

TO: James L. App, City Manager
FROM: Robert A. Lata, Community Development Director
SUBJECT: Street Abandonment 02-003 (Dry Creek Partners, LLC)
DATE: May 20, 2003

Needs: For the City Council to hold a public hearing to consider adopting a Resolution to abandon a variable width portion of Vine Street as shown on the attached exhibits.

Facts:

1. The Planning Commission at their meeting of March 25, 2003 recommended approval of the abandonment request.
2. The abandonment request was submitted by Dry Creek Partners, LLC. The purpose of their request is to accommodate the applicant's proposed development of PD 02-016 and PD 02-017, at Assessor Parcel Number 009-821-006.
3. The City Council, at their meeting on April 15, 2003, adopted "Resolution of Intent to Abandon" No. 03-57 which set a public hearing to abandon this right-of-way.

**Analysis
and**

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

It is recommended that utility easements be retained within a portion of the right-of-way proposed to be abandoned.

**Policy
Reference:** Streets and Highways Code

**Fiscal
Impact:** None

Options:

- a. Adopt Resolution No. 03-xx to abandon an unimproved portion of Vine Street right-of-way and retain an easement for water, sanitary sewer, storm drains and public services as shown on the Exhibits "A" and "B" as requested by the adjacent property owners.
- b. That the City Council amend, modify or reject the above options.

Attachments: (2)

1. Resolution
2. Exhibits A & B

RESOLUTION NO. 03-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
VACATING AN UNIMPROVED PORTION OF VINE STREET RIGHT-OF-WAY SOUTH OF
1ST STREET (DRY CREEK PARTNERS, LLC)

WHEREAS, the Planning Commission at their meeting of March 25, 2003, recommended approval of the abandonment request; and

WHEREAS, The City Council of the City of Paso Robles, at their meeting of April 15, 2003, passed a Resolution of Intention to close and vacate an unimproved portion of Vine Street right-of-way in the City of Paso Robles, County of San Luis Obispo, State of California, and more particularly described as follows:

SEE ATTACHMENTS EXHIBITS "A" AND "B"

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 Vine Street right-of-way as described is unnecessary for present or prospective access purpose; and

THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the unimproved road herein before described be vacated for public purposes (Exhibit "A").
2. That the City retain an easement for water, sanitary sewer, storm drain and public services over the portion of abandoned right-of-way described in Exhibit "B".
3. 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 20th day of May 2003 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

Frank R. Mecham, Mayor

Sharilyn M. Ryan, Deputy City Clerk

EXHIBIT A
Legal Description
ROAD VACATION

Being a portion of that certain sixty (60) foot wide road adjacent to Lots 1 and 2 of the Map of Subdivision of Villa Lots 16, 17, 18, 19 and Lot "G" Rancho El Paso de Robles, in the City of Paso Robles, County of San Luis Obispo, State of California, according to the map thereof filed in Map Book A at Page 41, in the office of the County Recorder of said County, being more particularly described as follows:

Parcel 1

Beginning at the most Southwesterly corner of Lot 1 of said Subdivision, as shown on the Record of Survey filed in Book 83 at Page 45 of Licensed Surveys, records of said County; thence

1. South 42° 24' 55" West, along the Westerly boundary of Lot 2 of said Subdivision, a distance of 76.94 feet to a point on the Easterly right of way line of Frontage Road as shown on said Record of Survey; thence
2. North 24° 27' 38" West, along said Easterly right of way line, a distance of 16.42 feet, more or less, to an angle point in said Easterly right of way line; thence
3. North 2° 40' 56" West, along said Easterly right of way line, a distance of 63.38 feet, more or less, to a point on the Westerly right of way line of said sixty (60) foot wide road; thence
4. North 42° 24' 55" East, along said Westerly right of way line, 0.89 feet, more or less to an angle point in last said line; thence continuing along said Westerly right of way line
5. North 2° 35' 05" West, 251.93 feet, more or less, to a point on said Easterly right of way line of Frontage Road; thence
6. North 7° 14' 28" East, along last said Easterly right of way line, 8.22 feet; thence leaving said Easterly line
7. North 68° 44' 45" East, 27.59 feet; thence
8. North 9° 22' 09" East, 64.03 feet, more or less, to a point on the Southerly right of way line of First Street; thence
9. North 76° 22' 16" East, along said Southerly right of way line, 30.56 feet, more or less, to a point on the Easterly right of way line of said sixty (60) foot wide road; thence
10. South 6° 54' 55" West, along last said Easterly right of way line, 65.45 feet, more or less, to an angle point in said line; thence

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11. South 2° 35' 05" East, along last said Easterly right of way line, a distance of 297.66 feet to the Point of Beginning.

Contains 21,263 Square Feet, more or less.

Parcel 2

Beginning at the most Southwesterly corner of Lot 2 of Map of Subdivision of Villa Lots 16, 17, 18, 19 and Lot "G" Rancho El Paso de Robles, as shown on the Record of Survey filed in Book 83 at Page 45 of Licensed Surveys, records of said County; thence

1. North 10° 54' 55" East, along the Westerly boundary of Said Lot 2, a distance of 307.56 feet; thence
2. North 53° 35' 05" West, 99.98 feet to a point forty (40) feet easterly of the centerline of said Frontage Road as shown on said Record of Survey; thence
3. South 2° 36' 33" East, along a line parallel with and forty (40) feet easterly of said centerline of Frontage Road, 77.23 feet, more or less, to a point on said sixty (60) foot wide road; thence
4. South 53° 35' 05" East, along said Easterly right of way line, 13.49 feet, more or less, to an angle point in last said Easterly right of way line; thence continuing along last said line
5. South 10° 54' 55" West, 44.82 feet, more or less, to a point forty (40) feet easterly of the centerline of said Frontage Road; thence
6. South 2° 36' 33" East, along a line parallel with and forty (40) feet easterly of said centerline of Frontage Road, 232.85 feet to a point on the Southerly line of said Lot 2; thence
7. North 85° 39' 55" East, along last said Southerly line, 5.75 feet to the point of beginning.

Contains 14,645 Square Feet.

The above described parcels are graphically shown on Exhibit B, attached hereto and made a part hereof.


Linda M. Richardson, P.L.S. 6904 (exp. 6/2005)



① S42°24'55"W 76.94'	⑦ N68°44'45"E 27.59'	⑬ N53°35'05"W 99.98'
② N24°27'38"W 16.42'	⑧ N9°22'09"E 64.03'	⑭ S2°36'33"E 77.23'
③ N2°40'56"W 63.38'	⑨ N76°22'16"E 30.56'	⑮ S53°35'05"E 13.49'
④ N42°24'55"W 0.89'	⑩ S6°54'55"W 65.45'	⑯ S10°54'55"W 44.82'
⑤ N2°35'05"W 251.93'	⑪ S2°35'05"E 297.86'	⑰ S2°36'33"E 232.85'
⑥ N7°14'28"E 8.22'	⑫ N10°54'55"E 307.56'	⑱ N85°39'55"E 5.75'

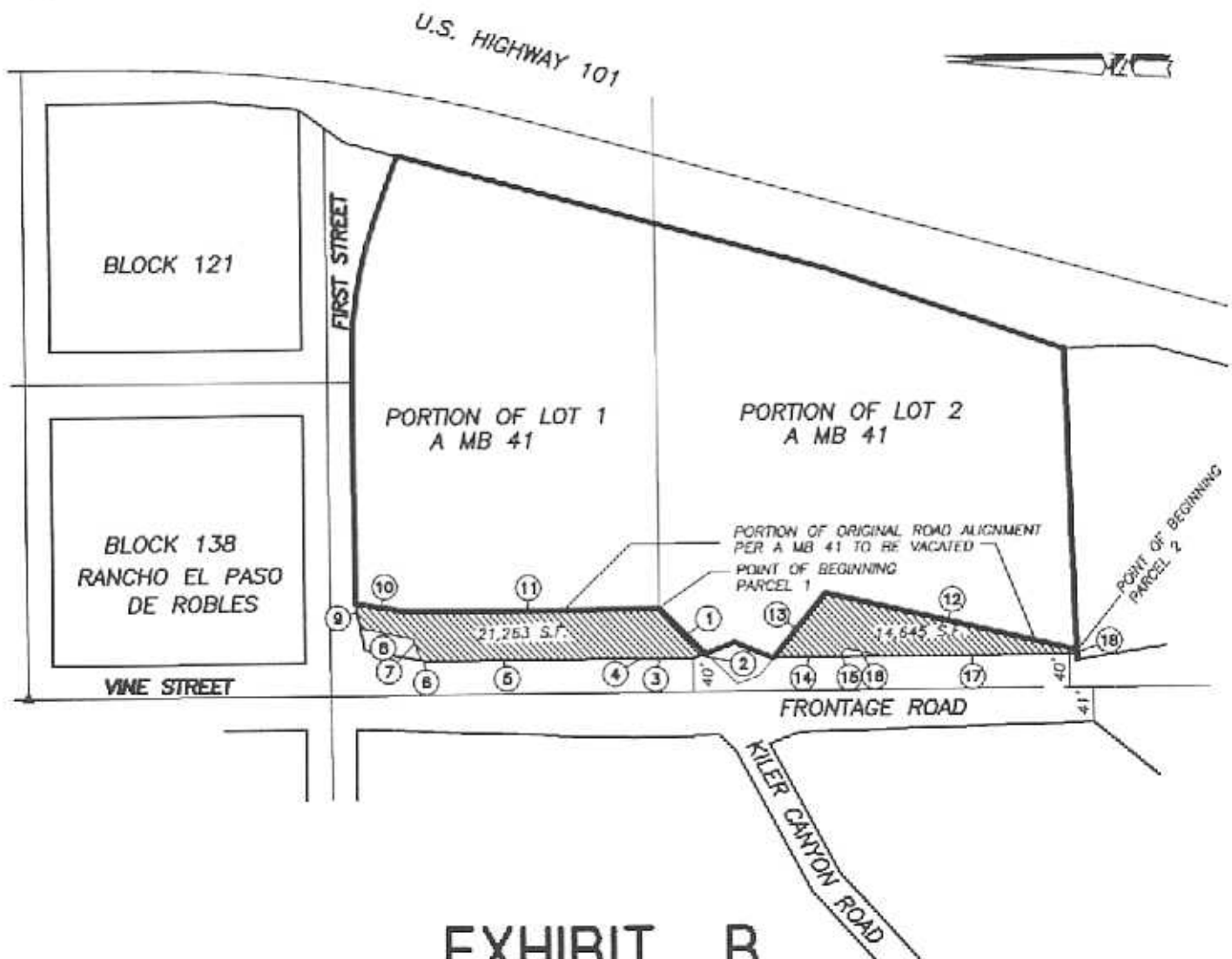


EXHIBIT B

GRAPHIC SCALE



(IN FEET)
1 inch = 200 ft.

eda design
professionals

civil engineers • land surveyors • land planners
1998 santa barbara st • san luis obispo, ca 93401
ph: 805/549-8658 • email: eda@edainc.com

VACATION

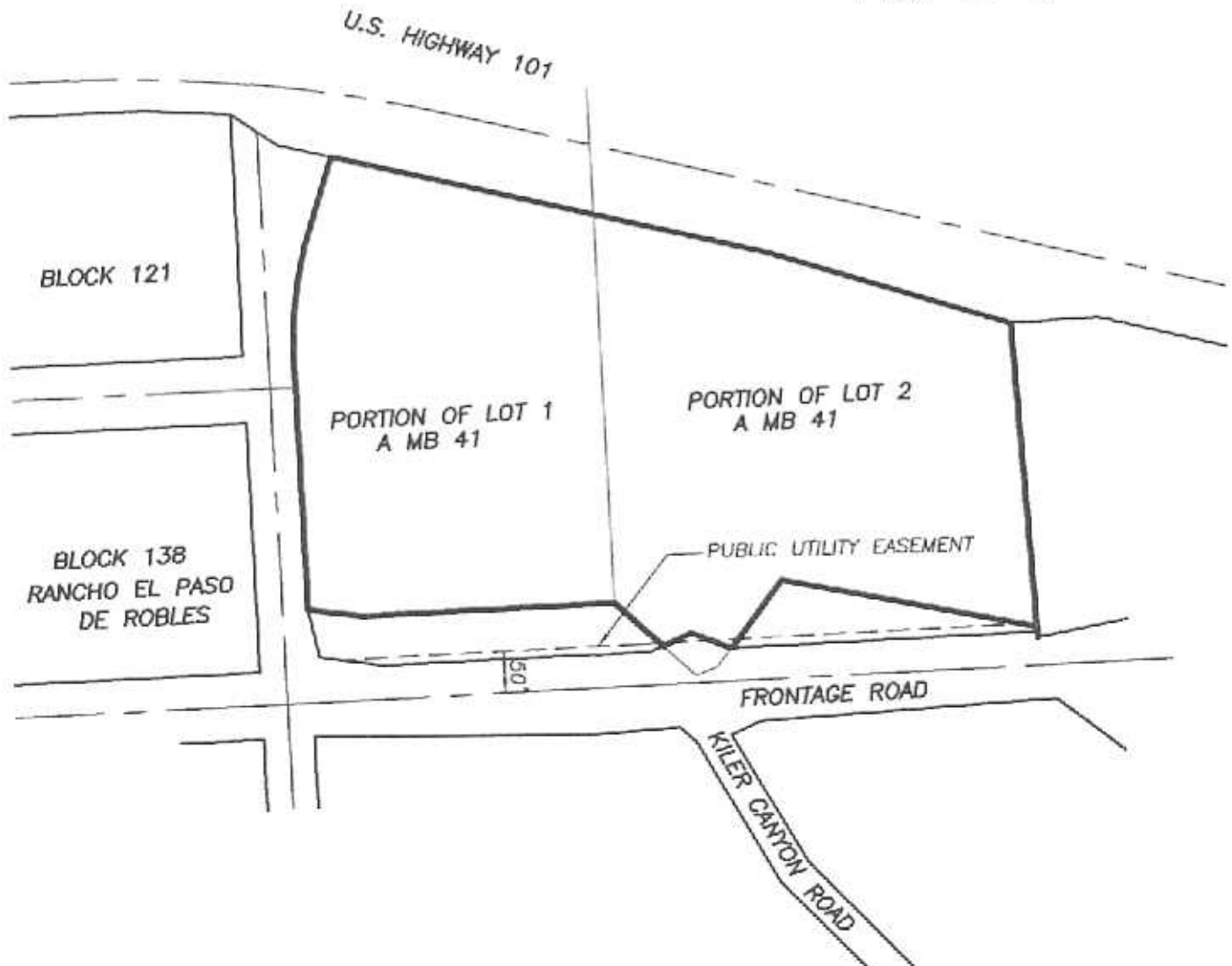
DATE: 3-4-03 JOB NO. 2.2599.100

EXHIBIT B

GRAPHIC SCALE



(IN FEET)
1 inch = 200 ft.



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PUBLIC UTILITY EASEMENT

JOB NO. 2.2599.000