



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"Enriching Lives"

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February 18, 2004

IN REPLY PLEASE
REFER TO FILE: **MP-5**

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**RESOLUTION OF INTENTION TO VACATE
ALLEY NORTH OF EAGLE STREET - EAST LOS ANGELES
FUTURE PUBLIC HEARING
SUPERVISORIAL DISTRICT 1
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Adopt the enclosed Resolution of Intention to Conditionally Vacate a portion of the Alley north of Eagle Street, in the unincorporated County area known as East Los Angeles, pursuant to Section 8320, et seq., of the California Streets and Highways Code.
2. Set the matter for hearing not less than 15 days from the adoption of the Resolution pursuant to Section 8320 of the California Streets and Highways Code.
3. Instruct the Executive Officer of the Board to publish the enclosed Notice of Proposed Vacation pursuant to Section 8322 of the California Streets and Highways code.

AFTER THE PUBLIC HEARING, IT IS RECOMMENDED THAT YOUR BOARD:

Adopt the enclosed Resolution to Conditionally Vacate on the date of the hearing, pursuant to Section 8324 of the Streets and Highways Code, after finding that:

- a. The vacation is categorically exempt from the provisions of the California Environmental Quality Act (CEQA).

- b. The area proposed to be vacated is no longer needed for present or prospective public use, including bicycle paths and trails.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The Los Angeles Unified School District (LAUSD), the underlying fee owner, requested this vacation to remove from the record all public easement rights within its properties. LAUSD proposes to construct a new primary center with 16 classrooms by using a portion of the dedicated alley to address the rise in student enrollment. LAUSD has purchased and currently owns all the lots adjoining the proposed vacation area. The vacation of the alley consolidates LAUSD properties unencumbered of the public easement.

An alternate alignment rerouting and extending the alley eastward to Amalia Avenue, as a condition of this vacation, will be dedicated to preserve continuity of the alley. It is in the County's interest to vacate the excess right of way since it no longer serves the purpose for which it was dedicated, nor is it required for general public access, circulation, or for bicycle paths and trails. The vacation will neither eliminate access to adjacent properties nor negatively impact the surrounding properties. The existing sewer facilities will be relocated outside of the proposed vacation area and, therefore, no reservation of sewer easement is required.

Implementation of Strategic Plan Goals

This action is consistent with the County's Strategic Plan Goal of Service Excellence. By vacating and allowing the alley to merge with the adjoining properties, the county becomes an accessory to the construction of the primary school center, which helps improve the quality of life of the residents in the immediate area. This action is also in line with the County Strategic Plan Goal of Fiscal Responsibility as the vacation of a portion of the alley reduces County maintenance cost.

FISCAL IMPACT/FINANCING

Vacation of the alley will not have a negative fiscal impact on the Road Fund. A fee of \$2,500 has been paid by the petitioner to defray the expenses of investigation, mailings, publications, and posting. The fee is authorized by your Board in Resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321 (d) of the California Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The area to be vacated contains approximately 6,500 square feet and is shown on the map attached to each Resolution.

The County's interest was acquired by dedication in Map of Tract 7192, recorded in Book 78, pages 37 and 38, of Maps on file in the Office of the Recorder of the County of Los Angeles on October 16, 1923, as an easement for street and highway purposes.

The vacation of the alley will be subject to the following conditions:

1. That LAUSD submits a site plan and procedure for a student drop-off and pick up area satisfactory to the Director of Public Works.
2. That LAUSD dedicates and constructs an alternate alley (east-west) 30 feet wide from the north-south alley to Amalia Avenue to perpetuate the flow of pedestrian and vehicular traffic.
3. That five feet of the right of way along Amalia Avenue and Eagle Street and the curb return at the corner intersection of said streets be dedicated to the County and the widening of these streets be constructed to County standards.
4. That an easement for sanitary sewer (relocated), outside of public right of way, be dedicated to the County of Los Angeles, and that the relocated facility be constructed by the LAUSD and accepted for operation and maintenance by the County before the vacation becomes final.

The Public Streets, Highways, and Service Easement Vacation Law allows your Board to voluntarily relinquish the County's interest and terminate the public's right over the alley. Adoption by your Board of the Resolution to Conditionally Vacate, subject to the above conditions, will terminate the rights of the public to the vacated area and disposes of excess County right of way. Your action will also result in the properties being unencumbered of the public easement, thereby allowing the underlying fee owner to exercise reversionary rights over the vacated area.

ENVIRONMENTAL DOCUMENTATION

With respect to the requirement of CEQA, this proposed vacation is categorically exempt as specified in Classes 5 (h & l) and 21(a) of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, Synopsis 57, and Sections 15312 and 15321 of State CEQA Statutes and Guidelines.

The Honorable Board of Supervisors.
February 18, 2004
Page 4

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The County of Los Angeles Fire Department has found that no fire protection facilities will be affected by the proposed vacation. The County of Los Angeles Regional Planning Commission has determined that the proposed vacation of a portion of the alley is not in conflict with the County-adopted General Plan.

CONCLUSION

This action is in the County's best interest. Enclosed are a Resolution of Intention and a Resolution to Conditionally Vacate, approved as to form by County Counsel, conditionally vacating the alley north of Eagle Street. Upon adoption of the Resolution of Intention, please transmit two conformed copies of the Resolution and the Notice of Proposed Vacation to Public Works, which will post the Notice pursuant to Streets and Highways Code Section 8323. Upon the adoption of the Resolution to Vacate, with conditions, please return the executed original, together with two conformed copies and a copy of the Board's minute order, for further processing. Upon the applicant's compliance with the above-mentioned conditions, Public Works will record the Resolution and return the executed original Resolution to you when recorded. In the interim, please retain one executed copy for your files.

One approved copy of this letter is requested.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

CVC:fr:5/BL Alley N-EgleSt

Enc.

cc: Chief Administrative Office
County Counsel

RESOLUTION OF INTENTION TO VACATE

WHEREAS, it is proposed that a portion of the Alley north of Eagle Street be vacated as a County highway; and

WHEREAS, the proposed vacation has been approved by the Director of the County of Los Angeles Department of Public Works.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles, State of California, that it is the intention of said Board of Supervisors to order that the aforementioned right of way legally described in Exhibit "A" and as shown by the map in Exhibit "B" attached hereto and incorporated herein by this reference covering the right of way in the County of Los Angeles, State of California, be vacated pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8320.

NOW, THEREFORE, IT IS ORDERED by the Board of Supervisors of the County of Los Angeles, State of California, the _____ day of _____, 20_____, at the hour of _____ a.m./p.m. of said day, is the day and hour, and the Hearing Room of the Board of Supervisors, 381 Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, California 90012, is the place fixed by the Board of Supervisors when and where any and all persons having objections to the proposed vacation may appear before the said Board of Supervisors and show cause why said proposed vacation should not be made in accordance with this Resolution.

IT IS FURTHER ORDERED that a notice of such proposed vacation is to be conspicuously posted, along the line of the area proposed to be vacated in the manner and in the form required by law, and shall cause same to be published in _____, a newspaper of general circulation published in the County, for at least two successive weeks prior to the day fixed for the hearing.

The foregoing Resolution was on the _____ day of _____, 20_____, adopted and ordered by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

VIOLET VARONA-LUKENS
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

APPROVED AS TO FORM:

LLOYD W. PELLMAN
County Counsel

By _____
Deputy

By _____
Deputy

4TH STREET NEW PRIMARY CENTER
ALLEY N/O EAGLE STREET
Job No. M0388102
A.M.B. 6341-008
T.G. 635 H/7
I.M. 36 B/3 (114-237)
R.D. 42
S.D. 1

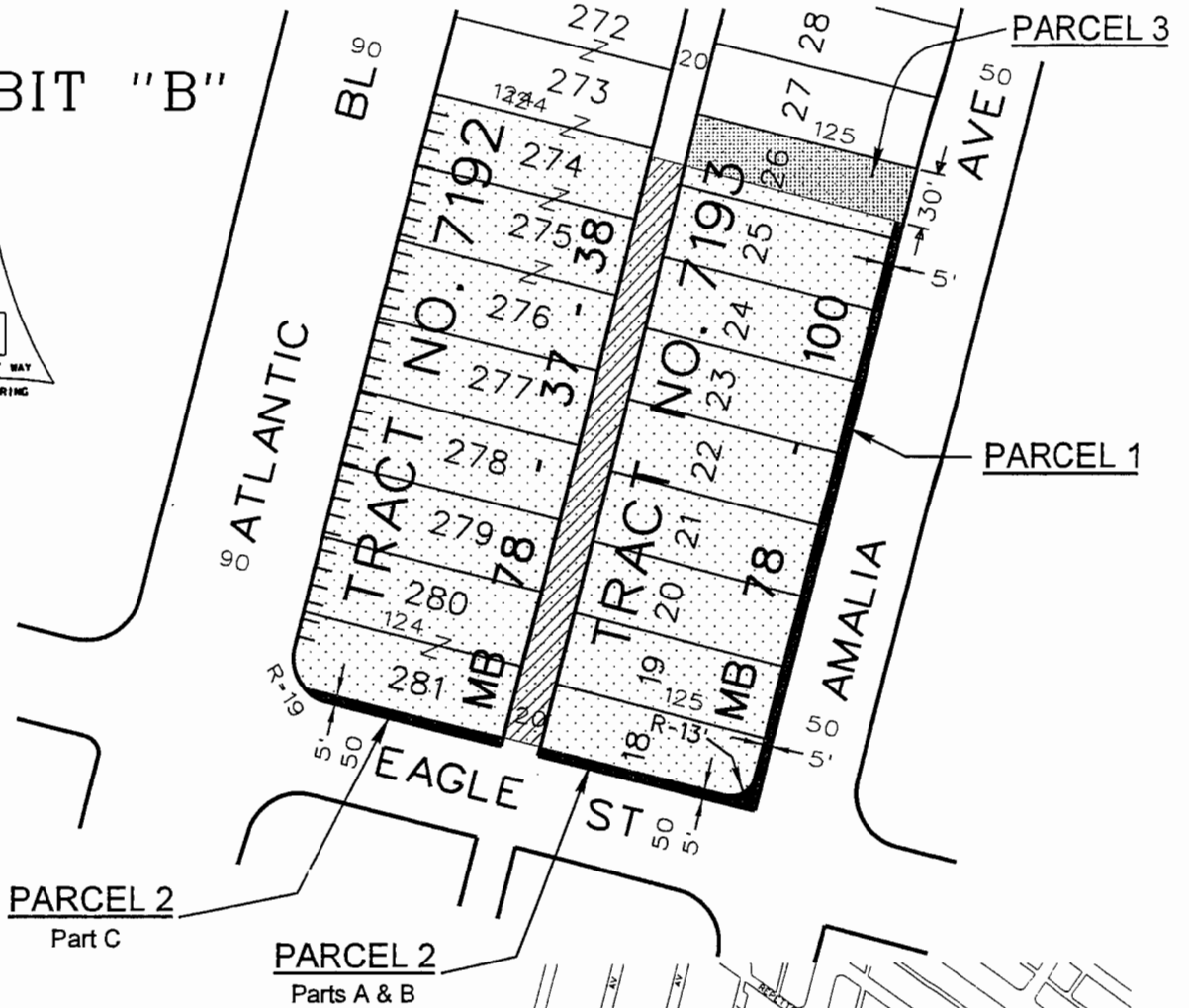
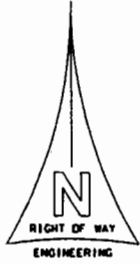
EXHIBIT "A"

Legal Description

That portion of ALLEY, 20 feet wide, in the unincorporated territory of the County of Los Angeles, State of California, as shown on and dedicated to the public use, by map of Tract No. 7192, recorded in Book 78, pages 37 and 38, of Maps, in the Office of the Recorder of said County, lying southeasterly and adjacent to Lots 274 through 281, of said tract, bounded as follows: on the south by a line parallel with and 5 feet northeasterly, measured at right angles, from the southeasterly prolongation of the southwesterly line of said Lot 281; on the north by the northwesterly prolongation of a line parallel with and 30 feet southwesterly, measured at right angles, from the northeasterly line of Lot 26, Tract No. 7193, as shown on map recorded in Book 78, page 100, of Maps, in the office of said Recorder.

Containing: 6,500± square feet

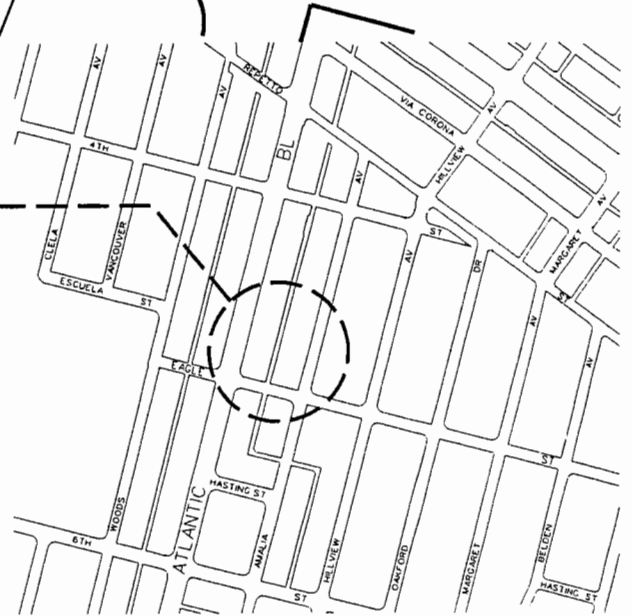
EXHIBIT "B"



LEGEND

- Proposed 4TH Street Primary Center (Applicant- LAUSD)
- Right of Way dedication 2,315± Square Feet
- Proposed Vacation 6500± Square Feet
- Proposed Alternate Alley 3,750± Square Feet
- Dedicate the right to restrict vehicular access

SUBJECT LOCATION



REVISIONS

- | | | |
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| 1. | 2. | 3. |
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DEPARTMENT OF PUBLIC WORKS

MAPPING & PROPERTY MANAGEMENT DIVISION

S.D. 1	R.D. 142	A.M.B. 6341-008	T.G. 635 H/7
SCALE NONE		DATE 7/02/02	I.M. 36 B/3 (114-237)

ALLEY
N/O EAGLE STREET
E/O ATLANTIC BOULEVARD

DRAWING NO.
M0388102

**NOTICE OF PROPOSED VACATION OF A PORTION OF ALLEY NORTH OF
EAGLE STREET IN THE VICINITY OF EAST LOS ANGELES IN THE
FIRST SUPERVISORIAL DISTRICT**

NOTICE IS HEREBY GIVEN that a Resolution of Intention was adopted by the Board of Supervisors of the County of Los Angeles on _____ 20_____, declaring its intention to vacate a portion of the Alley north of Eagle Street (East Los Angeles, 90022) in the First Supervisorial District, as described in Exhibit "A," attached hereto and incorporated herein by reference.

A hearing on the proposed vacation will be held in the Hearing Room of the Board of Supervisors, Room 381, Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, 90012, on _____, 20_____, at _____ a.m./p.m.

By order of the Board of Supervisors of the County of Los Angeles, State of California, adopted _____, 20_____.

VIOLET VARONA-LUKENS
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM:

LLOYD W. PELLMAN
County Counsel

By _____
Deputy

CVC:fr
5/BL Alley N-EgleSt

4TH STREET NEW PRIMARY CENTER
ALLEY N/O EAGLE STREET
Job No. M0388102
A.M.B. 6341-008
T.G. 635 H/7
I.M. 36 B/3 (114-237)
R.D. 42
S.D. 1

EXHIBIT "A"

Legal Description

That portion of ALLEY, 20 feet wide, in the unincorporated territory of the County of Los Angeles, State of California, as shown on and dedicated to the public use, by map of Tract No. 7192, recorded in Book 78, pages 37 and 38, of Maps, in the Office of the Recorder of said County, lying southeasterly and adjacent to Lots 274 through 281, of said tract, bounded as follows: on the south by a line parallel with and 5 feet northeasterly, measured at right angles, from the southeasterly prolongation of the southwesterly line of said Lot 281; on the north by the northwesterly prolongation of a line parallel with and 30 feet southwesterly, measured at right angles, from the northeasterly line of Lot 26, Tract No. 7193, as shown on map recorded in Book 78, page 100, of Maps, in the office of said Recorder.

Containing: 6,500± square feet

RESOLUTION TO CONDITIONALLY VACATE

WHEREAS, the Board of Supervisors of the County of Los Angeles, State of California, did on _____, 20____, adopt the Resolution of Intention to Conditionally Vacate as a County highway/easement a portion of the Alley north of Eagle Street in the vicinity of East Los Angeles in the County of Los Angeles, State of California, legally described in Exhibit "A" and shown by map in Exhibit "B" attached to said Resolution; pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8320; and

WHEREAS, pursuant to said Resolution, notice of proposed vacation has been given by publication and by posting; and

WHEREAS, said Board of Supervisors held a public hearing on said proposed vacation _____, 20____; and

WHEREAS, said Board of Supervisors has found and determined that, the area to be vacated is no longer necessary for present or prospective public use based upon the following facts: That the subject right of way is not required for general public access, circulation, including bicycle paths and trails.

WHEREAS, the vacation is conditioned upon the applicant complying with the following:

1. Dedication of an alternate alley, rights of way (5-foot strips) along Amalia Avenue and Eagle Street, curb returns, and construction of improvements.
2. Submission of a site plan and procedure for a student drop-off and pick up area.
3. Dedication of a sanitary sewer easement (relocated), construction, and acceptance of sewer facilities to the satisfaction of Public Works for operation and maintenance.

Said conditions must be successfully met to the satisfaction of the County of Los Angeles Department of Public Works within one year of the approval date by the Board of Supervisors or the vacation will terminate and become null and void.

NOW, THEREFORE, IT IS ORDERED by the Board of Supervisors of the County of Los Angeles, State of California, that the above-referenced right of way is hereby vacated pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8320;

AND BE IT FURTHER RESOLVED that the Department of Public Works be authorized to record the certified original Resolution in the Office of the Recorder of the County of Los Angeles, at which time the area vacated will no longer be a public alley.

The foregoing Resolution was on the _____ day of _____, 20_____ adopted by the Board of Supervisors of the County of Los Angeles, State of California.

VIOLET VARONA-LUKENS
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM:

LLOYD W. PELLMAN
County Counsel

By _____
Deputy

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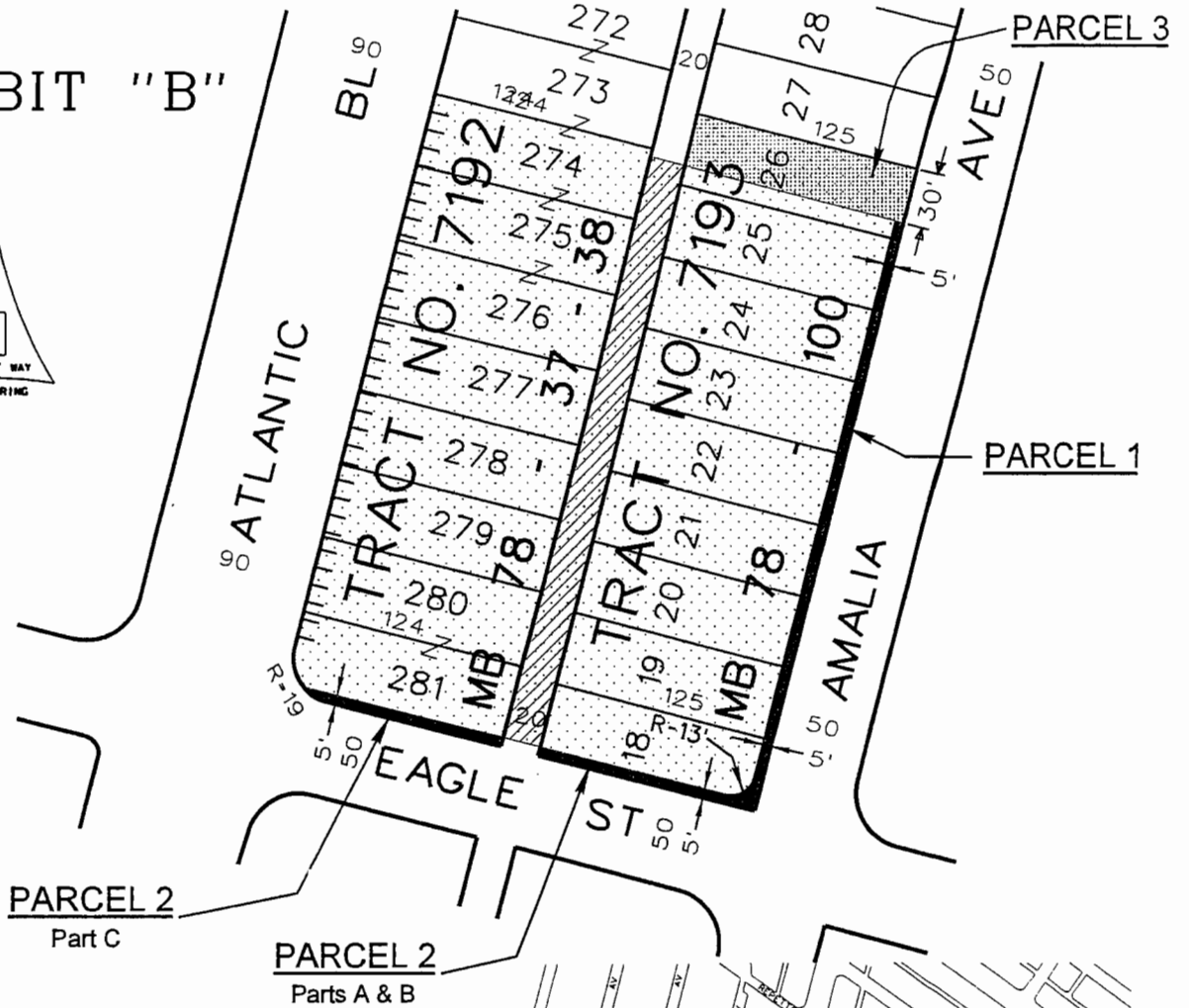
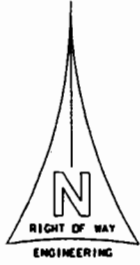
EXHIBIT "A"

Legal Description



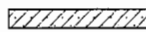


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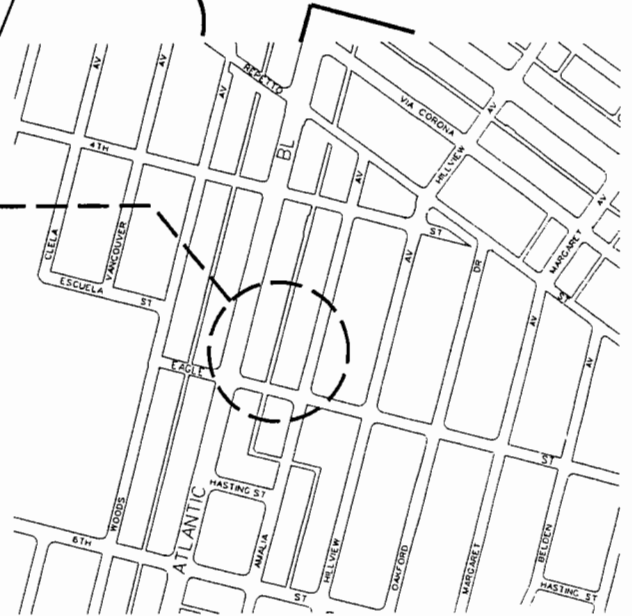
EXHIBIT "B"



LEGEND

-  Proposed 4TH Street Primary Center (Applicant- LAUSD)
-  Right of Way dedication 2,315± Square Feet
-  Proposed Vacation 6500± Square Feet
-  Proposed Alternate Alley 3,750± Square Feet
-  Dedicate the right to restrict vehicular access

SUBJECT LOCATION



REVISIONS

- | | | |
|----|----|----|
| 1. | 2. | 3. |
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DEPARTMENT OF PUBLIC WORKS

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SCALE NONE		DATE 7/02/02	I.M. 36 B/3 (114-237)

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N/O EAGLE STREET
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DRAWING NO.
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