

RESOLUTION R20-33

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALOS VERDES ESTATES, CALIFORNIA SUMMARILY VACATING THE CITY'S STORM DRAIN EASEMENTS OVER THE PROPERTY LOCATED AT 2725 VIA OLEADAS PURSUANT TO STREETS AND HIGHWAYS CODE SECTION 8330 ET SEQ.

The City Council of the City of Palos Verdes Estates does hereby find, ordain and resolve as follows:

SECTION 1: The City Council finds and declares as follows:

A. The City holds storm drains easements that were created by dedications as shown on Tract Map # 23201 by the Continental Auxiliary Company to the City of Palos Verdes Estates, dated December 14, 1964, recorded in Book 733 Pages 59 and 60 (the "Existing Easements");

B. The City built a new storm drain within the public right of way and on the neighboring property that replaces the need for the existing storm drain on 2725 Via Oleadas (the "Property");

C. The owners of the Property desire to build a new home and the Existing Easements inhibit their ability to redevelop the Property;

D. State law authorizes the City Council to summarily vacate a public service easement that is no longer required for public service easement purposes if the easement has been superseded by relocation and there are no other public facilities located within the easement; and

E. The Existing Easements are no longer required as the storm drain within the Existing Easements has been abandoned and there are no other public utility facilities that are in use and would be affected by the vacation;

G. All other legal prerequisites to the adoption of this Resolution have occurred.

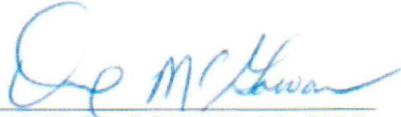
SECTION 2: Order of Vacation. The City Council, under the authority vested in it by the California Streets and Highways Code, Division 9 - Change of Grade and Vacation, Part 3 - Public Streets, Highways, and Service Easements Vacation Law (Sections 8300 et seq.), Chapter 4 - Summary Vacation, hereby orders any public service easements on the Property and any and all interests that the City may have therein, as more particularly described and depicted in the attached Exhibit A and Exhibit B, respectively.

SECTION 3: Certification, Recordation and Retention. The City Clerk shall cause a certified copy of this resolution of vacation, attested by the City Clerk under seal, to be

recorded without acknowledgment in the Official Records of Los Angeles County, as contemplated by California Streets and Highways Code Section 8336. Pursuant to Streets and Highways Code Section 8336, no fee shall be charged for such recordation. The City Clerk shall permanently maintain a true and correct copy of this Resolution in the City Clerk's Office.

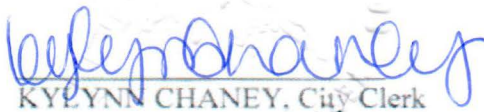
SECTION 4. Effective Date. The City Clerk shall certify to the adoption of this resolution and shall cause this resolution and this certification to be entered in the Book of Resolutions of the Council of this City. Upon the recordation required hereby, the vacation is complete, and the street and any public service easements vacated no longer constitute a street or public service easement.

PASSED, APPROVED AND ADOPTED on this 13th day of October, 2020.



DAVID MCGOWAN, MAYOR

ATTEST:



KYLEYNN CHANEY, City Clerk

APPROVED AS TO FORM:



CHRISTI HOGIN, City Attorney

APPROVED AS TO CONTENT:



LAURA GUGLIELMO, City Manager

EXHIBIT A

**DRAINAGE EASEMENT VACATION
LOT 6, TRACT 23201, M.B. 733/59-60**

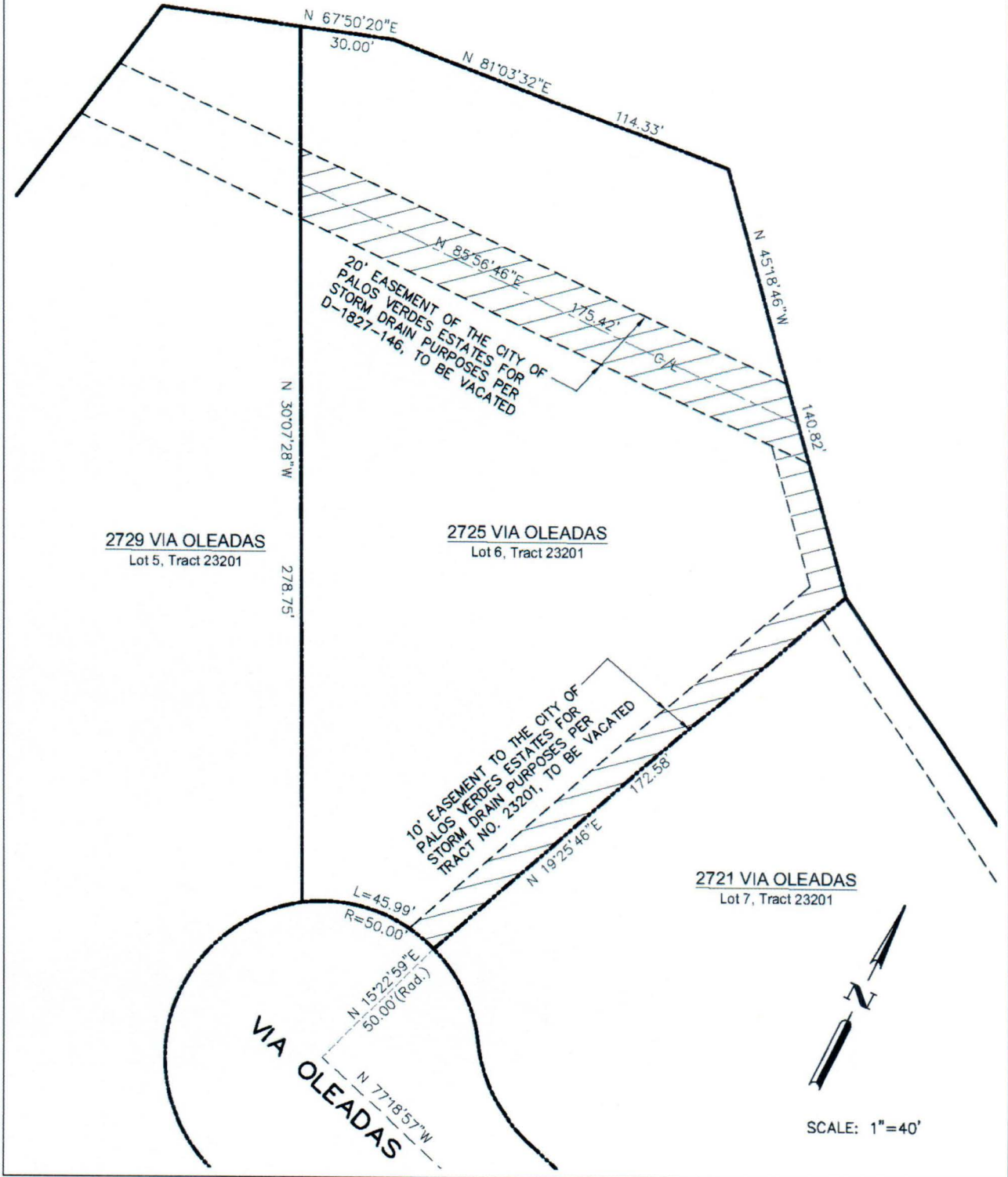
Being a vacation of all that drainage easement over Lot 6 of Tract No. 23201 as per map recorded in Book 733, Pages 59 and 60, of Maps, in the office of the County Recorder of Los Angeles County, State of California, more particularly described below:

All that easement shown as a 20 foot wide easement of the City of Palos Verdes Estates per that certain document recorded November 19, 1962, in Book D-1827, Page 146 in the Records of said Recorder, over said Lot and

All that easement shown as a 10 foot wide easement to the City of Palos Verdes Estates for Storm Drain Purposes shown on said Map, over said Lot.

As shown on the attached Exhibit B.

EXHIBIT B
DRAINAGE EASEMENT VACATION
LOT 6, TRACT 23201 M.B. 733/59-60



STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF PALOS VERDES ESTATES)

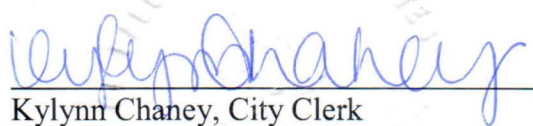
I, Kylynn Chaney, City Clerk for the City of Palos Verdes Estates, California, do hereby certify that the foregoing Resolution **R20-33** was duly and regularly approved and adopted by the City Council of the City of Palos Verdes Estates at its regular meeting of the City Council on the 13th day of October, 2020, by the following vote:

AYES: COUNCILMEMBERS: McGowan, Kemps, Davidson, Lozzi, Kao

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBER: None


Kylynn Chaney, City Clerk