



**City of Santa Ana**  
**20 Civic Center Plaza, Santa Ana, CA 92701**  
**Staff Report**  
**December 20, 2022**

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**TOPIC:** Vacate a Portion of Edendale Court

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**AGENDA TITLE**

Adopt a Resolution of Intent to Vacate a Portion of Edendale Court behind 1222 and 1226 South Birch Street, Abandonment 22-01

**RECOMMENDED ACTION**

Adopt a resolution which declares the City's intent to vacate a portion of Edendale Court behind 1222 and 1226 South Birch Street, and which sets a public hearing for January 17, 2023.

**DISCUSSION**

Edendale Court was dedicated to the City of Santa Ana in 1924 on Tract Map No. 648 as a 30-foot by 210-foot long street easement. This easement is currently separated into three different states of improvement conditions. The westernmost section is 120 feet long and provides vehicular access to 1221 South Ross Street and 1225 South Ross Street. It is improved with pavement, curb, gutter, and sidewalk. The middle section is 45-feet long, unimproved, and fenced in with an accessible gate. The easternmost 45-foot section has been fenced in within the perimeter of the properties at 1222 South Birch Street and 1226 South Birch Street.

Based on historical aerial photos, the eastern 45-foot section of Edendale Court has not been improved as a roadway, and has been fenced in by the property owners at 1226 and 1222 South Birch Street for more than 50 years. Because of the long-term nature of the fenced-in eastern section of Edendale Court and the absence of the need to use the portion of the street for public access, the owner of 1226 South Birch Street has requested the City vacate the eastern 45-foot section of Edendale Court.

In addition to the vacation of the eastern 45-foot section of Edendale Court (Exhibit 1), the City has determined that the owner of 1226 South Birch Street must complete a Lot Line Adjustment involving Assessor's Parcel Number (APN) 013-151-26, 38, 39 and 41 (Exhibit 2). This Lot Line Adjustment will need to be completed prior to the recordation of the street vacation resolution. A final resolution will include a condition that the vacation will not become effective until after the Lot Line Adjustment is recorded. This will prevent the temporary creation of additional landlocked parcels.

After both the Lot Line Adjustment and street vacation resolution have been completed, the Public Works Agency will begin the process of requesting funding for improvements of the middle section of Edendale Court with pavement, curb, gutter, and sidewalk. This improvement will provide physical access to parcel 013-151-41.

According to the title report obtained by the City, an easement over all of Edendale Court is owned by the City of Santa Ana. If the eastern 45-foot section of Edendale Court is vacated, it would revert half to the owner of 1226 South Birch Street and half to the owner of 1222 South Birch Street (Exhibit 3). The remaining sections of the Edendale Court easement will continue to be open as Public right-of-way.

Utilities, other government agencies, and City agencies have been advised of the vacation of this Edendale Court section.

California Government Code Section 65402 (Restrictions on Acquisition and Disposal of Real Property) requires a Planning Commission to review and approve certain actions related to City property. Actions related to acquiring, using, or disposing of public property require the Planning Commission to review the proposed use for conformity with the General Plan. Planning Commission Resolution No 2022-XX finds the vacation conforms to the General Plan (Exhibit 4).

The recommended action adopts a resolution (Exhibit 5) of the City Council's intent to vacate the streets and sets a public hearing date for January 17, 2023, at which time the order to vacate may be approved by the City Council.

### **ENVIRONMENTAL IMPACT**

In accordance with the California Environmental Quality Act, the recommended actions are exempt from further review. Categorical Exemption Environmental Review No. ER-2022-112 will be filed for this project.

### **FISCAL IMPACT**

There is no fiscal impact associated with this action.

### **EXHIBIT(S)**

1. Street Vacation Vicinity Map
2. Street Vacation Location Map
3. Street Vacation Lot Line Map
4. Planning Commission Resolution
5. Resolution of Intent

Submitted By: Nabil Saba, P.E., Executive Director – Public Works Agency

Approved By: Kristine Ridge, City Manager