



COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

GAIL FARBER, Director

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

November 30, 2010

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

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

37 NOVEMBER 30, 2010

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Dear Supervisors:

**RESOLUTION OF SUMMARY VACATION
FOR A FUTURE STREET EAST OF 75TH STREET WEST (CONDITIONAL)
IN THE UNINCORPORATED COMMUNITY OF ANTELOPE ACRES
(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), east of 75th Street West, in the unincorporated community of Antelope Acres, that is no longer needed for public use. John Greppin Construction Company, on behalf of their client, Corey Jones, requested the abandonment of the future street to provide improvements as part of the construction of a new home.

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 east of 75th Street West, in the unincorporated community of Antelope Acres, 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 east of 75th Street West 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 east of 75th Street West 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 (Conditional).
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 find that the project is exempt from the California Environmental Quality Act (CEQA) and allow the County of Los Angeles (County) to abandon the offer of dedication of road right of way east of 75th Street West (Offer), in the unincorporated community of Antelope Acres, 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 and reduce the County's exposure to potential liability.

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. This amount has been paid and deposited into the Road Fund. The fee was authorized by the County 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 8,991 square feet. The irrevocable offer of dedication for private and future street contains approximately the same 8,991 square feet. Both are shown on the map that is attached to the enclosed Resolution of Summary Vacation (Conditional).

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 Document No. 06-1859027, recorded on August 21, 2006, of Official Records, 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 Greppin Construction Company, on behalf of their client, Corey Jones, requested the abandonment of the future street to provide improvements as part of the construction of a new home.

The proposed vacation is conditioned upon the underlying fee owner executing an Irrevocable Offer to Dedicate and Grant of Easement for street and highway purposes. This condition must be met to the satisfaction of the Department of Public Works (Public Works) within one year of the date this resolution is adopted by your Board or the abandonment of the easement will terminate and become null and void.

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 property being unencumbered by the Offer and available to the property owner for use without restriction of the Offer.

ENVIRONMENTAL DOCUMENTATION

This action is categorically exempt from the provisions of 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.

CONCLUSION

Please return one adopted copy of this letter and one original and one copy of the resolution to 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 black ink that reads "Gail Farber". The signature is written in a cursive, flowing style.

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 EAST OF 75TH STREET WEST
(CONDITIONAL)**

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, east of 75th Street West, is located in the unincorporated community of Antelope Acres in the County of Los Angeles, State of California.
2. The Offer has not been used for the purpose for which it was dedicated.
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 proposed vacation is conditioned upon the underlying fee owner executing an Irrevocable Offer to Dedicate and Grant of Easement for street and highway purposes. This condition must be met to the satisfaction of the Department of Public Works within one year of the date this Resolution is adopted by the Board of Supervisors or the abandonment of the Easement will terminate and become null and void.
7. Upon the satisfaction of the condition specified in paragraph 6, above, 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.
8. 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 30th 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 
Deputy

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

By 
Deputy

GT:mr

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EXHIBIT A

Project Name: **FUTURE STREET EAST OF
75TH STREET WEST 1-1VAC**
A.I.N. 3268-008-021
T.G. 3924-C7
I.M. 369-197
R.D. 551
S.D. 5
M0788115

Legal Description

Parcel No. 1-1VAC: (Abandonment of easement)

Those portions of those certain parcels of land in the south half of the west half of the north half of the northwest quarter of the southwest quarter of the southeast quarter of Section 33, Township 8 North, Range 13 West, S.B.M., described as Part 2 and Part 3 in Irrevocable Offer to Dedicate and Grant of Easement to the County of Los Angeles, recorded on December 12, 2006, as Document No. 06-2758764, of Official Records, in the office of the Registrar-Recorder/County Clerk of said county.

Total Area: 8,991± square feet

APPROVED AS TO DESCRIPTION
<u>October 7</u> , 2010
COUNTY OF LOS ANGELES
By <u>[Signature]</u>
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.

EXHIBIT A

Project Name: **FUTURE STREET EAST OF
75TH STREET WEST 1-1DFG**
Includes: **Parcel No. 1-1DFG.1**
A.I.N. 3268-008-021
T.G. 3924-C7
I.M. 369-197
R.D. 551
S.D. 5
M0788115

Legal Description

Parcel No. 1-1DFG: (Irrevocable offer and grant of easement)

The northerly 30 feet of that certain parcel of land in the south half of the west half of the north half of the northwest quarter of the southwest quarter of the southeast quarter of Section 33, Township 8 North, Range 13 West, S.B.M., described in deed to Corey Ann Jones, recorded on April 14, 2006, as Document No. 06-0820820, of Official Records, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles.

EXCEPTING therefrom the westerly 32 feet thereof.

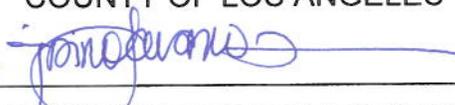
Parcel No. 1-1DFG.1: (Irrevocable offer and grant of easement)

That portion of the above-mentioned certain parcel of land, within the following described boundaries:

Beginning at the intersection of the southerly line of the above-described Parcel No. 1-1DFG and the easterly line of the westerly 32 feet of the above mentioned certain parcel of land; thence southerly along said easterly line to the beginning of a curve, concave to the southeast, having a radius of 13 feet, tangent to said easterly line and tangent to said southerly line; thence northeasterly along said curve to said southerly line; thence westerly along said southerly line to the point of beginning.

Total Area: 8,991± square feet

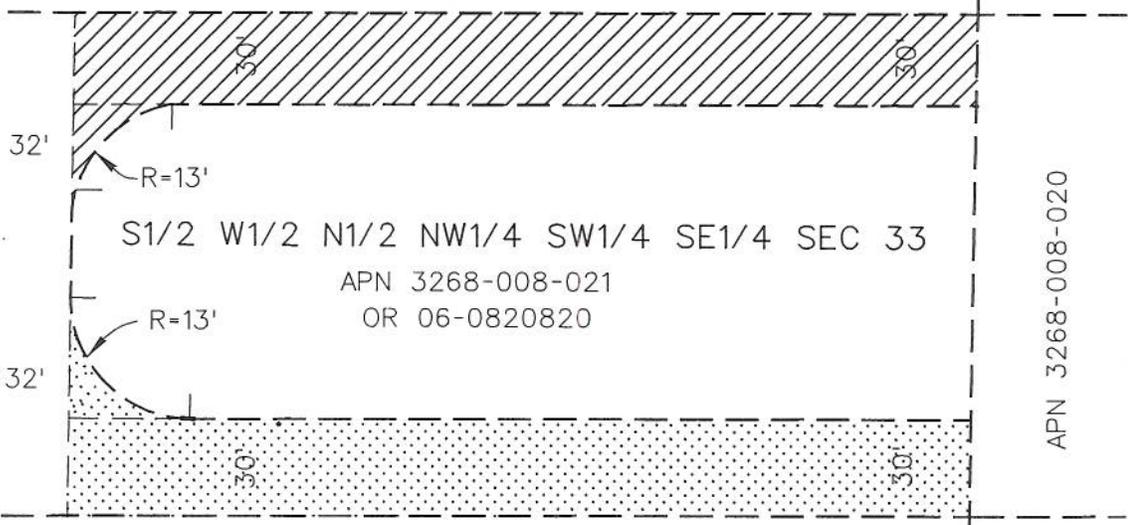
This real property description has been prepared in conformance with the Professional Land Surveyors Act. The signatory herein is exempt pursuant to Section 8726 of the California Business and Professions Code.

APPROVED AS TO DESCRIPTION	
October 7, 2010	
COUNTY OF LOS ANGELES	
By	
SUPERVISING CADASTRAL ENGINEER III Survey/Mapping & Property Management Division	

APN 3268-007-007
 SE1/4 SW1/4 SEC 33
 WEST
 75TH ST
 NE1/4 SE1/4

APN 3268-008-022

POR SE1/4 SEC 33

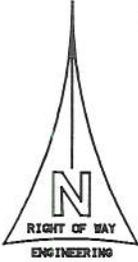


APN 3268-008-021
 OR 06-0820820

APN 3268-008-020

APN 3268-008-065

T8N, R13W
 SBM



SUBJECT
 LOCATION

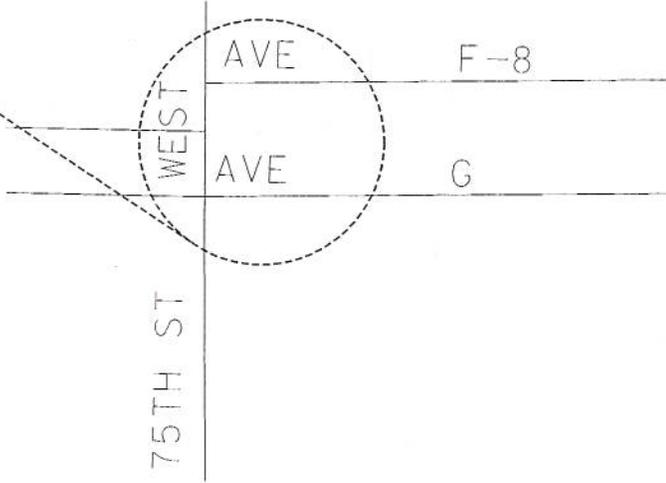
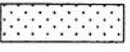


EXHIBIT B

LEGEND

-  Area to be abandoned
Total area: 8,991 ± s.f.
-  Area to be dedicated
Total area: 8,991 ±s.f.

MAPPING & PROPERTY MANAGEMENT DIVISION

DEPARTMENT OF PUBLIC WORKS				1.	2.	3.
S.D. 5	R.D. 551	A.I.N. 3268-008-021	T.G. 3924 C/7	FUTURE STREET EAST OF 75TH ST. WEST		DRAWING NO. M0788115
SCALE NONE		DATE 06-18-07	I.M. 369-197			