

TO: JAMES L. APP, CITY MANAGER  
FROM: JOHN R. McCARTHY, DIRECTOR OF PUBLIC WORKS  
SUBJECT: STREET ABANDONMENT 99-01 (CITY INITIATED)  
DATE: SEPTEMBER 7, 1999

**Needs:** For the City Council to consider adopting a Resolution to abandon a 20-foot wide alley as shown on the attached exhibit.

- Facts:**
1. The Planning Commission, at their meeting on July 13, 1999, recommended approval of the abandonment request.
  2. Abandoning the alley is necessary in order to construct the City's Public Safety Center.
  3. The City Council, at their meeting on August 3, 1999 adopted a "Resolution of Intent to Abandon" No. 99-135.

**Analysis and**

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

**Policy**

**Reference:** Streets and Highways Code, Section 8300 and Resolution No. 99-135

**Fiscal**

**Impact:** None

- Options:**
- A. That the City Council adopt the Resolution to abandon a 20-foot alley as shown on the attached exhibit.
  - B. That the City Council amend, modify or reject the above option.

**Attachments: (5)**

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

RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:

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

ATTN.: CITY ENGINEER

FOR RECORDERS USE ONLY

**RESOLUTION NO. 99-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES VACATING A 20-FOOT  
WIDE ALLEY BETWEEN 9<sup>TH</sup> AND 10<sup>TH</sup> STREETS**

**WHEREAS**, the City of Paso Robles, having on the 3<sup>rd</sup> day of August 1999, passed a Resolution of Intention to close and vacate an alley 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;

**WHEREAS**, abandonment of the alley is necessary in order to construct the City's Public Safety Building, and:

**THEREFORE, BE IT RESOLVED AS FOLLOWS:**

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

**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 Clerk 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 7<sup>th</sup> day of **September**, 1999, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

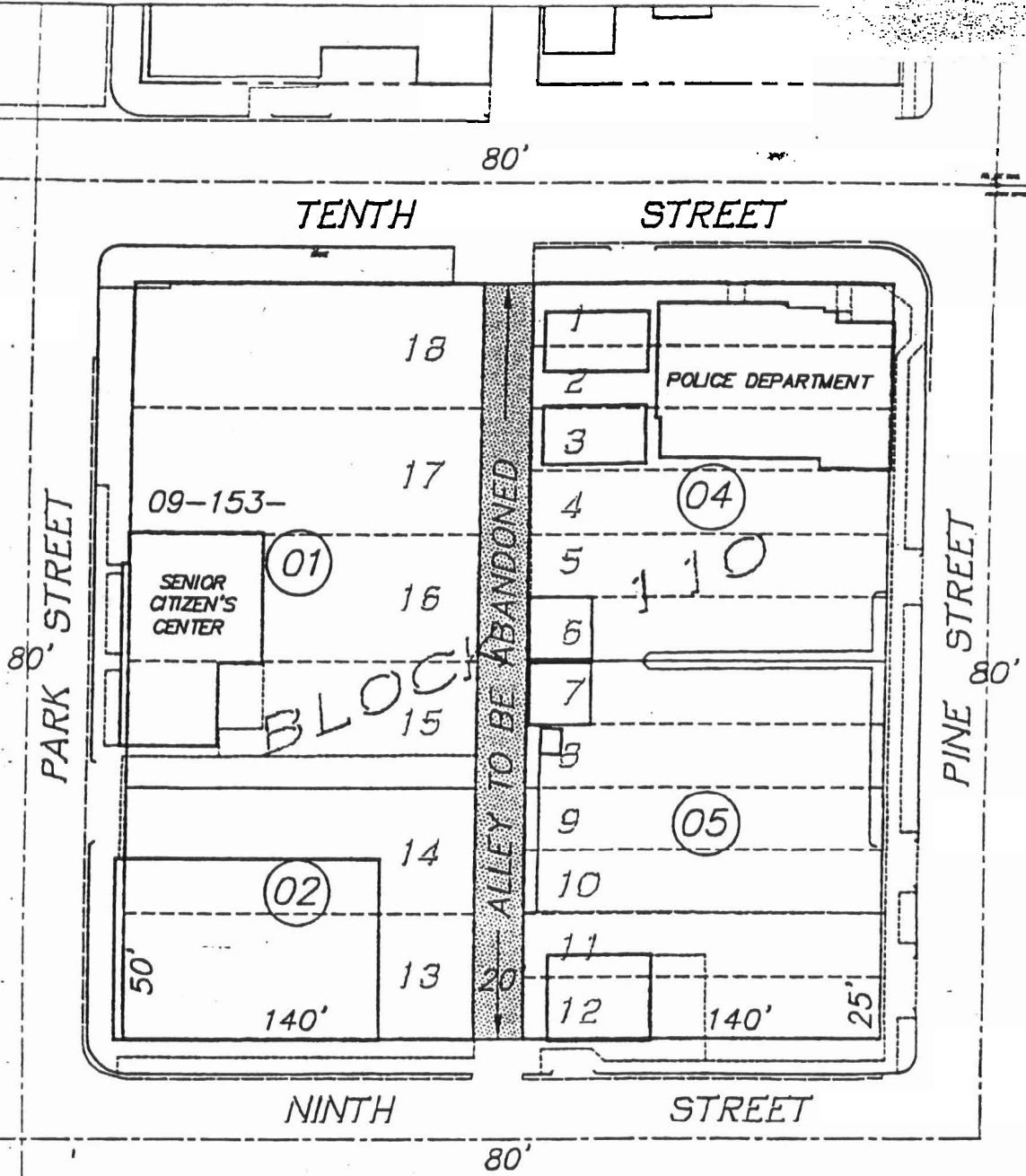
\_\_\_\_\_  
Duane J. Picanco, Mayor

**ATTEST:**

\_\_\_\_\_  
Sharilyn M. Ryan, Deputy City Clerk

# STREET ABANDONMENT 99001

Alley Aband. b/t 9th/10th  
Exhibit A



## ALLEY ABANDONMENT EXHIBIT

FOR THE CITY OF PASO ROBLES  
PUBLIC SAFETY FACILITY

EXHIBIT A / ATTACHMENT TO RECORD #  
PAGE 1 OF 1

AFFIDAVIT OF POSTING

STATE OF CALIFORNIA }  
 }  
COUNTY OF SAN LUIS OBISPO }

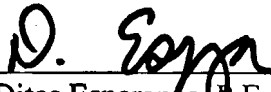
I, **Ditas Esperanza**, being first duly sworn, disposes and says:

1. That I am now and was at all times herein mentioned the duly appointed and acting **CITY ENGINEER** for the City of El Paso de Robles, California;

2. That on the 20<sup>th</sup> day of **August 1999**, I caused to be conspicuously posted along that portion of a street in the City of El Paso de Robles, being proposed for closing at not more than 300 feet in distance apart, notice of passage of that certain **Resolution of Intention No. 99-135** passed on the 3<sup>rd</sup> day of **August 1999** by the City Council of the City of El Paso de Robles and which is referenced in the **Notice** attached hereto;

3. That said **Notice** was headed "**NOTICE OF STREET VACATION**" in letters of not less than one inch in height and was in legible characters and stated the fact of the passage of said **Resolution of Intention**, its' date, and briefly the areas to be closed and the date set for the hearing any objections thereto;

4. That a copy of said **Notice** as aforementioned is hereto attached and marked "**EXHIBIT A**".

  
\_\_\_\_\_  
Ditas Esperanza, P.E.  
City Engineer

Subscribed and affirmed to before me this \_\_\_\_ day of \_\_\_\_\_, by  
Ditas Esperanza.

By: \_\_\_\_\_



# CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

DATE: August 17, 1999

SUBJECT: STREET/EASEMENT ABANDONMENT 99-001

Dear Property Owner:

You are hereby notified, as the owner of property within 300 feet of Assessors Parcel Number 009-153-001 / 002 / 004 / 005 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 between 9<sup>th</sup> and 10<sup>th</sup> streets.

APPLICANT: City of Paso Robles

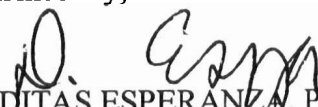
LOCATION: Between 9<sup>th</sup> and 10<sup>th</sup> streets

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, September 7, 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\8-16-99 City Aband.Prop.Owners

RESOLUTION NO. 99-135

A RESOLUTION OF INTENTION FOR VACATING A 20-FOOT WIDE ALLEY BETWEEN 9TH AND 10TH STREETS 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 20-foot wide alley between 9th and 10th Streets 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 September 7, 1999, at the hour of 7:30 PM, 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 this Resolution of Intention and the time and place for hearing hereon by conspicuously posting notice thereof along the line of the easement to be vacated.

PASSED AND ADOPTED by the City Council of the City of Paso Robles, this 3rd day of August, 1999, by the following vote:

AYES: Baron, Macklin, Mecham, Swanson and Picanco

NOES: None

ABSENT: None

ABSTAIN: None

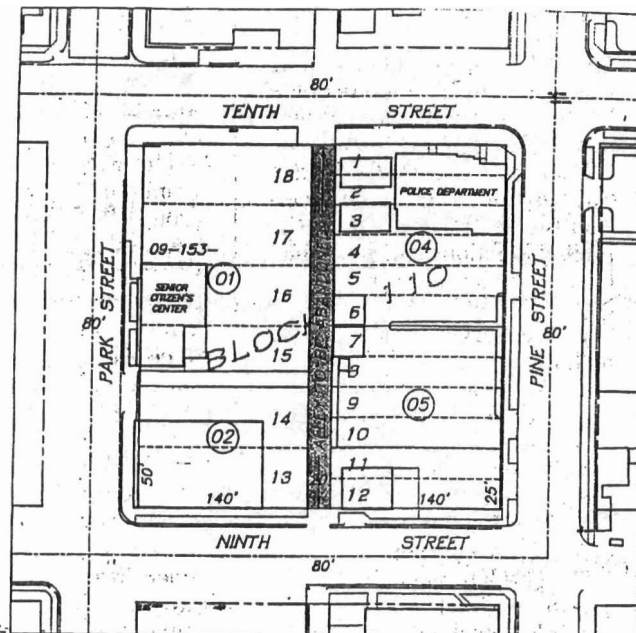
Duane J. Picanco, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk

STREET ABANDONMENT 99001

Exhibit "A"



ALLEY ABANDONMENT EXHIBIT

FOR THE CITY OF PASO ROBLES  
PUBLIC SAFETY FACILITY

Aug. 23, 1999

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