



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

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February 19, 2003

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 OF SANITARY SEWER EASEMENTS EAST OF BARRANCA AVENUE - CITY OF GLENDORA SUPERVISORIAL DISTRICT 5 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 that the public service easements for sanitary sewer purposes are no longer required for public use and that the easements may be vacated under the authority of Section 5400 of the California Health and Safety Code.
3. Find pursuant to Section 8333 (a) of the California Streets and Highways Code, the easements have not been used for the purpose for which they were dedicated or acquired for five consecutive years immediately preceding the proposed vacation.
4. Find that the easements for sewer purposes to be vacated are no longer needed for present or prospective public use.
5. Adopt the enclosed Resolution of Summary Vacation to Vacate Sanitary Sewer Easements east of Barranca Avenue, between La Crosse Street and Donington Street, legally described in Exhibit "A" and as shown on the map in Exhibit "B", attached to the Resolution.

PURPOSE OF RECOMMENDED ACTION

Messrs. Roberto Martinez and Thomas J. Connors and a number of their neighbors have requested adoption of the enclosed Resolution to remove from the record excess public service easements for sanitary sewer purposes within their properties.

The applicants propose to relocate the sanitary sewer easements shown and dedicated in Tract Nos. 25822 and 24916, in 1960 and 1961, respectively. An alternate plan for a future sewer line, located in the street right of way, has been submitted to and approved by our Land Development Division's Sewer Section. This alternate plan may be put in effect should there arise a future need for sewer lines. The people in the area currently use Septic Tanks to dispose of their sewerage. The vacation of the sewer easements will not have any negative impact on any properties in the area.

It is in the County's interest to vacate these easements since they no longer serve the purpose for which they were dedicated. With this action, your Board will vacate easements the County and the public no longer need.

Implementation of Strategic Plan Goals

This action is consistent with the County Strategic Plan Goal of Fiscal Responsibility as the vacation of the sewer easements results in added revenue through assessment and taxation, eliminates unnecessary maintenance cost, and removes possible County exposure to liability.

FISCAL IMPACT/FINANCING

Vacation of the easements will not have a negative fiscal impact on the County budget. A fee of \$2,000 was paid by the petitioners to finance the cost of the vacation.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The areas to be vacated contain approximately 12,375 square feet and are shown on the map (Exhibit "B") attached to the Resolution.

The County's interests were acquired as easements for sanitary sewer purposes by dedication in the map of Tract No. 24916, recorded in Book 674, pages 44 and 45, and in Tract No. 25822, recorded in Book 660, pages 32 and 33, both of Maps, on file in the office of the Recorder of the County of Los Angeles.

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The California Health and Safety Code and the Public Streets, Highways, and Service Easement Vacation Law allow your Board to voluntarily relinquish the County interest and terminate the rights of the public to the vacated area and dispose 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 owners to exercise their reversionary rights over the vacated areas.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

None.

ENVIRONMENTAL DOCUMENTATION

With respect to requirements of CEQA, this proposed vacation is categorically exempt 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.

CONCLUSION

This action is in the County's best interest. Enclosed is a Resolution of Summary Vacation to Vacate Sanitary Sewer Easements, approved as to form by County Counsel. Upon adoption of the Resolution, please return the executed original and a copy to Public Works for further processing, retaining one executed copy for your files. Public Works will record the Resolution and 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\SEWER BARRANCA BRD

Enc.

cc: Chief Administrative Office
County Counsel

RECORDING REQUESTED BY AND
MAIL TO:

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
P.O. Box 1460
Alhambra, CA 91802-1460
Attn: Mapping & Property Mgmt. Div.
R/W Engineering Section
(Chris Cristobal)

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This Document recorded by County of Los Angeles
pursuant to Section 6103 of the Government Code

RESOLUTION OF SUMMARY VACATION TO VACATE SANITARY SEWER EASEMENTS

BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles that it is hereby found and determined that the portions of real properties dedicated to the County of Los Angeles as easements for sanitary sewer purposes, legally described in Exhibit "A" and as shown by the map in Exhibit "B" attached hereto and incorporated herein by this reference, which rights of way are located in the unincorporated County area, vicinity of the City of Glendora, in the County of Los Angeles, State of California, are no longer needed for present or prospective public use based upon the following facts: that the easements have not been used for the purpose for which they were dedicated or acquired for five consecutive years immediately preceding the proposed vacation and there are no other public facilities located within the easements.

BE IT FURTHER RESOLVED that the public service easements for sanitary sewer purposes in, over, and across the rights of way legally described in Exhibit "A" attached are hereby vacated pursuant to Section 5400 of the Health and Safety Code of the State of California and Chapter 4 of Part 3 of Division 9 of the Streets and Highways Code, State of California, commencing with Section 8330.

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 areas vacated will no longer be public service easements.

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\SEWER BARRANCA BRD

EXHIBIT "A"

**SANITARY SEWER EASEMENT E/O CARMENITA ROAD
(M0191102)**

PART A:

That certain easement for sanitary sewer purposes, 10 feet wide, as shown on and dedicated to the County of Los Angeles by map of Tract No. 24916, as shown on map recorded in Book 674, pages 44 and 45, of Maps, in the office of the Recorder of said County, lying within Lots 7 through 12 inclusive, of said tract.

PART B:

That certain easement for sanitary sewer purposes, 10 feet wide, as shown on and dedicated to the County of Los Angeles by map of Tract No. 25822, as shown on map recorded in Book 660, pages 32 and 33, of Maps, in the office of the Recorder of said County, lying within Lots 1 through 6 inclusive, of said tract.

Total Area: 12,375±square feet

Description Approved

James A. Noyes
Director of Public Works

By _____
Deputy

CVC:adg
P5\SEWER BARANCE BRD