

Agenda Report

TO: CITY COUNCIL
FROM: City Manager
SUBJECT: Summary Vacation of a Portion of
Christiansen Alley at De Lacey Avenue

Date: March 22, 1999

RECOMMENDATION:

It is recommended that the City Council:

1. Adopt a Resolution of Vacation summarily vacating a 148 foot by 3.5 foot (518 square feet) area of Christiansen Alley at De Lacey Avenue as described in Exhibit "A" and shown on Exhibit "B" pursuant to Sections 8331 and 8334 of the California Streets and Highways Code.
2. Certify the summary vacation to be categorically exempt from California Environmental Quality Act (CEQA) requirements.
3. Direct City Clerk to record the Resolution of Vacation.

BACKGROUND:

Approval of the above stated resolution and subsequent vacation of said area will remedy inconsistencies between County Assessor and City of Pasadena documents and existing physical conditions. Official documents show the portion of Christiansen Alley adjacent to the south frontage of 35 North De Lacey Avenue to be 23.5 feet in width when in reality, the alley is 20 feet in width. The 148-foot strip of public right-of-way along Christiansen Alley with a width of 3.5 feet has, since 1925, been occupied by the south exterior wall of the historic building at 35 North De Lacey Avenue. Currently, it is being renovated as the site for Saks Fifth Avenue. Given this inconsistency and there being no need, present or future, to retain the area in question for its intended public purpose, it should be summarily vacated.

REASON FOR SUMMARY VACATION:

The summary vacation of a portion of Christiansen Alley will recognize a pre-existing condition and will relieve the City of potential liability and maintenance.

NOTICE OF SUMMARY VACATION:

The California Streets and Highways Code provides for summary vacations by adoption of a resolution without a public hearing and does not require noticing procedures prior to said adoption.

AUTHORITY FOR SUMMARY VACATION:

Authority for the vacation of this area may proceed either per Section 8331 or per Section 8334 of the California Streets and Highways Code. The vacation takes effect immediately upon recordation of the above mentioned resolution.

Section 8331 has two conditions, where both must be met during a period of five consecutive years: (a) the portion has been impassable for vehicular travel, and (b) no public money was expended for maintenance on the portion. Both conditions are met.

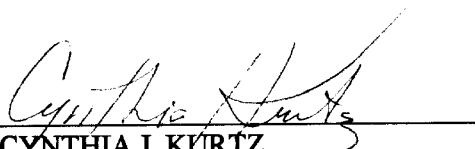
Section 8334 has two conditions, only one of which must be met: (a) the excess right-of-way of street or highway is not required for street or highway purposes, or (b) the portion to be vacated lies within property under one ownership and does not continue through such ownership or end touching property of another. Both conditions are met.

If any evidence is presented at the time Council votes to adopt the resolution which indicates that the portion does not meet any of the requirements of Sections 8331 or 8334, then that portion should be removed and considered for vacation using other statutory procedures.

FISCAL IMPACT:

This summary vacation will eliminate any potential responsibility for maintenance or liability to the City. The City will pay the costs for preparing, processing, and recording the summary vacation. This is due to the above mentioned inconsistency that has been in effect several years before the current property owner purchased the property. This cost is estimated to be \$550. No revenue will be expended or generated by the adoption of this summary vacation.

Respectfully submitted,



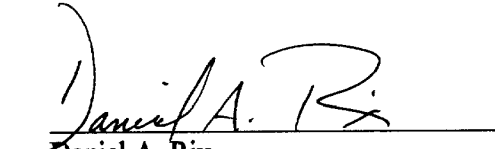
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JM:bs