

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA,  
CALIFORNIA ORDERING THE SUMMARY VACATION OF PUBLIC  
SERVICE EASEMENTS LOCATED AT  
3405 E. COLORADO BOULEVARD (APN:5754-003-047)  
IN THE CITY OF PASADENA**

**WHEREAS**, the City, as successor in interest to Southern California Edison, acquired two (2) easements pertaining to 3405 E. Colorado Boulevard in the City of Pasadena, APN: 5754-003-047 (the "Property") as follows (collectively, the "Public Service Easements"):

1. Title exception 11: A ten (10) foot right of way for overhead wires for electric and communication facilities and right of way for overhead wires for electric pertaining to 3425 E. Colorado Boulevard (current address renumbered to 3405 E. Colorado Boulevard) in a Grant of Easement dated October 7, 1953 and recorded in the Official Records of the County of Los Angeles on October 13, 1953 as Document No. 19531013-2006; and

2. Title exception 13: A six (6) foot easement or right of way for electric and communication and right of way for overhead wires for electric facilities pertaining 3425 E. Colorado Boulevard (current address renumbered to 3405 E. Colorado Boulevard) in a Grant of Easement dated April 8, 1971 and recorded in the Official Records of the County of Los Angeles on April 16, 1971 as Document No. 19710416-3816; and

**WHEREAS**, the Property is currently owned by KCB Pasadena Store LLC, a California limited liability company (the "Owner"); and

**WHEREAS**, the Public Service Easements are described in Exhibit A, which is incorporated herein by reference; and

**WHEREAS**, a location map depicting the location of the Public Service Easements is attached hereto as Exhibit B, Location Maps, which is incorporated herein by reference; and

**WHEREAS**, the Owner has requested that the City release the Public Service Easements, which are not necessary for present or future uses; and

**WHEREAS**, pursuant to California Streets and Highways Code Section 8333, the City Council may summarily vacate a public service easement if, among other reasons, the easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years preceding the proposed vacation; and

**WHEREAS**, the City has determined that the Public Service Easements are not necessary for present or future uses and they have not been used for the purpose for which they were dedicated or acquired for five consecutive years preceding this proposed vacation; and

**WHEREAS**, the summary vacation of the Public Service Easements is categorically exempt from California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15305 (Class 5 – Minor Alterations in Land Use Limitations). Class 5 exempts from environmental review minor alterations in land use limitations in areas with an average slope of less than 20 percent and which do not result in any changes in land use or density. The proposed action involves the vacation of public service easements where said easements have not been used for the purpose for which they were dedicated and will not cause or facilitate any

changes in land use or density. Further, the average slope on these easements is less than 20 percent. There are no features that distinguish this project from others in the exempt class and, therefore, there are no unusual circumstances.

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

1. The City Council finds and determines from all evidence in the record, including, without limitation, all of the evidence submitted in the Agenda Report to the City Council dated February 22, 2021 from the Department of Water and Power, that the Public Service Easements as depicted and described in Exhibits A and B have not been used for the purpose for which they were dedicated or acquired for five consecutive years immediately preceding the proposed vacation.

2. The City Council does hereby order the vacation of the Public Service Easements as depicted and described in Exhibits A and B.

3. The City Council hereby makes this vacation pursuant to the requirements of the California Streets and Highways Code, Division 9, Part 3, Chapter 4.

4. The vacation authorized by this Resolution shall not be effective until a certified copy of this Resolution is recorded in the Office of the Recorder of the County of Los Angeles, California.

5. The City Clerk of the City of Pasadena is hereby authorized and directed to certify to the passage of this Resolution. The City Clerk is further authorized to cause a certified copy of this Resolution, attested by the City Clerk and under the seal of the City, to be recorded in the Office of the County Recorder

of Los Angeles County, California.

6. The City Council orders that from and after the date this Resolution is recorded, the Public Service Easements as depicted and described in Exhibits A and B are vacated and no longer constitute public service easements.

7. The City Manager, or his or her designee, is authorized to execute any other documentation as may be required to accomplish the herein ordered vacation.

STATE OF CALIFORNIA )  
CITY OF PASADENA )  
ss. COUNTY OF LOS ANGELES )

I, Mark Jomsky, CMC, City Clerk of the City of Pasadena, do hereby certify that the foregoing Resolution No. \_\_\_\_\_ was duly and regularly passed and adopted by the Council of the City of Pasadena at its \_\_\_\_\_ meeting held on the \_\_\_\_ day of \_\_\_\_\_ 2021, by the following vote:

AYES:


NOES:

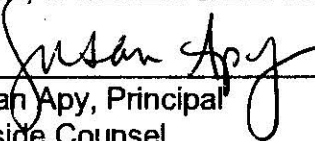
ABSENT:

ABSTAIN:

\_\_\_\_\_  
Mark Jomsky, CMC  
City Clerk

Approved as to form:

  
\_\_\_\_\_  
Lisa Hosey  
Assistant City Attorney

KANE, BALLMER & BERKMAN  
  
\_\_\_\_\_  
Susan Apy, Principal  
Outside Counsel

## EXHIBIT A

### DESCRIPTION OF PUBLIC SERVICE EASEMENTS

1. Title exception 11: A ten (10) foot right of way for overhead wires for electric and communication facilities and right of way for overhead wires for electric pertaining to 3425 E. Colorado Boulevard (current address renumbered to 3405 E. Colorado Boulevard) in a Grant of Easement dated October 7, 1953 and recorded in the Official Records of the County of Los Angeles on October 13, 1953 as Document No. 19531013-2006; and

2. Title exception 13: A six (6) foot easement or right of way for electric and communication and right of way for overhead wires for electric facilities pertaining 3425 E. Colorado Boulevard (current address renumbered to 3405 E. Colorado Boulevard) in a Grant of Easement dated April 8, 1971 and recorded in the Official Records of the County of Los Angeles on April 16, 1971 as Document No. 19710416-3816.

## EXHIBIT A

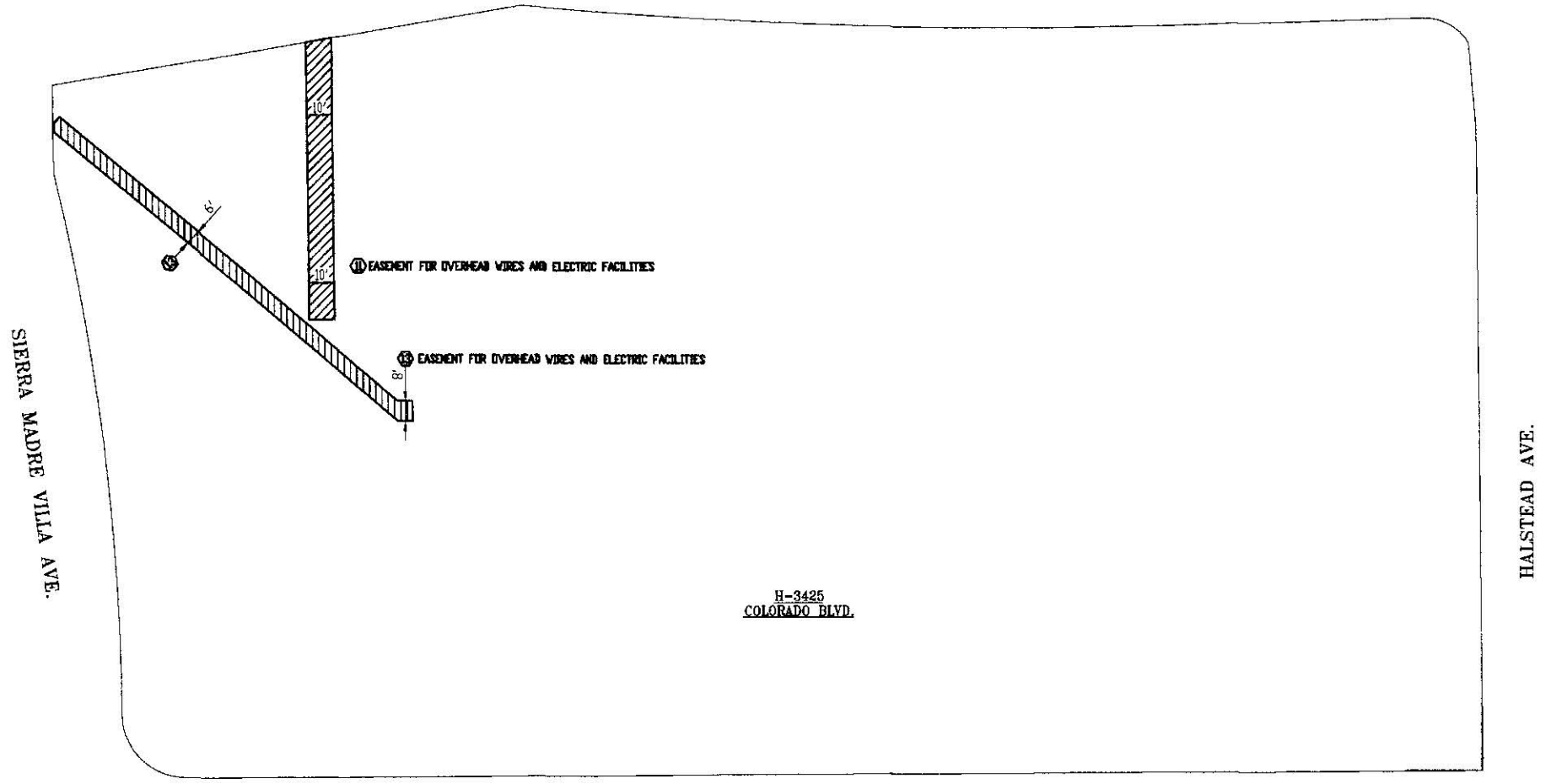
### DESCRIPTION OF PUBLIC SERVICE EASEMENTS

**EXHIBIT B**

**LOCATION MAP**

**[behind this page]**

C:\Users\jnieco\OneDrive\Documents\Projects\11/30/20\11/30/20 - 11/30/20 - 11/30/20.dwg  
 PLOT Date/Time: 11/27/2020 11:13:00am



COLORADO BLVD.

PASADENA WATER AND POWER DEPARTMENT  
 POWER DELIVERY SERVICE  
 1055 E. COLORADO BLVD. SUITE 350, PASADENA, CA 91106



P.J.G. -  
 PERMIT No. -

|   |  |  |   |                              |
|---|--|--|---|------------------------------|
| DRAWN<br>J. NIETO<br>DESIGN<br>M. DIKNO<br>APPROVED<br>J. NICCOLI | DATE<br>11/30/20<br>DATE<br>11/30/20<br>DATE<br>11/30/20 | PROJECT LOCATION<br>3405 & 3425 E. COLORADO<br>PUBLIC WORKS DEPT.<br>WATER & POWER DEPT. | MAP No.<br>1-8-15<br>DWG No.<br>CE-1191 | SCALE<br>1" = 40'<br>W/O     |
| APPROVED _____<br>DATE _____                                      | APPROVED _____<br>DATE _____                             | APPROVED _____<br>DATE _____   | APPROVED _____<br>DATE _____            | APPROVED _____<br>DATE _____ |