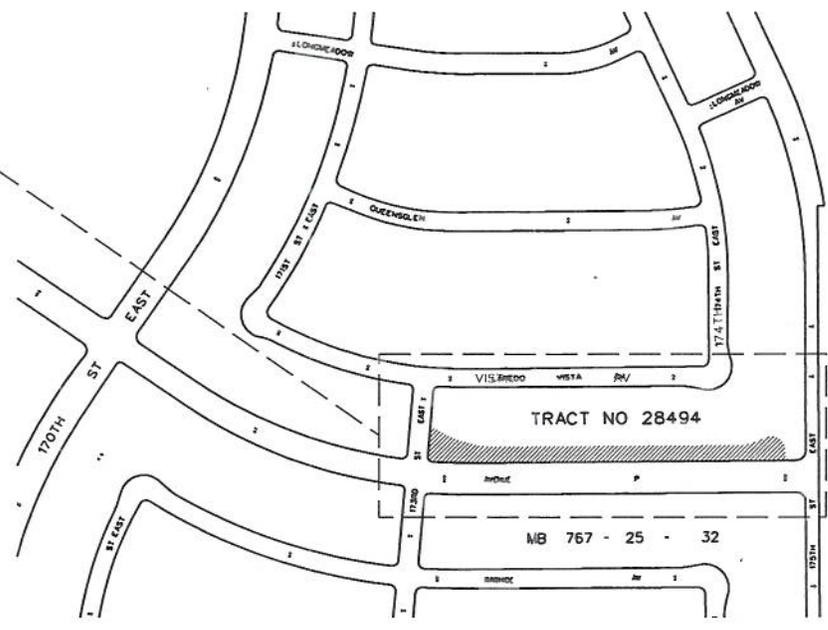


EXHIBIT B

LEGEND



Proposed abandonment of future street.
Total Area=62,356± s.f.

REVISIONS	1.	2.	3.
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DEPARTMENT OF PUBLIC WORKS

MAPPING & PROPERTY MANAGEMENT DIVISION

SD. 5	RD. 555	A.M.B. 3072-002	T.G. 4199-H4
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FUTURE STREET N/O AVENUE P	DRAWING NO. M0688119
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SCALE NONE	DATE 3-28-05	I.M. 324-337
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