

RECORDING REQUESTED BY
CITY ATTORNEY

WHEN RECORDED MAIL TO:

City of Pasadena, City Clerk
Room S228, City Hall
100 North Garfield Avenue Pasadena, CA 91109-7215

Space above this line for Recorder's use only.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF PASADENA ORDERING THE CLOSING,
WITHOUT VACATION, OF STATE STREET FROM FAIR OAKS
AVENUE TO THE METROPOLITAN TRANSPORTATION
AUTHORITY RIGHT-OF-WAY (APPROXIMATELY 320 FEET EAST)

WHEREAS, the City has received a request from the Pasadena Water and Power Department (PWP) to close, without vacation, State Street from Fair Oaks Avenue to the Metropolitan Transportation Authority Right-of-Way (MTA ROW) (approximately 320 feet east) ("said Street"); and

WHEREAS, on March 13, 2013, the Planning Commission reviewed and recommended that the City Council approve the proposed street closure without vacation as presented by staff; and

WHEREAS, Resolution No. 9270 was adopted by the City Council of the City of Pasadena on March 18, 2013, declaring the intention of the City of Pasadena to close without vacation said Street; and

WHEREAS, the closing without vacation proceeding for said street is and will be conducted pursuant to the requirements of Chapter 12.25 of the Pasadena Municipal Code; and

WHEREAS, the proposed closure area, is legally described in Exhibit "A" and is shown in Exhibit "B" (Department of Public Works Drawing No. 6059), and both are attached and are on file in the office of the Director of Public Works; and

WHEREAS, the street closure shall be in effect until the City Council takes action to reopen said street; and

WHEREAS, the proposed security gate installed by PWP shall have a minimum of 20 feet wide opening and a minimum of 40 feet setback. The gate shall be continuously monitored, and MTA staff shall be able to access the MTA ROW without delay; and

WHEREAS, Pasadena Fire Department shall be allowed emergency access to the MTA ROW without delay at all times; and

WHEREAS, MTA may install a pedestrian gate at the east end of State Street and its vicinity shall be kept clear for access by PWP on a regular and continuous basis; and

WHEREAS, PWP shall reconstruct the intersection of State Street and Fair Oaks Avenue by either replacing it with a private drive approach in accordance with Standard Plan S-403 or by constructing two new curb bulbouts or chokers with Americans with Disabilities Act compliant curb ramps; and

WHEREAS, at the closure location, all improvements required in the Conditions of Approvals will be constructed by PWP; and

WHEREAS, the actual physical closure of said street, including the installation of a security gate, is to occur upon the construction of all improvements required in the Conditions of Approvals; and

WHEREAS, PWP shall be responsible for the maintenance of all improvements within the proposed closure area in State Street, including pavement, sidewalk, trees, and all street light facilities. The street light facilities shall be removed either physically or from

the department inventory so that Public Works is not responsible for their energy consumption; and

WHEREAS, the City Council finds that the closing without vacation of said Street, as described herein and in Resolution No. 9270, serves the interest of the public and is consistent with and implements the Mobility Element of the General Plan and that the proposed closure will have no adverse impact on traffic circulation in the area, and is unnecessary for present public use for street purposes; and

WHEREAS, the City Council finds that the closing without vacation of said Street, as described herein and in Resolution No. 9270, is necessary to improve the safety of the general public and to provide protection for both vehicles and pedestrians; and

WHEREAS, the proposed closure is not inconsistent with the City's title, interest or estate in the underlying public right-of-way; and

WHEREAS, the proposed closure does not destroy all potential egress from any parcel abutting the portions of streets to be closed, or the owners of all such parcels consent thereto:

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

1. State Street from Fair Oaks Avenue to the Metropolitan Transportation Authority Right-of-Way, as legally described in Exhibit "A" and as shown in Exhibit "B" (Department of Public Works Drawing No. 6059), attached hereto, and incorporated herein by reference, are hereby ordered closed without vacation.

2. The City Clerk shall cause a certified copy of this resolution to be recorded in the office of the County Recorder of Los Angeles upon the construction of improvements as required in the Conditions of Approval of said Street closure at the sole cost to PWP.

Adopted at the _____ meeting of the City Council on the _____ day of _____, 2013, by the following vote:

AYES:


NOES:

ABSENT:

ABSTAIN:

MARK JOMSKY, City Clerk

Approved as to form:



Brad L. Fuller
Assistant City Attorney

EXHIBIT A
LEGAL DESCRIPTION
STATE STREET CLOSURE

THAT PORTION OF STATE STREET, 50.00 FEET IN WIDTH, AS SHOWN ON THE LOS ANGELES & SALT LAKE RAILROAD COMPANY'S TRACT UNIT NO. 1, IN THE CITY OF PASADENA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS FILED IN BOOK 1, PAGES 20 THROUGH 30 OF OFFICIAL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BOUNDED AS FOLLOWS:

BOUNDED ON THE WEST BY THE EASTERLY RIGHT-OF-WAY LINE OF FAIR OAKS AVENUE (82.00 FEET IN WIDTH) AS SHOWN ON SAID TRACT.

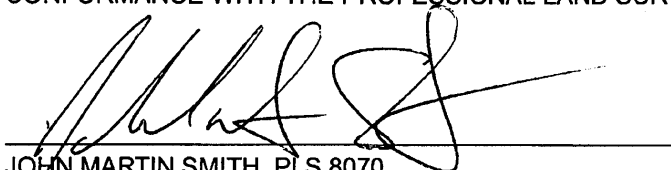
BOUNDED ON THE SOUTHEAST BY THE FOLLOWING LINE:

BEGINNING AT THE SOUTHERLY TERMINUS OF THE LINE SHOWN ON SAID TRACT AS "S46°37'W 129.83' "; THENCE SOUTH 55°14'48" WEST, 70.24 FEET TO THE NORTHERLY TERMINUS OF THE LINE SHOWN ON SAID TRACT AS "N45°10'30"E 62.63' ".

THE ABOVE DESCRIBED PARCEL CONTAINS 11,952 SQUARE FEET, MORE OF LESS.

ALL AS SHOWN ON EXHIBIT "B" ATTACHED HERewith AND MADE A PART HEREOF.

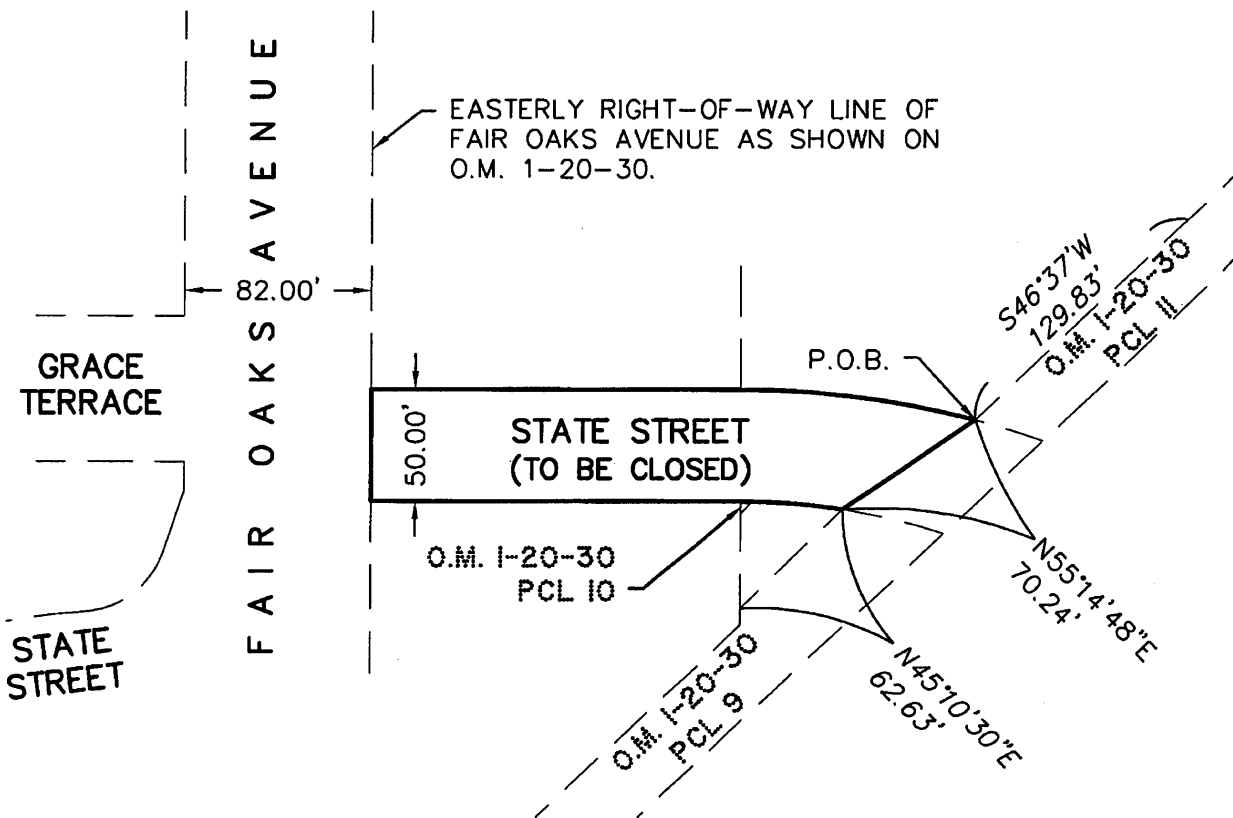
THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.



JOHN MARTIN SMITH, PLS 8070
DATE PREPARED: 06/12/2012



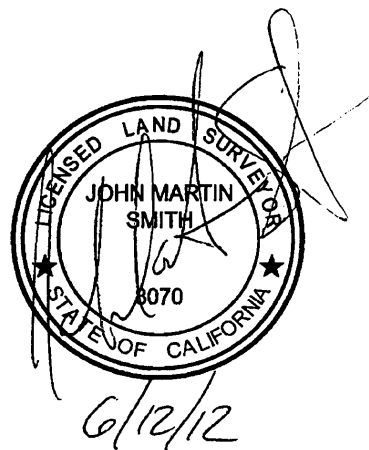
EXHIBIT B



CLOSURE AREA = 11,952± SQUARE FEET.

LEGEND

- AREA TO BE CLOSED
- ADJACENT PROPERTY LINES
- $N45^{\circ}10'30''E$
 $62.63'$ RECORD DATA FROM L.A.&S.L.R.R. CO'S TRACT UNIT NO. 1 FILED AS O.M. 1-20-30



CITY OF PASADENA - DEPARTMENT OF PUBLIC WORKS

DRAWN BY: MXSM	<h1>STREET CLOSURE</h1> <h3>PORTION OF STATE STREET</h3>	SCALE: 1"=80'	DATE: 06/12/12	
DESIGNED BY: RA		PLAN NUMBER: <h1>6059</h1>		
CHECKED BY: RDV		REVIEWED BY: 	10/18/2012 DATE	
SUBMITTED BY: RA		CITY ENGINEER	SHEET 1 OF 1	