

RESOLUTION NO. 2022-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SANTA ANA SUMMARILY VACATING EXCESS
RIGHT-OF-WAY AT 1247 WEST SANTA ANA BLVD

WHEREAS, California Streets and Highways Code section 8334(a) authorizes the City of Santa Ana to summarily vacate excess right-of-way of a street or highway not required for street purposes; and

WHEREAS, pursuant to California Government Code section 65042(a), street vacations must first be submitted to and reported upon by the Planning Commission for conformance with the General Plan; and

WHEREAS, the City is the fee simple owner of that certain real property consisting of approximately 5,690 square feet, located at 1247 West Santa Ana Boulevard (APN No. 008-082-29), Santa Ana, California ("Property"), which is a remnant parcel that is unused and remaining from the Bristol Street Improvement Project; and

WHEREAS, having satisfied the requirements of the Surplus Lands Act, California Government Code section 54220 et seq., the City intends to sell the Property; and

WHEREAS, the Property frontage includes a portion of public right-of-way, approximately 456 square feet in size, that was originally granted to the City prior to the Bristol Street Improvement Project, as described on Exhibit A and shown on Exhibit B ("Vacation Area"); and

WHEREAS, the public right-of-way comprising the Vacation Area is excess and no longer required for public street purposes, as determined by the City's Public Works Agency; and

WHEREAS, following an earlier finding of conformity with the City's General Plan by the Planning Commission, as reported by the Planning Commission, the City now desires to summarily vacate the Vacation Area so that it will revert to the buyers of the Property upon the sale of the Property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Ana as follows:

Section 1. The recitals set forth above are adopted as findings in support of this Resolution.

Section 2. The Vacation Area, as described on Exhibit A and shown on Exhibit B, is hereby vacated pursuant to Chapter 4 of Part 3 of Division 9 of the Streets and Highways Code, except for the reservation of easement described herein.

Section 3. The vacation of the Vacation Area is exempt from review under the California Environmental Quality Act pursuant to section 15061(b)(3) of the State CEQA Guidelines because it can be seen with certainty that there is no possibility that it will have a significant impact on the environment. This vacation is also exempt from CEQA review under section 15305(c) (minor alterations in land use limitations) of the State CEQA Guidelines.

Section 4. The City hereby reserves and excepts from vacation, pursuant to section 8340 of the California Streets and Highways Code, the easement and right at any time, or from time to time, to construct, maintain, operate, replace, remove, and renew sanitary sewers and storm drains and appurtenant structures in, upon, over, and across a street or highway proposed to be vacated and, pursuant to any existing franchise or renewals thereof, or otherwise, to construct, maintain, operate, replace, remove, renew, and enlarge lines of pipe, conduits, cables, wires, poles, and other convenient structures, equipment, and fixtures for the operation of gas pipelines, telegraphic and telephone lines, railroad lines, and for the transportation or distribution of electric energy, petroleum and its products, ammonia, and water, and for incidental purposes, including access to protect these works from all hazards in, upon, and over the street or highway proposed to be vacated.

Section 5. The Clerk of the Council is hereby directed to cause a certified copy hereof, attested under seal, to be recorded in the Office of the Recorder of Orange County.

Section 6. The Vacation Area shall not be deemed vacated until this Resolution is recorded. From and after the date this Resolution is recorded, the Vacation Area no longer constitutes a street easement.

Section 7. This Resolution shall take effect immediately upon its adoption by the City Council, and the Clerk of the Council shall attest to and certify the vote adopting this Resolution.

ADOPTED this ____ day of July, 2022.

Vicente Sarmiento
Mayor

APPROVED AS TO FORM:
Sonia R. Carvalho, City Attorney

By: John M. Funk
John M. Funk
Chief Assistant City Attorney

AYES: Councilmembers _____

NOES: Councilmembers _____

ABSTAIN: Councilmembers _____

NOT PRESENT: Councilmembers _____

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, Daisy Gomez, Clerk of the Council, do hereby certify the attached Resolution No. 2022 - _____ to be the original resolution adopted by the City Council of the City of Santa Ana on _____, 2022.

Date: _____

Clerk of the Council
City of Santa Ana

R101432.06

09-04-13

EXHIBIT "A"
LEGAL DESCRIPTION
FOR STREET VACATION OF PORTION OF SANTA
ANA BOULEVARD

That portion of the land allotted to Julian Chavez in Decree of Partition of the Rancho Santiago De Santa Ana, in the City of Santa Ana, County of Orange, State of California, recorded in Book "B" of Judgments of the 17th Judicial District Court of California, described as follows:

Commencing at the centerline intersection of Bristol Street and Santa Ana Boulevard, formerly Fourth Street, as said intersection is shown on Tract No. 75, in said City of Santa Ana, as shown on the map filed in Book 10, Page 15 of Miscellaneous Maps, in the office of the County Recorder of said County; thence North $00^{\circ}37'40''$ East 54.91 feet along said centerline of Bristol Street to the beginning of a curve concave Westerly having a radius of 2000.00 feet; said curve being the Construction Centerline of said Bristol Street; thence leaving said centerline of Bristol Street along said Construction Centerline of Bristol Street Northerly 110.15 feet along said curve through a central angle of $03^{\circ}09'20''$ to the Westerly prolongation of the Northerly line of Lot 4 of said Tract No. 75; thence leaving said Construction Centerline non-tangent along said Westerly prolongation South $89^{\circ}13'50''$ East 75.12 feet to a point on a non-tangent curve concave Westerly having a radius of 2075.00 feet, a radial of said curve to said point bears North $87^{\circ}35'29''$ East, said non-tangent curve being concentric with and 75.00 feet Easterly of said Construction Centerline, thence leaving said Westerly prolongation Southerly 109.96 feet along said concentric curve through a central angle of $03^{\circ}02'11''$ to a line being parallel with and 75.00 feet Easterly of said centerline of Bristol Street; thence leaving said concentric curve along said parallel line South $00^{\circ}37'40''$ West 1.33 feet to the Northerly line of Parcel 3 of the Grant Deed recorded June 1, 1977 in Book 11757, Page 7 of Official Records, in the office of said County Recorder, said Northerly line being a non-tangent curve concave Northeasterly having a radius of 25.00 feet, a radial of said curve to said point bears South $22^{\circ}26'33''$ West; thence leaving said parallel line along said Northerly line of Parcel 3 and the Northerly line of Parcel 2 of last said Grant Deed, the following courses: Southeasterly and Easterly 9.46 feet along said curve through a central angle of $21^{\circ}40'23''$ to a line being parallel with and 52.00 feet Northerly of said centerline of Santa Ana Boulevard and along last said parallel line South $89^{\circ}13'50''$ East 36.05 feet to the Westerly line of said Lot 4; thence leaving said Northerly line and said parallel line along said Westerly line of Lot 4 South $00^{\circ}46'10''$ East 12.00 feet to the Southwest corner of said Lot 4; said Southwest corner being on a line parallel with and 40.00 feet Northerly of said centerline of Santa Ana Boulevard; thence leaving said Westerly line along last said parallel line North $89^{\circ}13'50''$ West 31.65 feet to a point on said parallel line being distant thereon South $89^{\circ}13'50''$ East 88.60 feet from the

EXHIBIT "A"

LEGAL DESCRIPTION-CONTINUED

FOR STREET VACATION OF PORTION OF SANTA ANA BOULEVARD

(PARCEL 2, BOOK 11757, PAGE 7, O.R.)

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intersection of said parallel line with said centerline of Bristol Street; thence leaving said parallel line North $44^{\circ}12'13''$ West 19.29 feet to a point on said line being parallel with and 75.00 feet Easterly of said centerline of Bristol Street, said point being distant thereon South $00^{\circ}37'40''$ West 1.45 feet from the Northerly terminus of said course described herein above as having a bearing and distance of "South $00^{\circ}37'40''$ West 1.33 feet"; thence along last said parallel line North $00^{\circ}37'40''$ East 0.12 feet to the TRUE POINT OF BEGINNING.

Containing an area of 456 square feet, more or less.

Subject to covenants, conditions, reservations, restrictions, rights-of-way and easements, if any, of record.

All as shown on EXHIBIT "B" attached hereto and by this reference made a part hereof.


JAMES L. GARVIN, PLS 6343



N88°28'15"W
RAD

FIFTH STREET

CONSTRUCTION
CENTERLINE

$\Delta=04^{\circ}13'58''$
 $R=2,000.00'$
 $L=147.75'$

VARIES

LOT 3

N87°17'47"E
RAD PRC

N87°28'20"E
RAD.

N89°13'50"W

N87°35'29"E
RAD.

123.59'

N'LY LINE LOT 4

75.12'

48.47'

$\Delta=03^{\circ}19'53''$
 $R=2,000.00'$
 $L=116.29'$

$\Delta=03^{\circ}09'20''$
 $L=110.15'$

N00°37'40"E
BRISTOL STREET

RANCHO SANTIAGO
DE SANTA ANA

T.P.O.B

N'LY LINE PARCEL 2
11757 / 7 O.R.

TRACT NO. 75

M.M. 10/15

LOT 4

SCALE: 1"=40'



N00°37'40"E
54.91'

N22°26'33"E
RAD.

75'

SEE DETAIL
"A" HEREON

N89°13'50"W 88.60'

N89°13'50"W
31.65'

12.00'

SOUTHWEST CORNER LOT 4

N89°13'50"W 120.15'

P.O.C.

SANTA ANA BOULEVARD
(FORMERLY FOURTH STREET)

COURSE AND CURVE DATA

- ① $\Delta=03^{\circ}02'11''$ $R=2,075.00'$ $L=109.96'$
- ② N00°37'40"E 1.33'
- ③ $\Delta=21^{\circ}40'23''$ $R=25.00'$ $L=9.46'$
- ④ N89°13'50"W 36.05'
- ⑤ N44°12'13"W 19.29'
- ⑥ N00°37'40"E 0.12'

BRISTOL STREET

DETAIL "A"
NTS

75'

N22°26'33"E
RAD.

N'LY LINE PARCEL 3
11757/7 O.R.

T.P.O.B



APPROVED BY

James L. Garvin

JAMES L. GARVIN, PLS 6343

9-4-2013

DATE

EXHIBIT "B"

SANTA ANA



PUBLIC WORKS AGENCY

SKETCH TO ACCOMPANY LEGAL DESCRIPTION
FOR STREET VACATION OF PORTION OF
SANTA ANA BOULEVARD

PARCEL 2, BOOK 11757, PAGE 7, O.R.

