

TO: JAMES L. APP, CITY MANAGER
FROM: JOHN R. McCARTHY, DIRECTOR OF PUBLIC WORKS
SUBJECT: STREET ABANDONMENT 98-007 (STINCHFIELD)
DATE: May 4, 1999

Needs: For the City Council to consider adopting a Resolution to abandon a 30-foot wide unimproved alley and a 40-foot wide unimproved street as shown on the attached exhibit.

- Facts:**
1. The Planning Commission at their meeting on February 9, 1999 recommended approval of the abandonment request.
 2. The project site is located west of Locust Street, and north of 18th Street.
 3. The applicant is requesting that a 40-foot unimproved "paper" street and a 30-foot unimproved "paper" alley be abandoned.
 4. The abandonment request was submitted by Nancy J. Stinchfield Family Trust, Daryl L. Stinchfield, Trustee. The purpose of their request is to provide the applicant the opportunity to more fully develop their property at Assessor Parcels Nos. 008-271-016-018.
 5. The property owner who owns the property at A.P.N. 008-271-012 and 013, Ms. Florence Joyce, concurs with the proposed street abandonment and has provided a letter of support.
 6. The City Council, at their meeting on April 6, 1999 adopted "Resolution of Intent to Abandon" No. 99-56 which set a public hearing to abandon these properties.

Analysis and

Conclusion: This request was found to be consistent with the Streets and Highway Code and the City's General Plan

Emergency Services Staff has not raised any concerns regarding the proposed abandonment.

Policy

Reference: Streets and Highway Code, Section 8300, Resolution No. 99-56

Fiscal

Impact: None

- Options:**
- A. That the City Council adopt the attached Resolution to abandon an un-improved alley and street as shown on the attached exhibit.
 - B. That the City Council amend, modify, or reject the above options.

Attachments: (2)

- 1) Resolution
- 2) Exhibit
- 3) Affidavit of Posting
- 4) Letters sent to 300-foot radius property owners
- 5) Proof of Legal Notice

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

CITY ENGINEER
CITY OF EL PASO DE ROBLES
1000 SPRING STREET
PASO ROBLES, CA 93446

FOR RECORDER USE ONLY

RESOLUTION No. 99-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES VACATING AN
UNIMPROVED ALLEY AND ROAD ADJACENT TO LOCUST STREET

WHEREAS, the City of Paso Robles, having on the 6th day of April, 1999, passed a Resolution of Intention to close and vacate an unimproved alley and road adjacent to Locust Street in the City of Paso Robles, County of San Luis Obispo, State of California, and more particularly described as follows:

SEE ATTACHMENT EXHIBIT 'A'

WHEREAS, it now appears that the City of Paso Robles did cause said Resolution of Intention to be published in the Telegram-Tribune as required by law; and

WHEREAS, it further appears that said notices and public actions were in all respects completed as required by the provisions of an act of Legislature of the State of California entitled "Street Vacation Act of 1941" Division IX, Part 3, Chapters 1 and 2 of the Streets and Highways Code; and

WHEREAS, a public hearing has been held on said proposed vacation as so noticed and having heard all evidence offered by any person interested, the City Council of the City of Paso Robles finds that the portion of the street as described is unnecessary for present or prospective access purpose, and:

THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the alley and road abandonment herein before described be vacated for public purposes.

BE IT ALSO RESOLVED that the City Council of the City of Paso Robles does hereby reserve and except from said vacation a permanent easement and right-of-way for the purpose of maintaining and operating, replacing or removal of utility lines over, under and across all of the vacated area herein described with ingress and egress rights for said purposes including access for the protection of said facilities from all hazards.

BE IT FURTHER RESOLVED that the City Clerk of the City of Paso Robles cause a certified copy of this Resolution to be recorded in the Office of the County Recorder of the County of San Luis Obispo, State of California.

PASSED AND ADOPTED by the City Council of the City of Paso Robles, this 6th day of May, 1999, on the following vote:

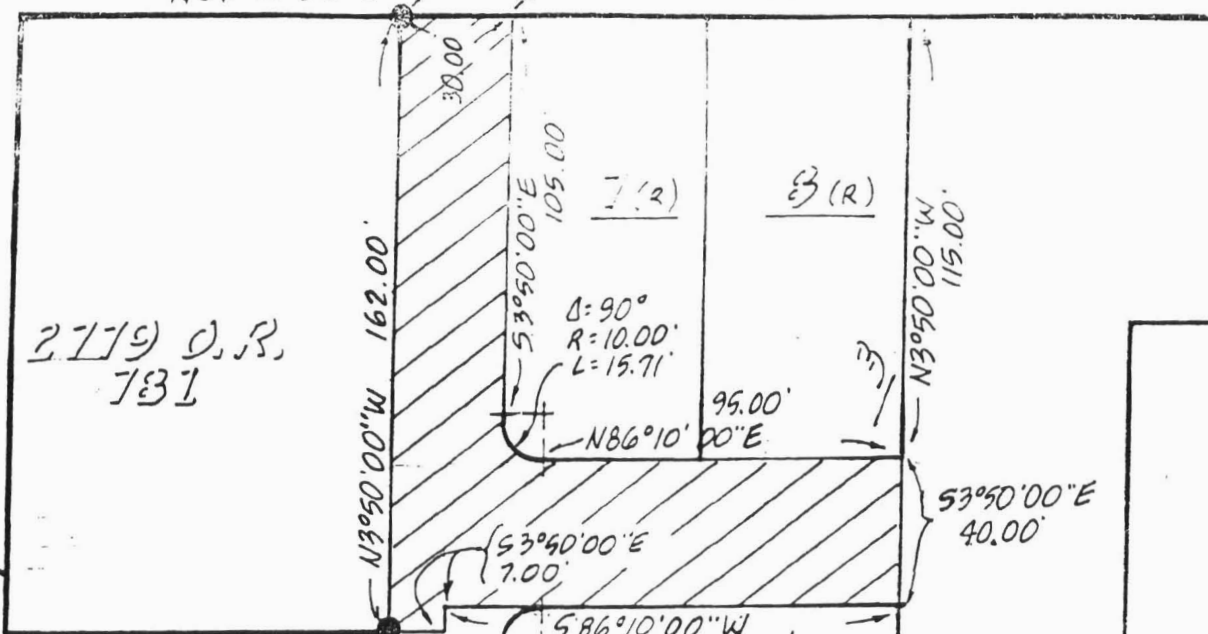
AYES:
NOES:
ABSENT:
ABSTAIN:

Duane Picanco, Mayor

ATTEST:

Madelyn Paasch, City Clerk

5/8" REBAR w/ CAP LS 9700 PER R-1
 POINT OF BEGINNING



2779 O.R.
 731

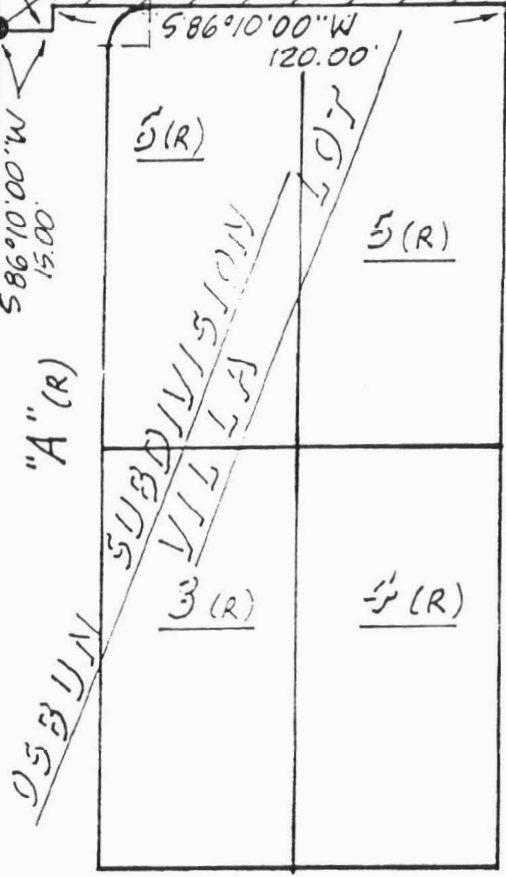
$\Delta = 90^\circ$
 $R = 10.00'$
 $L = 15.71'$

1/2" REBAR w/ CAP RCE 14994 PER R-2

LEGEND:

- = FOUND MONUMENT AS NOTED
- ▨ = AREA TO BE ABANDONED
- R 2 MB 18
- R-1 16 CR 18
- R-2 59 L.S. 73

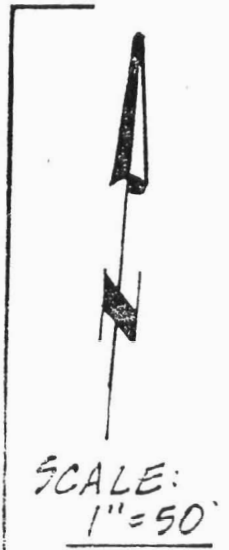
112 O.R. 554



053 UN SUBDIVISION
 VILLAGE

LOCUST ST.

EIGHTEENTH ST.



GILBERT ST.

EXHIBIT "A"



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

DATE: April 12, 1999

SUBJECT: STREET/EASEMENT ABANDONMENT 98-007

Dear Property Owner:

You are hereby notified, as the owner of property within 300 feet of Assessors Parcel Number 008-271-009/016/017/018 that the City council will be holding a public hearing to consider the following applications in your neighborhood:

APPLICATION: Request to abandon an unimproved alley and an unimproved street as shown on the attached exhibit.

APPLICANT: Nancy J. Stinchfield Family Trust

LOCATION: 1843 Locus Street

This hearing will be held at the Paso Robles City Hall Conference Room, 1000 Spring Street, Paso Robles, California, at the hour of 7:30 PM on Tuesday, May 4, 1999, at which time all interested parties may appear and be heard.

If you challenge this Abandonment application in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing.

Copies of the staff report pertaining to this project will be available for review at the Public Works Department Friday preceding this hearing (copies are available for purchase for the cost of reproduction). If you have any questions, please contact the Public Works Department at (805) 237-3860.

Sincerely,


DITAS ESPERANZA, P.E.
CITY ENGINEER

ms

Attachment

I:\Letters\4-12-99 Stinchfield Aband.Prop.Owners

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PUBLIC WORKS DEPARTMENT/
ENGINEERING DIVISION

Newspaper: TELEGRAM TRIBUNE

Date of Publication: April 19, 1999

Subject: Resolution of Intention for Vacating an unimproved alley and road adjacent to Locust Street and giving notice of a time and place for public hearing thereon.

I, Mindy Shaffner, employee of the Public Works Department/Engineering Division of the City of El Paso de Robles, do hereby certify that this notice is a true copy of a published legal newspaper notice for the above named project.

Signed:

Mindy Shaffner
Mindy Shaffner

MONDAY, APRIL 19, 1999

RESOLUTION
No. 99-57
A RESOLUTION OF INTENTION FOR VACATING AN UNIMPROVED ALLEY AND ROAD ADJACENT TO LOCUST STREET AND GIVING NOTICE OF A TIME AND PLACE FOR A PUBLIC HEARING

THAT THE CITY COUNCIL OF THE CITY OF PASO ROBLES DOES HEREBY RESOLVE AS FOLLOWS:

1. That it is the intention of the City Council to close and vacate a 30-foot wide alley and 40-foot roadway dedication and more particularly described as:

SEE EXHIBIT 'A'

2. For further particulars as to the proposed vacation, reference is thereby made to a map and plan now on file in the office of the City Clerk of the City of Paso Robles.

3. That May 4, 1999, at the hour of 7:30 P.M., on said date in the Paso Robles City Hall, 1000 Spring Street, Paso Robles, California, is the time and place set forth for hearing all persons interested or having objection to the proposed closing.

4. That the City Engineer of the City of Paso Robles be and is hereby directed to cause a copy of this Resolution of Intention to be published fifteen (15) days prior to the date set herein for hearing in the Paso Robles Telegram Tribune, a newspaper of general circulation, published and circulated in the City of Paso Robles, California.

5. The City Engineer of the City of Paso Robles be and is hereby directed to cause a notice of the passage of

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Legals**

this Resolution of Intention and the time and place for hearing hereon by conspicuously posting notices thereof along the line of the easement to be vacated.

P A S S E D A N D ADOPTED by the City Council of the City of Paso Robles, this 6th day of April, 1999, on the following vote:

AYES: Baron, Macklin, Mecham, Swanson and Picanco

NOES: None

ABSENT: None

ABSTAIN: None

Duane Picanco, Mayor

ATTEST:
Madelyn Paasch, City Clerk

Apr. 19, 1999 5143324