



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

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ALHAMBRA, CALIFORNIA 91803-1331
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JAMES A. NOYES, Director

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

March 20, 2002

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
RIDING AND HIKING TRAIL - PARAMOUNT
SUPERVISORIAL DISTRICT 4
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find this action categorically exempt from the provisions of the California Environmental Quality Act (CEQA).
2. Find, pursuant to Section 8330, et seq., of the Streets and Highways Code that:
 - a. Pursuant to Section 8330 (a), of the Streets and Highways Code, the right of way has been superseded by relocation.
 - b. Pursuant to Section 8331 (a) and (b), of the Streets and Highways Code, the right of way has been impassable for vehicular and pedestrian traffic for a period of five consecutive years and that no public monies were expended for maintenance on the right of way during such period.
 - c. Pursuant to Section 8334 (a), of the Streets and Highways Code, the County right of way is excess right of way not required for street or highway purposes.

3. Find that the riding and hiking trail easement proposed to be vacated is no longer needed for present or prospective public use and that there are no other public facilities located within the easement.
4. Adopt the enclosed Resolution of Summary Vacation to vacate and abandon the riding and hiking trail south of Alondra Boulevard, described in Exhibit "A" of the Resolution.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Mr. Joseph J. Suess, on behalf of Home Depot, U.S.A., the underlying fee owner, requested this vacation to eliminate an unnecessary easement and to remove from the record the riding and hiking trail easement within the property. Removal of the right of way consolidates the petitioner's properties separated by the easement. Home Depot proposes to develop the area as a commercial center. The vacation will have no negative impact on any adjoining properties.

The riding and hiking trail easement being vacated was dedicated to the County of Los Angeles in October 1961, but was never developed. The proposed vacation area has been impassable for non-motorized and pedestrian traffic for a period of five consecutive years and no public monies were expended for maintenance of the right of way during that period. An alternate trail has been constructed within the existing Los Angeles County Flood Control District right of way, which is in close proximity to the easement being vacated. Consequently, the trail is no longer needed for present or prospective public use.

The County of Los Angeles Department of Parks and Recreation, which has jurisdiction over the easement, has determined and recommended that the riding and hiking trail be vacated since it no longer serves the purpose for which it was dedicated nor is it 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 riding and hiking trail easement will result in added revenue through assessment and taxation and removes possible County exposure to liability.

FISCAL IMPACT/FINANCING

Vacation of the riding and hiking trail easement will not have a negative fiscal impact on the County budget.

A fee of \$1,500 was paid by the petitioner to defray the expenses of the investigation. The fee is 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 abandoned contains approximately 10,150 square feet and is shown on the map attached to the Resolution.

The County's interest was acquired by dedication in Official Records Document No. 4443, recorded on October 18, 1961, on file 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 public easement. Adoption by your Board of this Department's recommendations 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 property being unencumbered of the public easement, thereby allowing the underlying fee owner to exercise their reversionary rights over the vacated area.

ENVIRONMENTAL DOCUMENTATION

This proposed vacation is categorically exempt from the California Environmental Quality Act (CEQA), as specified in Class 21(a) of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, Synopsis 57, and Section 15321 of State CEQA Statutes and Guidelines.

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IMPACT ON CURRENT SERVICES (OR PROJECTS)

No fire protection facilities will be affected by the proposed vacation. The City of Paramount Planning Commission has determined that the proposed vacation does not conflict with the City-adopted General Plan and that the right of way is not suitable for bicycle paths and trails.

CONCLUSION

This action is in the County's interest. Enclosed is a Resolution of Summary Vacation approved as to form by County Counsel. Upon adoption of the Resolution, please return the executed original and a copy to this Department for further processing, retaining an executed copy for your files. This Department will record the Resolution and will return the executed original Resolution to you when recorded.

One approved copy of this letter is requested.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

CVC:adg
P5\RIDINGHIKING BRD

Enc.

cc: Chief Administrative Office
County Counsel

RESOLUTION OF SUMMARY VACATION

BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles that it is hereby found and determined that, the portion of real property designated as Riding and Hiking Trail, legally described in Exhibit "A" and as shown by the map in Exhibit "B" attached hereto and incorporated herein by this reference, which right of way is located in the City of Paramount, in the County of Los Angeles, State of California, is no longer needed for present or prospective public use based upon the following facts: (1) that the subject right of way has been impassable for pedestrian and vehicular traffic for a period of five consecutive years and that no public monies were expended for maintenance on the right of way during that period; (2) that the County's right of way is excess right of way not required for street and highway purposes; (3) that the right of way has been superseded by relocation; and (4) that the subject right of way is not required for general public access, circulation, or for bicycle paths or trails.

BE IT FURTHER RESOLVED that the easement for riding and hiking trail purposes legally described in Exhibit "A" is hereby vacated pursuant to Chapter 4, Part 3, Division 9 of the Streets and Highways Code, State of California, commencing with Section 8330.

BE IT FURTHER RESOLVED that said vacation does not terminate any public service easement and that no in-place public utility facilities that are in use would be affected by the vacation.

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 easement.

The foregoing Resolution was on the ____ day of _____, 20____, 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.

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:adg
P5\RIDINGHIKING BRD

LEGAL DESCRIPTION

Riding and Hiking Trail
s/o Alondra Boulevard
M0088118

That portion of that certain 12-foot wide strip of land, described in easement deed to the County of Los Angeles for riding and hiking trail purposes, recorded in Book D1391, page 559, of Official Records, in the office of the Recorder of said county, bounded on the north by the southerly line of that certain 80-foot strip of land described in deed to the County of Los Angeles, recorded in Book D2818, page 369, of said Official Records and bounded on the southeast by the northwesterly line of Lot 1, Block 23, of the California Cooperative Colony Tract, as shown on map recorded in Book 34, page 13, of Miscellaneous Records, in the office of said Recorder.

Total Area: 10,150 ± square feet

Description Approved

JAMES A. NOYES
Director of Public Works

By _____
Deputy

CVC:jb
P5/riding