

# Agenda Report

July 21, 2025

**TO:** Honorable Mayor and City Council

**FROM:** Department of Public Works

**SUBJECT:** **ADOPT A RESOLUTION ORDERING THE SUMMARY VACATION OF A PUBLIC UTILITY EASEMENT LOCATED AT 650 CARROLL WAY**

## **RECOMMENDATION:**

It is recommended that the City Council:

1. Find that the action proposed herein is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15305, Class 5 (Minor Alterations in Land Use Limitations);
2. Adopt a Resolution ordering the summary vacation of a public utility easement located within the property at 650 Carroll Way; and
3. Authorize the City Manager to execute any other documentation as may be required to accomplish said summary vacation.

## **BACKGROUND:**

The applicant and property owner of the property located at 650 Carroll Way, submitted a request to vacate an existing easement within her property in order to construct a proposed accessory dwelling unit in the rear. The property at 650 Carroll Way is located at the south end of a cul-de-sac in the southeastern part of the City, as shown in the vicinity map in Attachment A. It is legally described as Lot 6 of Tract Map No. 14,878 (Attachment B). The final tract map was filed with the then Los Angeles County Recorder Office in 1951 under Map Book 405 Pages 49 and 50.

At the time of the subdivision, the subdivider, First Holding Corporation, along with the owners or interested parties of the land, Sunnyslope Water Company and El Campo Mutual Water Company, granted to the City of Pasadena certain easements for storm drain, sewers and public utility purposes as shown on the map. Carroll Way was dedicated to the public use for street purposes. The offer of dedication was accepted by the City on behalf of the public during the approval of the final map on

March 13, 1951. The proposed vacated portion of the public utility easement is limited to only within 650 Carroll Way, one of the 10 land lots in Tract Map No. 14,878. The proposed vacated area is approximately 10 feet wide by 111 feet long along the easterly property line of 650 Carroll Way. It is legally described in Exhibit A and shown on Exhibit B (Department of Public Works Drawing No. 6,886), which are referenced and included with the attached proposed Resolution.

In addition to the previously mentioned 10-foot-wide public utility easement, there is an overlapping easement granted to Pacific Bell Telephone Company. The easement was officially filed with the Los Angeles County Recorder Office in 2024 under Instrument No. 20240519318 of the Official Records (Attachment C). The easement area is approximately 20 feet by 5 feet. It is located at the northeast corner of the property at 650 Carroll Way. Said easement shall remain in place and is not part of the request to be vacated by the applicant.

The Department of Public Works has determined that there is no need, present or future, to retain this portion of the easement for its originally intended public purpose. The summary vacation request has been reviewed by pertinent City departments, Los Angeles County agencies, and various utility agencies, including Sunnyslope Water Company, without comments or any objections. Furthermore, the area to be summarily vacated has no market value since it was originally obtained as an easement for public purposes only at no cost. Relinquishing the proposed vacated area will relieve the City from all future maintenance responsibilities and any liabilities. As a result, the Department of Public Works recommends the adoption of the summary vacation.

#### AUTHORITY FOR SUMMARY VACATION

Pursuant to California Streets and Highways Code Section 8306, a public service easement includes, among others, all or part of, or any right in a right-of-way, easement, or use restriction acquired for public use by dedication or otherwise for sewers, pipelines, pole lines, electrical transmission and communication lines, pathways, storm drains, drainage, canal, water transmission lines, light and air, and other limited use public easements other than for street or highway purposes.

California Streets and Highways Code Section 8333 allows a legislative body to summarily vacate a public service easement in any one of the following instances:

- (a) The easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.
- (b) The date of dedication or acquisition is less than five years, and more than one year, immediately preceding the proposed vacation, and the

easement was not used continuously since that date.

- (c) The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.

If any one of the above circumstances is met, the City Council can adopt a Resolution to summarily vacate a public easement. A summary vacation process differs from the traditional vacation process in that a public hearing is not required. Upon approval by the City Council and adoption of the resolution, the City Clerk then issues a certified copy of the resolution. Said document is attested by the City Clerk under seal and be recorded with the Los Angeles County Registrar-Recorder/County Clerk Office. Upon such recordation of the Resolution, the summary vacation is deemed complete, and the easement is relinquished.

#### **COUNCIL POLICY CONSIDERATION:**

The proposed summary vacation is consistent with the City Council's goals to maintain fiscal responsibility and stability, and to support and promote the quality of life and local economy. It is consistent with the public's interest and convenience and is unnecessary for present or future use.

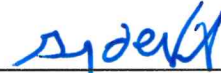
#### **ENVIRONMENTAL ANALYSIS:**

The action proposed herein is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15305, Class 5 (Minor Alterations in Land Use Limitations). This class consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density. Such is the case with the proposed action to vacate a public utility easement where said easement has not been used for the purpose for which it was dedicated. The area has an average slope of less than 20% and the action will not result in any changes in land use or density.

**FISCAL IMPACT:**

The summary vacation will eliminate any potential responsibility for maintenance or liabilities to the City. The applicant has paid the costs for preparation, process, and recordation of the summary vacation. No revenue will be expended or generated by the adoption of this summary vacation.

Respectfully submitted,



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Greg De Vinck, P.E.  
Director of Public Works

Prepared by:



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City Engineer

Approved by:



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MIGUEL MARQUEZ  
City Manager

Attachments: (3)

Attachment A – Vicinity Map

Attachment B – Tract Map No. 14,878

Attachment C – Pacific Bell Easement Instrument No. 20240519318