

## **RESOLUTION NO.**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA SUMMARILY VACATING A PORTION OF LAND FRONTING THE PROPERTY AT 444 NORTH FAIR OAKS AVENUE**

WHEREAS, Mr. Jeffrey L. Throop, the Abutting Property Owner, (“applicant”) wishes to summarily vacate a portion of the public area at 444 North Fair Oaks Avenue (“the vacated area”); and

WHEREAS, the vacated area is legally described in Exhibit “A” and shown on Exhibit “B” (Department of Public Works Drawing No. 6,477) attached hereto, and on file in the office of the Director of Public Works; and

WHEREAS, the City Council finds that there will be public benefits from the vacation at no cost to the City, and the public shall be relieved from future maintenance responsibility and associated liability for the vacated area; and

WHEREAS, the summary vacation proceeding is and will be conducted pursuant to the requirements of the Chapter 4 of Part 3 of Division 9, Sections 8331 and 8334, of the Streets and Highways Code of the State of California:

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Pasadena:

1. The following findings are made:
  - a. That the vacated area has been impassible for vehicular travel for at least five consecutive years preceding this action.
  - b. That no public money was expended for maintenance on the vacated area for at least five consecutive years preceding this action.
  - c. That the vacated area has not been used for public right-of-way purposes for at least five consecutive years preceding this action.
  - d. That the vacated area is not required for street or highway purposes.
  - e. That the vacation is categorically exempt from CEQA requirements, pursuant to Title 14, Chapter 3, Article 19, Class 1, §15301, Existing Facilities and Class 12, §15312, Surplus Government Property Sales.
2. From and after the date this resolution is recorded, the vacated area will no longer constitute a present or future street, or public right-of-way.
3. The City Manager is authorized and directed to execute any necessary vacation documents.
4. The City Clerk shall certify to the adoption of this resolution, shall permanently maintain a copy thereof in the records of the City, and shall record a certified copy thereof in the Office of the County Recorder of Los Angeles.

Adopted at the \_\_\_\_\_ meeting of the City Council on the \_\_\_\_\_ day of \_\_\_\_\_,

2017, by the following vote:

AYES:

NOES:

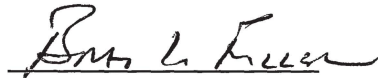
ABSENT:

ABSTAIN:

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MARK JOMSKY, City Clerk

Approved as to form:



Brad L. Fuller  
Assistant City Attorney

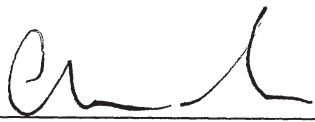
**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

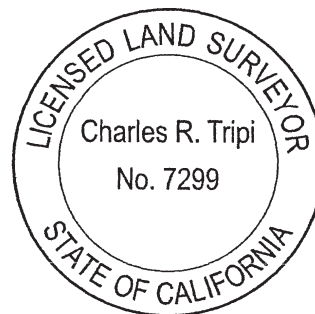
The Westerly 30.00 feet of the Southerly 40.00 feet of Lot 2 and the Westerly 30.00 feet of Lots 3, 4 and 5 in Block "D" of the New Fair Oaks Avenue Tract, in the City of Pasadena, County of Los Angeles, recorded in Book 11, Page 1 of Miscellaneous Records in the Office of the County Recorder of said County.

**Excepting** therefrom that portion of said Lots 3, 4 and 5, conveyed by Deed, for widening of Fair Oaks Avenue, to the State of California, Department of Transportation (formerly Division of Highways), recorded on February 3, 1970, in Book D-4623, Page 507 of Official Records in the Office of said County Recorder, described as follows:

**Beginning** at the Southwesterly corner of said Lot 5; thence Easterly along the Southerly line of said lot, a distance of 17.33 feet; thence Northerly in a direct line to the intersection with the Northerly line of said Lot 3, distant 10.00 feet Easterly from the Northwesterly corner of said Lot; thence Westerly along said Northerly line 10.00 feet to said Northwesterly corner; thence Southerly along the Westerly lines of said Lots 3, 4 and 5 to the point of **Beginning**.

Containing 5218 square feet, more or less.

  
Charles R. Tripi, PLS 7299  
Date: 7/12/17



January 24, 2017  
WO No. 4202-1  
Page 1 of 1  
H&A Legal No. 9004 Vacation  
By: C. Tripi  
Checked By: R. Wheeler

## VILLA STREET



Charles R. Tripi 7/12/17  
CHARLES R. TRIPI, PLS 7299 DATED

SCALE:	DATE:
1"=60'	07/12/17
PLAN NUMBER:	
6477	
SHEET 1 OF 1	