

RESOLUTION NO. 12-016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
VACATING A PORTION OF UNUSED RIGHT-OF-WAY OF NAVAJO AVENUE
(HIDDEN CREEK VILLAGE)

WHEREAS, on January 6, 2009, the City Council approved a development plan (PD 08-010) for the construction of Hidden Creek Village, an 81 unit affordable apartment complex at 80 Cary Street; and

WHEREAS, in the late 1980s, Navajo Avenue was realigned in a manner that left portions of its right-of-way unused and unmaintained; and

WHEREAS, Navajo Avenue somewhat follows and then diverges from a historical un-named right-of-way established on the original map of the Rancho Santa Ysabel; and

WHEREAS, the unused portions of right-of-way for Navajo Avenue are not specifically shown in the Circulation Element of the General Plan; and

WHEREAS, the unused portions of right-of-way for Navajo Avenue have not been shown as necessary for access to any other private properties; and

WHEREAS, the development plan for Hidden Creek Village proposes to incorporate the unused portion of right-of-way into the housing site as open space; and

WHEREAS, Section 65402(a) of the Government Code provides that "...no street shall be vacated or abandoned, ... if the adopted general plan or part thereof applies thereto, until the location, purpose and extent of such... street vacation or abandonment... has been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof"; and

WHEREAS, at its meeting of January 10, 2012, the Planning Commission recommended that the City Council find that the proposed vacation of the portion of Navajo Avenue described in Exhibits "A" and "B" to be consistent with the General Plan and approve said vacation; and

WHEREAS, the portion of Navajo Avenue considered for abandonment has been impassable for vehicle travel for more than five years; and

WHEREAS, no public money has been expended for maintenance of the portion of Navajo Avenue considered for abandonment since the realignment of this street in the late 1980s; and

WHEREAS, pursuant to Streets and Highways Code 8331, this portion of Navajo Avenue may be considered for summary vacation; and

WHEREAS, based on the staff report, staff presentation and having heard all evidence offered by any person interested in the proposed vacation, the City Council of the City of El Paso de Robles finds that the portions of Navajo Avenue described in Exhibits "A" and "B" attached to this Resolution, are unnecessary for present or prospective public use.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE CITY COUNCIL OF EL PASO de ROBLES AS FOLLOWS:

SECTION 1: The proposed vacation of portions of Navajo Avenue shown on Exhibits "A" and "B", is consistent with the General Plan for the City of El Paso de Robles.

SECTION 2: The subject portions of Navajo Avenue as described on Exhibits "A" and "B" be vacated for public purposes.

SECTION 3: That the City Clerk of the City of El Paso de Robles is authorized to cause a certified copy of this Resolution to be recorded in the office of the County Clerk Recorder, County of San Luis Obispo, State of California.

SECTION 4: The above Recitals are incorporated into this Resolution.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 7th day of February, 2012 by the following vote:

AYES: Steinbeck, Strong, Gilman, Hamon, Picanco

NOES:

ABSTAIN:

ABSENT:

Duane Picanco, Mayor

ATTEST:

Caryn Jackson, Deputy City Clerk

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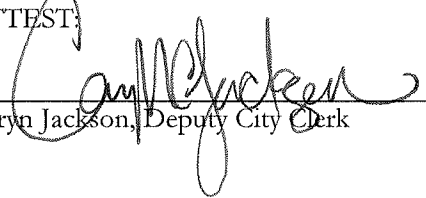
NOES:

ABSTAIN:

ABSENT:



Duane Picanco, Mayor

ATTEST:


Caryn Jackson, Deputy City Clerk

EXHIBIT A

Legal Description

A portion of the forty foot wide, unnamed road shown on Parcel Map P.R. 79-275 as recorded on the 17th day of June, 1980 in Book "29" of Parcel Maps at Page 43 and filed in the office of the county recorder, City of El Paso De Robles, County of San Luis Obispo, State of California, more particularly described as follows:

Beginning at a point on the easterly line of Parcel 1 of said map at the intersection with the southerly line of the 10 foot offer of dedication shown on said map; thence, North 74°37'28" West 312.10 feet along the said southerly line of 10 foot offer of dedication per said map to the intersection with the southerly right-of-way line of Mohawk Court as shown on Map of Tract 2186, recorded in Map Book 18 at Page 51, records of said county, said point being a point on a non-tangent curve, concave northerly, having a radius of 280.00 feet and to which point a radial line bears South 11°10'20" West; thence northeasterly along said curve through a central angle of 16°44'18" and a distance of 81.80 feet; thence North 84°27'46" East 34.34 feet to the centerline of said unnamed 40 foot wide road; thence South 74°37'28" 192.21 feet East along said centerline to the intersection with the northerly prolongation of the easterly line of said Parcel 1; thence South 0°00'07" West 31.11 feet along said prolonged line to the point of beginning.

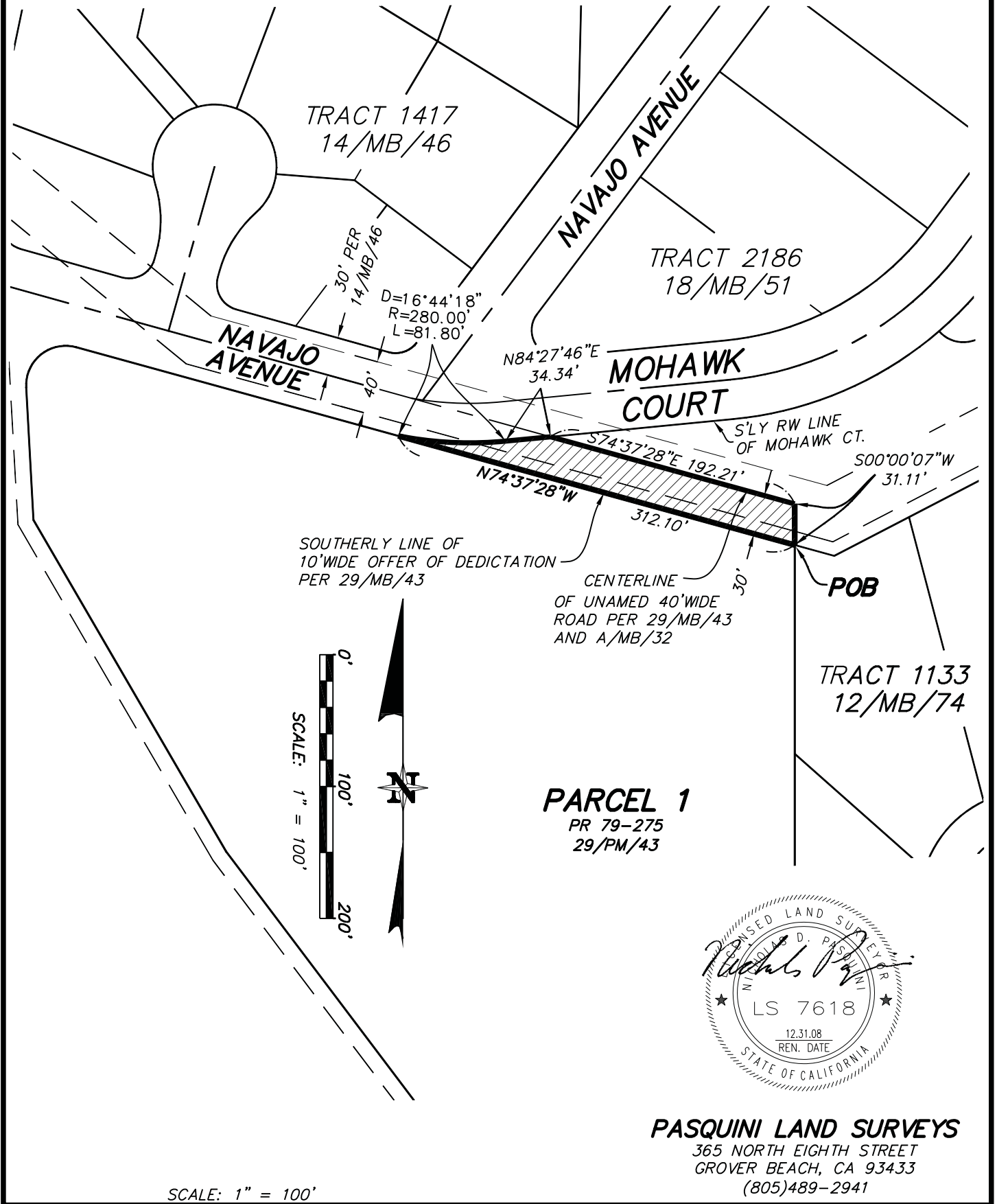
The above-described parcel is graphically shown on the attached exhibit and made a part hereof.

End of Description

Nicholas D. Pasquini, PLS 7618
Exp. 12-31-08

EXHIBIT B

A portion of the forty foot wide, unnamed road shown on Parcel Map P.R. 79-275 as recorded on the 17th day of June, 1980 in Book "29" of Parcel Maps at Page 43 and filed in the office of the county recorder, City of El Paso De Robles, County of San Luis Obispo, State of California.



SCALE: 1" = 100'