COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"Enriching Lives"

JAMES A. NOYES, Director

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
www.ladpw.org

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

IN REPLY PLEASE
REFER TO FILE: MP-5

October 23, 2003

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 INTENTION TO VACATE
A PORTION OF COLD CANYON ROAD - MONTE NIDO
FUTURE PUBLIC HEARING
SUPERVISORIAL DISTRICT 3
3 VOTES

IT IS RECOMMENDED THAT YOUR BOARD:

1. Adopt the enclosed Resolution of Intention to Vacate a portion of Cold Canyon Road, north of Piuma Road, in the unincorporated County area known as Monte Nido, pursuant to Section 8320, et seq., of the California Streets and Highways Code.

2. Set the matter for hearing not less than 15 days from the adoption of the Resolution pursuant to Section 8320 of the California Streets and Highways Code.

3. Instruct the Executive Officer of the Board to publish the enclosed Notice of Proposed Vacation pursuant to Section 8322 of the California Streets and Highways Code.

AFTER THE PUBLIC HEARING, IT IS RECOMMENDED THAT YOUR BOARD:

Adopt the enclosed Resolution to Vacate with Reservations on the date of the hearing, pursuant to Section 8324 of the California Streets and Highways Code, after finding that:

a. The vacation is categorically exempt from the provisions of the California Environmental Quality Act (CEQA).

b. The area proposed to be vacated is no longer needed for present or prospective public use, including bicycle paths and trails.

c. The public convenience and necessity require the reservation and exception of easements and rights as set forth in Section 8340 of the California Streets and Highways Code.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

West Pointe Homes, Inc., the underlying fee owner, initiated the vacation of that portion of Cold Canyon Road outside of the 72-foot right of way alignment to comply with the condition of approval of Tract No. 45168. This action will remove from the record all public easement rights in the proposed vacation area.

The original alignment of Cold Canyon Road, north of Piuma Road, was dedicated to the County in 1929 and in 1930 for public road and highways. In December 1990, as a result of the filing of Tract No. 45168, Cold Canyon Road was realigned to make the intersection of Cold Canyon Road and Piuma Road perpendicular. The new alignment negates the need to retain portions of the old alignment.

Vacation and abandonment of a portion of Cold Canyon Road from Piuma Road to approximately 250 feet north of Piuma Road will not eliminate access to any adjacent properties, nor will it negatively impact the property of other owners. The vacation also allows us to divest unnecessary and excess right of way. It is in the County's interest to vacate the right of way since it no longer serves the purpose for which it was dedicated and is not required for general public access, circulation, or for bicycle paths and trails.

Implementation of Strategic Plan Goals

This action is consistent with the County Strategic Plan Goal of Fiscal Responsibility as the vacation of the right of way will result in added revenue through assessment and taxation, eliminates unnecessary maintenance costs, and removes possible County exposure to liability.

FISCAL IMPACT/FINANCING

Vacation of this portion of Cold Canyon Road will not have a negative fiscal impact on the County's budget. A fee of $2,000 has been paid by the petitioner to defray the expenses of investigation, mailings, publication, and posting. The fee is authorized by your Board in 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 10,404 square feet and is shown on the map attached to each Resolution.

The County's interests were acquired as an easement for road and highway purposes in deeds recorded on December 20, 1929, in Book 9552, page 354, and recorded on April 22, 1930, in Book 9882, page 252, both of Official Records, and as dedicated by map of Tract No. 45168, filed on December 6, 1990, in the Office of the Recorder of the County of Los Angeles.

The Public Streets, Highways, and Service Easement Vacation Law allows your Board to voluntarily relinquish the County's interest and terminate the public's right over a street or highway. Adoption by your Board of the recommendations contained herein terminates the rights of the public to the vacated area and disposes of excess County right of way. Your action will also result in the affected properties being unencumbered of the public easement, thereby allowing the owners of the underlying fee title to exercise their reversionary rights over the vacated area.

ENVIRONMENTAL DOCUMENTATION

With respect to requirement of CEQA, this proposed vacation is categorically exempt as specified in Classes 12 and 21(a) of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, Synopsis 57, and Sections 15312 and 15321 of State CEQA Statutes and Guidelines.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The County of Los Angeles Fire Department has found that no fire protection facilities will be affected by the proposed vacation. The County of Los Angeles Regional Planning Commission has determined that the proposed vacation does not conflict with the County-adopted General Plan. Existing easement rights for utility facilities will be reserved to Pacific Bell, Southern California Gas Company, and Las Virgenes Municipal Water District.

CONCLUSION

This action is in the County's best interest. Enclosed are a Resolution of Intention to Vacate and a Resolution to Vacate with Reservations, approved as to form by County Counsel, vacating a portion of Cold Canyon Road, north of Piuma Road. Upon adoption of the Resolution of Intention to Vacate, please transmit two conformed copies of the Resolution and the Notice of Proposed Vacation to Public Works, which will post the notices pursuant to California Streets and Highways Code Section 8323. Upon adoption of the Resolution to Vacate with Reservations, please return one executed original, together with two conformed copies and a copy of the Board's minute order, for further processing. Public Works will record the Resolution and return the executed original Resolution to you when recorded. In the interim, please retain one executed copy for your files.

One approved copy of this letter is requested.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

CVC:fr
5/CVC Brdltr 2612

Enc.

cc: Chief Administrative Office
County Counsel

RESOLUTION OF INTENTION TO VACATE

WHEREAS, it is proposed that a portion of Cold Canyon Road, variable-width, from Piuma Road to a point approximately 250 feet northeasterly of Piuma Road, vicinity of Monte Nido, in the unincorporated area of the County of Los Angeles, State of California, be vacated as a public highway; and

WHEREAS, the proposed vacation has been approved by the Director of the County of Los Angeles Department of Public Works.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles, State of California, that it is the intention of said Board of Supervisors to order that the aforementioned right of way legally described in Exhibit "A" and as shown by the map in Exhibit "B" attached hereto and incorporated herein by this reference covering the right of way in the County of Los Angeles, State of California, be vacated pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8320;

NOW, THEREFORE, IT IS ORDERED by the Board of Supervisors of the County of Los Angeles, State of California, the _____ day of _____, 20___, at the hour of _____ a.m./p.m. of said day, is the day and hour, and the Hearing Room of the Board of Supervisors, Room 381 Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, California 90012, is the place fixed by the Board of Supervisors when and where any and all persons having objections to the proposed vacation may appear before the said Board of Supervisors and show cause why said proposed vacation should not be made in accordance with this Resolution.

IT IS FURTHER ORDERED that notices of such proposed vacation to be conspicuously posted, along the lines of the area proposed to be vacated in the manner and in the form required by law, and shall cause same to be published in _____ a newspaper of general circulation published in the County, for at least two successive weeks prior to the day fixed for the hearing.

The foregoing Resolution was on the _____ day of _____ 20_____, adopted and ordered 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.

VIOLET VARONA-LUKENS
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

APPROVED AS TO FORM:

LLOYD W. PELLMAN
County Counsel

By_____
Deputy

By _____
Deputy

CVC:fr:\5/CVC Brdltr2312

EXHIBIT "A"

COLD CANYON ROAD VACATION (10)
(M9188109)

That portion of Cold Canyon Road, formerly Las Virgenes Road, in Sections 17 and 18, Township 1 South, Range 17 West, S.B.M., described in deeds to County of Los Angeles, recorded on December 20, 1929, in Book 9552, page 354, of Official Records, in the office of the Recorder of the County of Los Angeles, and recorded on April 22, 1930, in Book 9882, page 252, of said Official Records, and that portion of Cold Canyon Road, as shown on and dedicated by map of Tract No. 45168, filed in Book 1166, pages 97, 98 and 99, of Maps, in the office of said Recorder, within the following described boundaries:

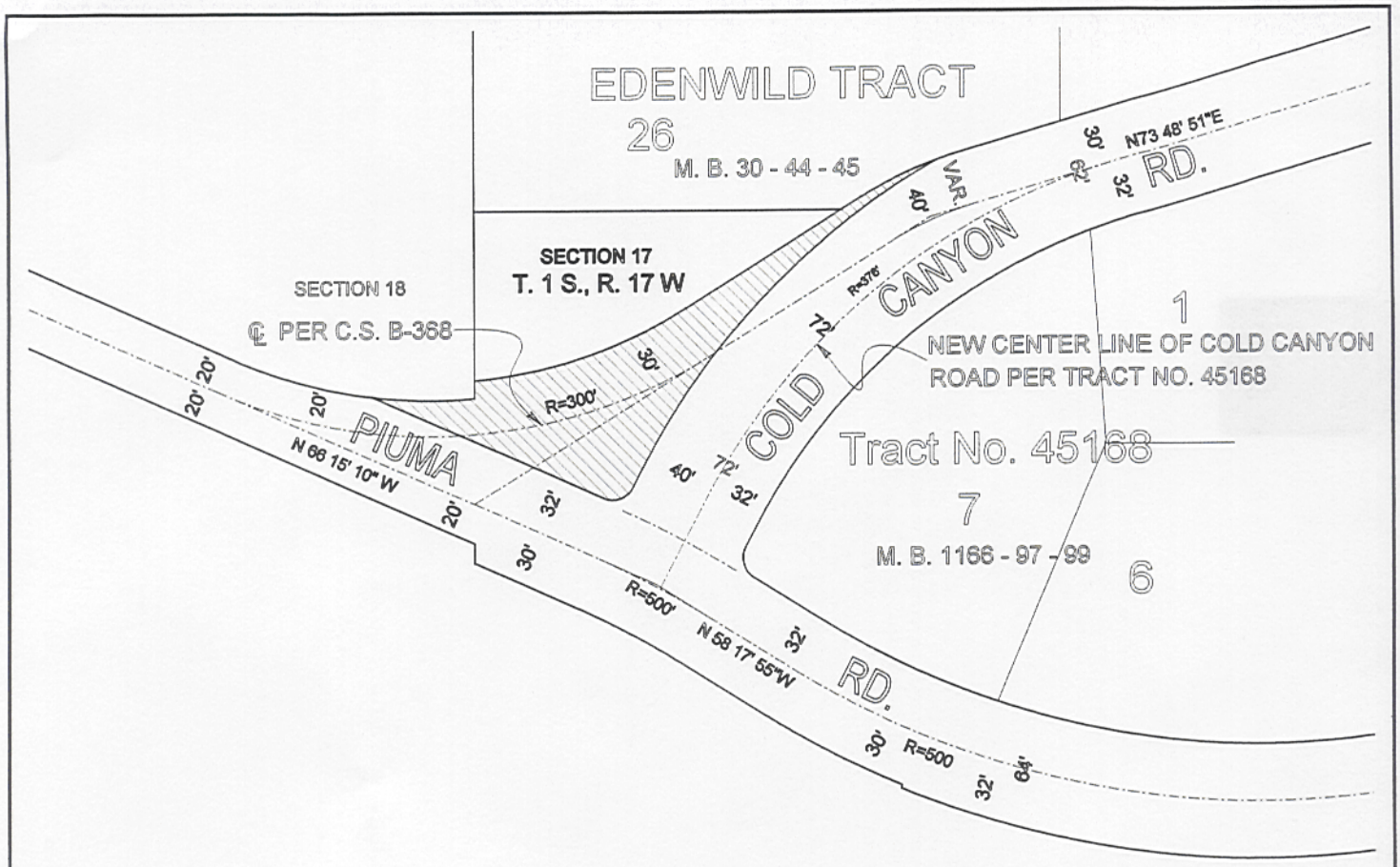
Beginning at the intersection of the northwesterly boundary of that certain 60 foot strip of land described in said deed to County of Los Angeles, recorded in Book 9882, page 252, with a curve concentric with and 72 feet northwesterly, measured radially, from that certain 344 foot radius curve in the northwesterly boundary of Lot 7, said tract; thence southwesterly along said concentric curve to a line parallel with and 72 feet northwesterly, measured at right angles, from that certain course of North 28°04'54" East 15.47 feet in said last mentioned northwesterly boundary; thence southwesterly along said parallel line to the beginning of a curve concave to the northwest, having a radius of 13 feet, tangent to said parallel line and tangent to a line parallel with and 32 feet northeasterly, measured at right angles, from that certain course of North 66°15'10" West 76.66 feet in the center line of Piuma Road, as said center line is shown on said map; thence southwesterly along said last mentioned curve to said last mentioned parallel line; thence northwesterly along said last mentioned parallel line to the northerly boundary of that certain 40 foot strip of land described in said deed to County of Los Angeles, recorded in Book 9552, page 354; thence easterly along said northerly boundary to the easterly line of said Section 18; thence northerly along said easterly line to the northerly boundary of said certain 60 foot strip of land; thence easterly and northeasterly along said northerly and northwesterly boundaries of said certain 60 foot strip of land to the point of beginning.

Reserving all easements and rights of Pacific Bell, Southern California Gas Company and Las Virgenes Municipal Water District in and across the above portion of Cold Canyon Road herein being vacated.

The reservations herein being made are done in accordance with the provisions of Sections 8340 and 8341 of the Streets and Highways Code of the State of California.

DESCRIPTION APPROVED
October 2, 1991
WILLIAM F. STEWART
Director
INTERNAL SERVICES DEPARTMENT

By Richard S. Chan, Deputy



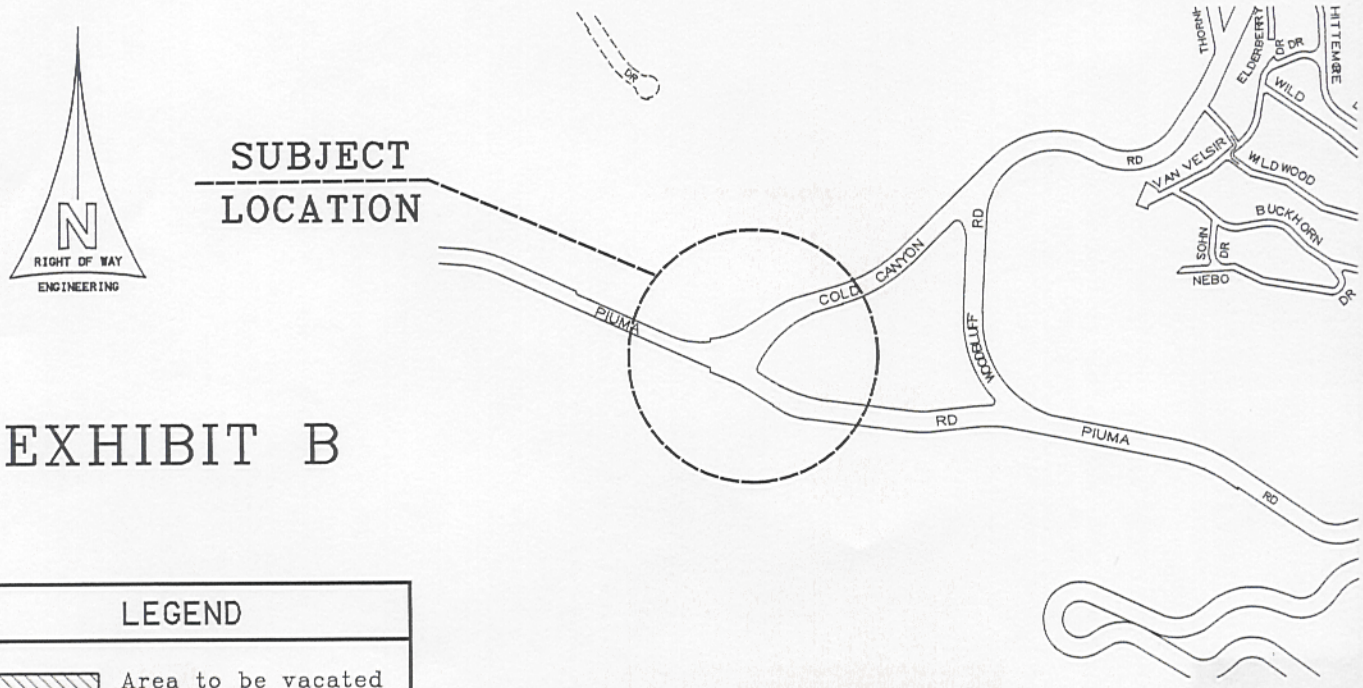


EXHIBIT B

LEGEND			
Area to be vacated			
Total Area 10,404 ± s.f.	REVISIONS	1.	2.	3.

DEPARTMENT OF PUBLIC WORKS				MAPPING & PROPERTY MANAGEMENT DIVISION	
SD. 3	RD. 336 339	A.M.B. 4456-012	T.G. 628-J1	COLD CANYON ROAD NE/O PIUMA ROAD	DRAWING NO. M9188109
SCALE NONE		DATE 12-04-90	I.M. 120-077		

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

NOTICE OF PROPOSED VACATION OF A PORTION OF COLD CANYON ROAD IN THE VICINITY OF MONTE NIDO, IN THE THIRD SUPERVISORIAL DISTRICT

NOTICE IS HEREBY GIVEN that a Resolution of Intention was adopted by the Board of Supervisors of the County of Los Angeles on _____ 20_____, declaring its intention to vacate, with reservations, a portion of Cold Canyon Road north of Piuma Road (Monte Nido, CA 91302), in the unincorporated portion of the County of Los Angeles, State of California, in the Third Supervisorial District, as described in Exhibit "A" and as shown by the map in Exhibit “B” attached hereto and incorporated herein by this reference.

A hearing on the proposed vacation will be held in the Hearing Room of the Board of Supervisors, Room 381, Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, California 90012, on _____, 20_____, at _____ a.m./p.m.

By order of the Board of Supervisors of the County of Los Angeles, State of California, adopted _____ 20_____.

VIOLET VARONA-LUKENS
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM:

LLOYD W. PELLMAN
County Counsel

By _____
Deputy

EXHIBIT "A"

COLD CANYON ROAD VACATION (10)
(M9188109)

That portion of Cold Canyon Road, formerly Las Virgenes Road, in Sections 17 and 18, Township 1 South, Range 17 West, S.B.M., described in deeds to County of Los Angeles, recorded on December 20, 1929, in Book 9552, page 354, of Official Records, in the office of the Recorder of the County of Los Angeles, and recorded on April 22, 1930, in Book 9882, page 252, of said Official Records, and that portion of Cold Canyon Road, as shown on and dedicated by map of Tract No. 45168, filed in Book 1166, pages 97, 98 and 99, of Maps, in the office of said Recorder, within the following described boundaries:

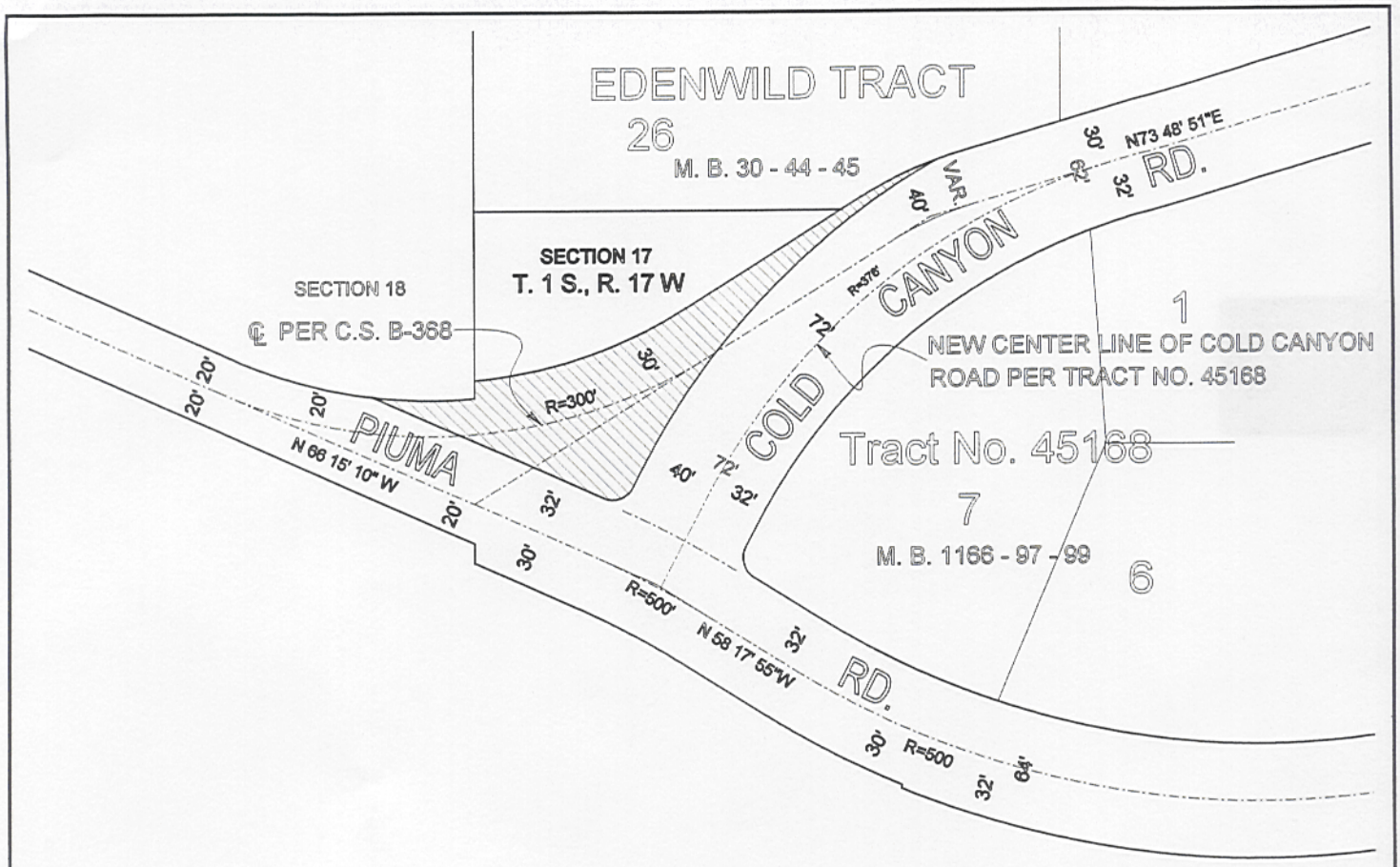
Beginning at the intersection of the northwesterly boundary of that certain 60 foot strip of land described in said deed to County of Los Angeles, recorded in Book 9882, page 252, with a curve concentric with and 72 feet northwesterly, measured radially, from that certain 344 foot radius curve in the northwesterly boundary of Lot 7, said tract; thence southwesterly along said concentric curve to a line parallel with and 72 feet northwesterly, measured at right angles, from that certain course of North 28°04'54" East 15.47 feet in said last mentioned northwesterly boundary; thence southwesterly along said parallel line to the beginning of a curve concave to the northwest, having a radius of 13 feet, tangent to said parallel line and tangent to a line parallel with and 32 feet northeasterly, measured at right angles, from that certain course of North 66°15'10" West 76.66 feet in the center line of Piuma Road, as said center line is shown on said map; thence southwesterly along said last mentioned curve to said last mentioned parallel line; thence northwesterly along said last mentioned parallel line to the northerly boundary of that certain 40 foot strip of land described in said deed to County of Los Angeles, recorded in Book 9552, page 354; thence easterly along said northerly boundary to the easterly line of said Section 18; thence northerly along said easterly line to the northerly boundary of said certain 60 foot strip of land; thence easterly and northeasterly along said northerly and northwesterly boundaries of said certain 60 foot strip of land to the point of beginning.

Reserving all easements and rights of Pacific Bell, Southern California Gas Company and Las Virgenes Municipal Water District in and across the above portion of Cold Canyon Road herein being vacated.

The reservations herein being made are done in accordance with the provisions of Sections 8340 and 8341 of the Streets and Highways Code of the State of California.

DESCRIPTION APPROVED
October 2, 1991
WILLIAM F. STEWART
Director
INTERNAL SERVICES DEPARTMENT

By Richard S. Chan, Deputy



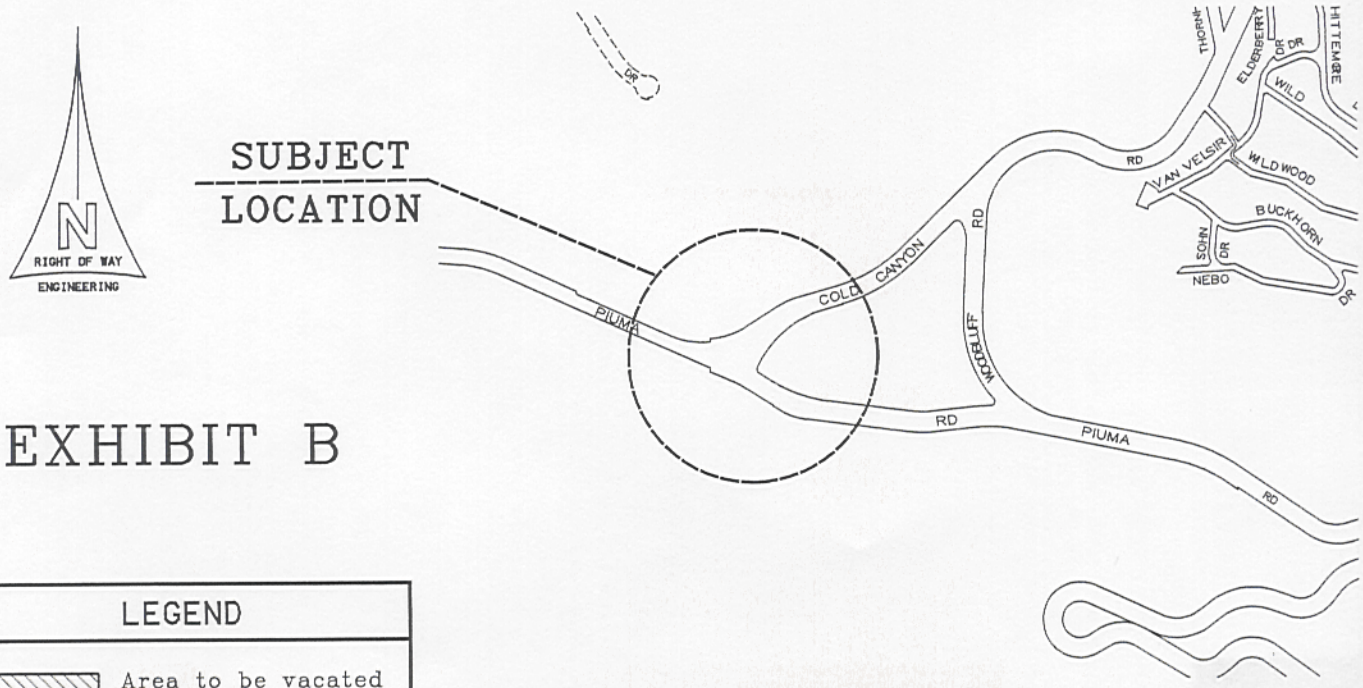


EXHIBIT B

LEGEND			
Area to be vacated			
Total Area 10,404 ± s.f.	REVISIONS	1.	2.	3.

DEPARTMENT OF PUBLIC WORKS				MAPPING & PROPERTY MANAGEMENT DIVISION	
SD. 3	RD. 336 339	A.M.B. 4456-012	T.G. 628-J1	COLD CANYON ROAD NE/O PIUMA ROAD	DRAWING NO. M9188109
SCALE NONE		DATE 12-04-90	I.M. 120-077		

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

RESOLUTION TO VACATE WITH RESERVATIONS

WHEREAS, the Board of Supervisors of the County of Los Angeles, State of California, did on _____,20____, adopt the Resolution of Intention to Vacate as a public Highway a portion of Cold Canyon Road, variable width, from Piuma Road to a point approximately 250 feet northeasterly of Piuma Road, vicinity of Monte Nido, in the County of Los Angeles, State of California, legally described in Exhibit "A" and shown by map in Exhibit "B" attached to said Resolution; pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code of the State of California commencing with Section 8320; and

WHEREAS, pursuant to said Resolution, notice of proposed vacation has been given by publication and by posting; and

WHEREAS, said Board of Supervisors held a public hearing on said proposed vacation _____, 20____; and

WHEREAS, said Board of Supervisors has found and determined that, the area to be vacated is no longer necessary for present or prospective public use based upon the following facts: That the subject right of way is not required for general public access and circulation, including bicycle paths and trails;

NOW, THEREFORE, IT IS ORDERED by the Board of Supervisors of the County of Los Angeles, State of California, that the above-referenced right of way is hereby vacated pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8320; reserving and excepting therefrom easements and rights for utility facilities owned by Pacific Bell, Southern California Gas Company and Las Virgenes Municipal Water District as set forth in Sections 8340 and 8341 of said Streets and Highways Code;

AND BE IT FURTHER RESOLVED that the Department of Public Works be authorized to record the certified original Resolution in the office of the Recorder of the County of Los Angeles, at which time the area vacated will no longer be a public street or highway.

The foregoing Resolution was on the _____ day of _____, 20 ____, adopted by the Board of Supervisors of the County of Los Angeles, State of California.

VIOLET VARONA-LUKENS
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM:

LLOYD W. PELLMAN
County Counsel

By _____
Deputy

CVC:fr:5/CVC Brdltr 2612

EXHIBIT "A"

COLD CANYON ROAD VACATION (10)
(M9188109)

That portion of Cold Canyon Road, formerly Las Virgenes Road, in Sections 17 and 18, Township 1 South, Range 17 West, S.B.M., described in deeds to County of Los Angeles, recorded on December 20, 1929, in Book 9552, page 354, of Official Records, in the office of the Recorder of the County of Los Angeles, and recorded on April 22, 1930, in Book 9882, page 252, of said Official Records, and that portion of Cold Canyon Road, as shown on and dedicated by map of Tract No. 45168, filed in Book 1166, pages 97, 98 and 99, of Maps, in the office of said Recorder, within the following described boundaries:

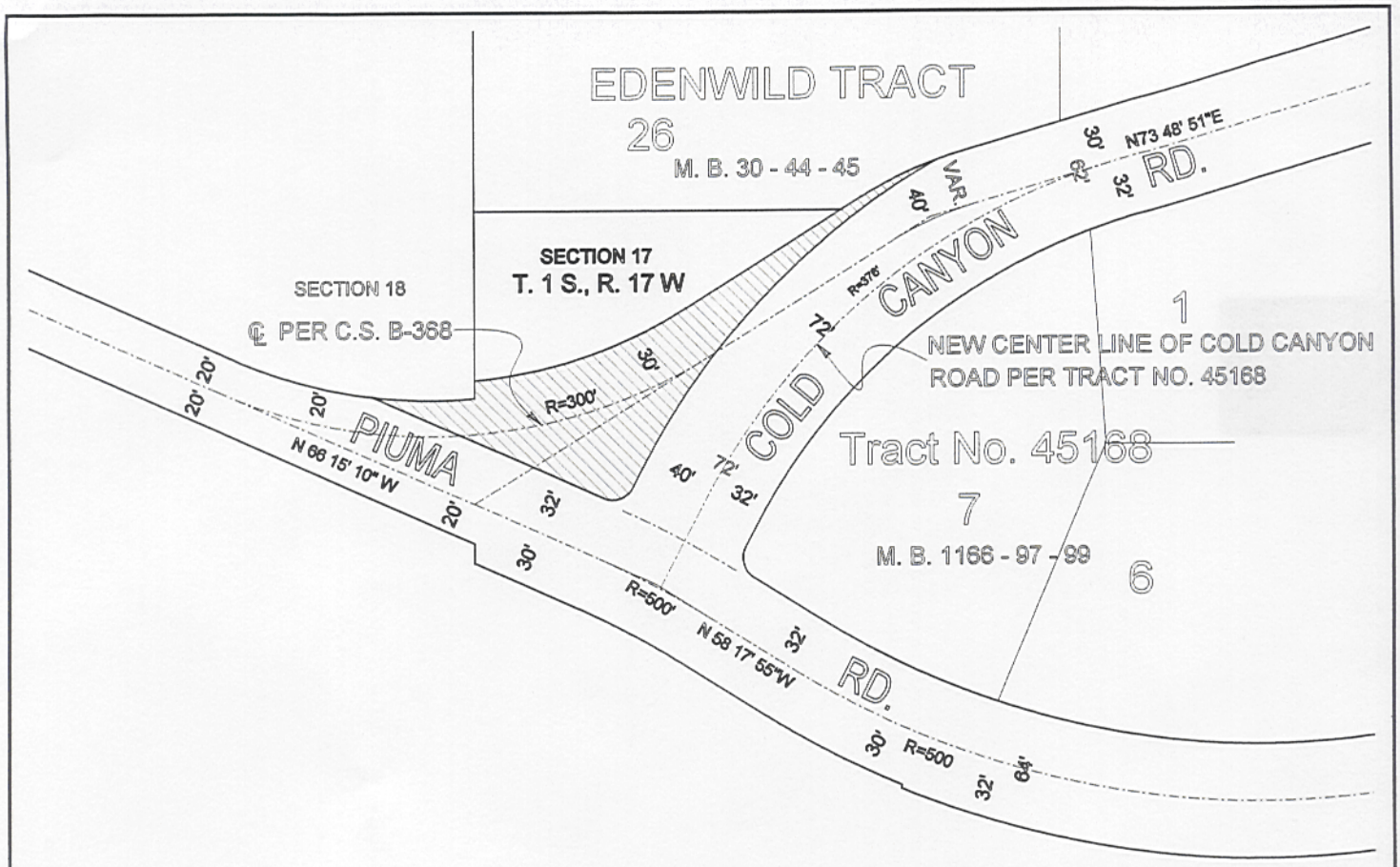
Beginning at the intersection of the northwesterly boundary of that certain 60 foot strip of land described in said deed to County of Los Angeles, recorded in Book 9882, page 252, with a curve concentric with and 72 feet northwesterly, measured radially, from that certain 344 foot radius curve in the northwesterly boundary of Lot 7, said tract; thence southwesterly along said concentric curve to a line parallel with and 72 feet northwesterly, measured at right angles, from that certain course of North 28°04'54" East 15.47 feet in said last mentioned northwesterly boundary; thence southwesterly along said parallel line to the beginning of a curve concave to the northwest, having a radius of 13 feet, tangent to said parallel line and tangent to a line parallel with and 32 feet northeasterly, measured at right angles, from that certain course of North 66°15'10" West 76.66 feet in the center line of Piuma Road, as said center line is shown on said map; thence southwesterly along said last mentioned curve to said last mentioned parallel line; thence northwesterly along said last mentioned parallel line to the northerly boundary of that certain 40 foot strip of land described in said deed to County of Los Angeles, recorded in Book 9552, page 354; thence easterly along said northerly boundary to the easterly line of said Section 18; thence northerly along said easterly line to the northerly boundary of said certain 60 foot strip of land; thence easterly and northeasterly along said northerly and northwesterly boundaries of said certain 60 foot strip of land to the point of beginning.

Reserving all easements and rights of Pacific Bell, Southern California Gas Company and Las Virgenes Municipal Water District in and across the above portion of Cold Canyon Road herein being vacated.

The reservations herein being made are done in accordance with the provisions of Sections 8340 and 8341 of the Streets and Highways Code of the State of California.

DESCRIPTION APPROVED
October 2, 1991
WILLIAM F. STEWART
Director
INTERNAL SERVICES DEPARTMENT

By Richard S. Chan, Deputy



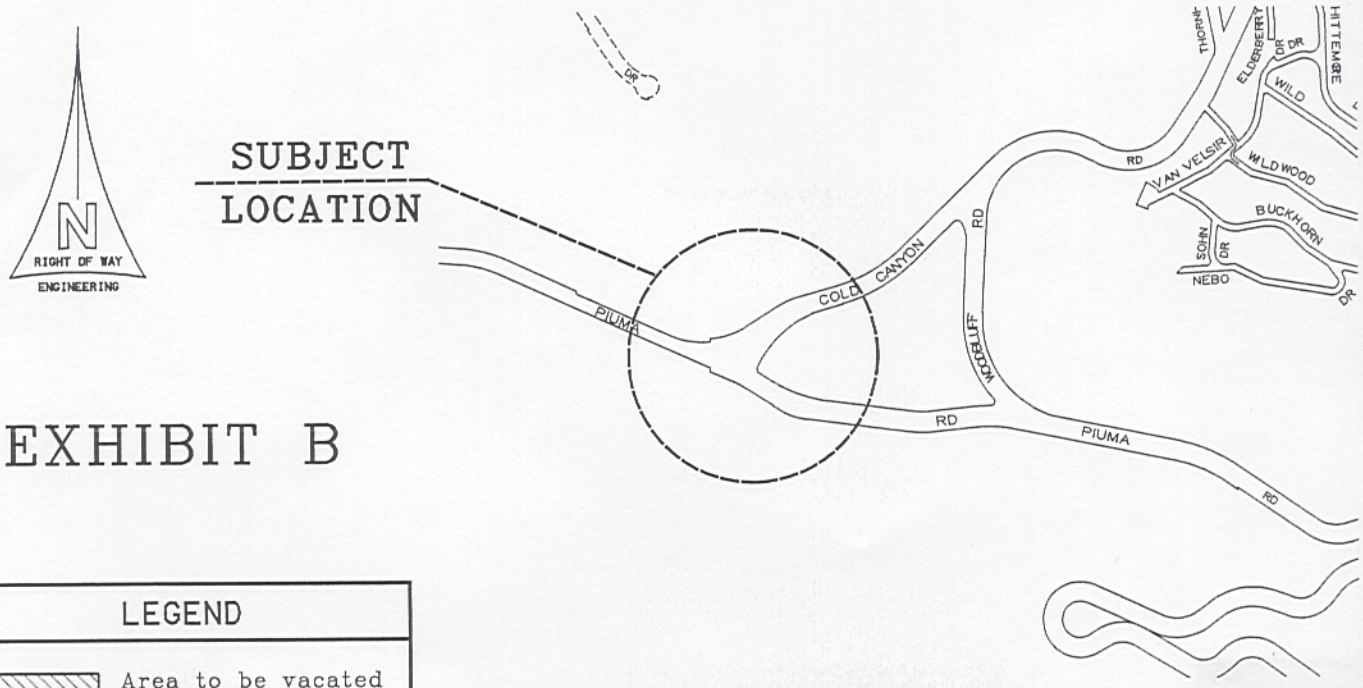


EXHIBIT B

LEGEND			
Area to be vacated			
Total Area 10,404 ± s.f.	REVISIONS	1.	2.	3.

DEPARTMENT OF PUBLIC WORKS				MAPPING & PROPERTY MANAGEMENT DIVISION	
SD. 3	RD. 336 339	A.M.B. 4456-012	T.G. 628-J1	COLD CANYON ROAD NE/O PIUMA ROAD	DRAWING NO. M9188109
SCALE NONE		DATE 12-04-90	I.M. 120-077		

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