

RESOLUTION NO. 2022-66

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH ORDERING THE SUMMARY VACATION OF AN UNDEVELOPED PORTION OF AN EXISTING STREET AND PUBLIC UTILITY EASEMENT ALONG THE EASTSIDE OF 102 & 104 HUNTINGTON STREET, IN THE CITY OF HUNTINGTON BEACH, AND MAKING A FINDING OF EXEMPTION UNDER CEQA

WHEREAS, the City of Huntington Beach is the owner of an Easement Deed of a 134 square foot undeveloped portion of an existing street and public utility easement adjacent to real residential property located at 102 & 104 Huntington Street, Huntington Beach (Assessor's Parcel Map Nos. 024-261-16 and 024-261-17, and as legally described in Exhibit "B," and depicted in Exhibit "C," respectively, attached hereto and incorporated by this reference.

WHEREAS, the property legally described in Exhibit B and depicted in Exhibit C is referred to herein as the "Property."

WHEREAS, the recorded Easement Deed is attached hereto as Exhibit "A."

WHEREAS, City staff determined that the existing 32-foot corner radius area (measuring approximately 134 square feet) is in excess of what is necessary for the existing local street designations, and have proposed to vacate the excess corner radius right-of-way, for return to the adjacent property owners.

WHEREAS, a General Plan Conformance No. 21-002, to determine whether the subject vacation request conforms to the City's General Plan, was approved by the City Planning Commission on March 22, 2022.

WHEREAS, a finding that the Property is "exempt surplus land" that may be disposed of without conformance to the procedures of the Surplus Land Act was made by the City Council on September 20, 2022.

WHEREAS, the City Council of the City of Huntington Beach wishes to summarily vacate a portion of the Property because the subject easement has been determined to be excess right-of-way by Public Works staff and is not needed for future vehicular or pedestrian circulation or for public utility access.

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby find and resolve as follows:

1. The above recitals are true and correct.
2. All legal prerequisites have been met.

3. Pursuant to Division 9, Part 3, Chapter 4 of the California Streets and Highways Code, commencing with Section 8333, the City Council of the City of Huntington Beach hereby orders the summary vacation of the 32-foot corner radius area of the Property as more particularly described on Exhibit B and depicted in Exhibit C.

4. The City Council does hereby confirm that the portions of the easement herein vacated have been determined to be excess right-of-way by Public Works staff and is not needed for future vehicular or pedestrian circulation and that there are no other public facilities located within the portions of the easements.

5. The City Council hereby declares that from and after the date of the recordation of this resolution that the portions of the easements herein identified shall no longer constitute public service easements.

6. CEQA. This Resolution has been reviewed with respect to the applicability of the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines. It has been determined that the adoption of this Resolution will not have a significant environmental impact and is exempt from CEQA pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations. It can be seen with certainty that there is no possibility that the disposition may have a significant effect on the environment, as no development is authorized by this Resolution.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 2022.

Mayor

REVIEWED AND APPROVED:

APPROVED AS TO FORM:

City Manager



City Attorney *dlw*

INITIATED AND APPROVED:



Director of Public Works

EXHIBIT A
Easement Deed
(Attached)

1977

BK 12273PG 1463

RECORDING REQUESTED BY
CITY OF HUNTINGTON BEACH
And when recorded mail to
City Clerk
City of Huntington Beach
P. O. Box 190
Huntington Beach, California 92648

EXEMPT
C5

RECORDED IN OFFICIAL RECORDS
OF ORANGE COUNTY, CALIFORNIA
5 Min. 9 AM JUL 1 1977
Past
J. WYLIE CARLYLE, County Recorder

Space above this line for Recorder's use

EASEMENT DEED

The undersigned grantor (s) declare (s) :

Documentary transfer tax is \$ _____

- () computed on full value of property conveyed, or
- () computed on full value less value of liens and encumbrances remaining at time of sale.
- () Unincorporated area: () City of _____

2960

Tax-Exempt-Government Agency
City of Huntington Beach
Alicia M. Wentworth
City Clerk

and By: _____
Deputy City Clerk

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

George Renek and Ronald V. Fought

do hereby GRANT to the CITY OF HUNTINGTON BEACH, a municipal corporation, a perpetual easement and right of way for street and public utility purposes in, on, over, under and across all that real property in the CITY OF HUNTINGTON BEACH, County of Orange, State of California, described as follows:

Those portions of Lots 19 and 20 of Block 103 of Vista Del Mar Tract, as shown on a map recorded in Book 4 Page 5, Miscellaneous Maps, records of said County, being described as follows:

That portion lying southwesterly of a curve concave northeasterly and having a radius of 32.00 feet, said curve being tangent on the west to the west line of said Lot 19 and tangent on the south to the south line of said Lot 20.

APPROVED AS TO FORM:
DON P. BONFA
City Attorney

By: Mark Travis
Deputy City Attorney

Dated 6-20-77

STATE OF CALIFORNIA
COUNTY OF ORANGE SS.

On June 20, 1977 before me, the undersigned, a Notary Public in and for said State, personally appeared George Renek & Ronald V. Fought

_____ known to me to be the person whose name _____ subscribed to the within instrument and acknowledged that _____ executed the same. WITNESS my hand and official seal.

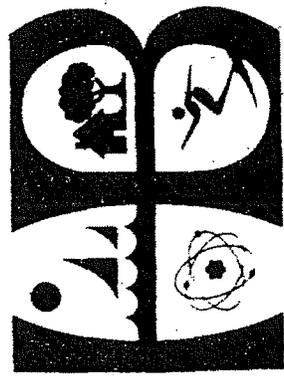
Signature Carrolleen A. Wieland

George Renek
Ronald V. Fought



(This area for official notarial seal)

BK 12273PG 1464



City of Huntington Beach

CALIFORNIA 92648

P.O. BOX 190

DEED CERTIFICATION

This is to certify that the interest in real property conveyed by the deed dated June 20, 1977 from George Renek and Ronald V. Fought to the City of Huntington Beach, a municipal corporation, is hereby accepted by the undersigned officer or agent on behalf of the City Council of the CITY OF HUNTINGTON BEACH, pursuant to the authority conferred by Resolution No. 3537 of the City Council of the City of Huntington Beach adopted on August 7, 1972, and the grantee consents to the recordation thereof by its duly authorized officer.

Dated: June 30, 1977

CITY OF HUNTINGTON BEACH

ALICIA M. WENTWORTH

City Clerk

By: *Sharon Helberg*

EXHIBIT B
Legal Description

LEGAL DESCRIPTION:

THOSE PORTIONS OF LOTS 19 AND 20 OF BLOCK 103 OF VISTA DEL MAR TRACT, AS SHOWN ON A MAP RECORDED IN BOOK 4, PAGE 5, MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA, BEING DESCRIBED AS FOLLOWS:

THAT PORTION LYING SOUTHWESTERLY OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 32.00 FEET, SAID CURVE BEING TANGENT ON THE WEST TO THE WEST LINE OF SAID LOT 19 AND TANGENT ON THE SOUTH TO THE SOUTH LINE OF SAID LOT 20.

EXCEPTING THEREFROM THAT PORTION LYING SOUTHWESTERLY OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 20.00 FEET, SAID CURVE BEING TANGENT ON THE WEST TO THE WEST LINE OF SAID LOT 19 AND TANGENT ON THE SOUTH TO THE SOUTH LINE OF SAID LOT 20.

CONTAINING AN AREA OF 134 SQ. FT., MORE OR LESS.



SITE ADDRESS :

102 & 104 HUNTINGTON STREET
HUNTINGTON BEACH, CA.. 92648

PREPARED BY:
EMERALD ENGINEERING
18600 MAIN STREET, SUITE 160
HUNTINGTON BEACH, CA 92648

Donald G. Baker 3/25/2021
DONALD G. BAKER DATE
L.S. 4683

EXHIBIT C

Map

PLAT

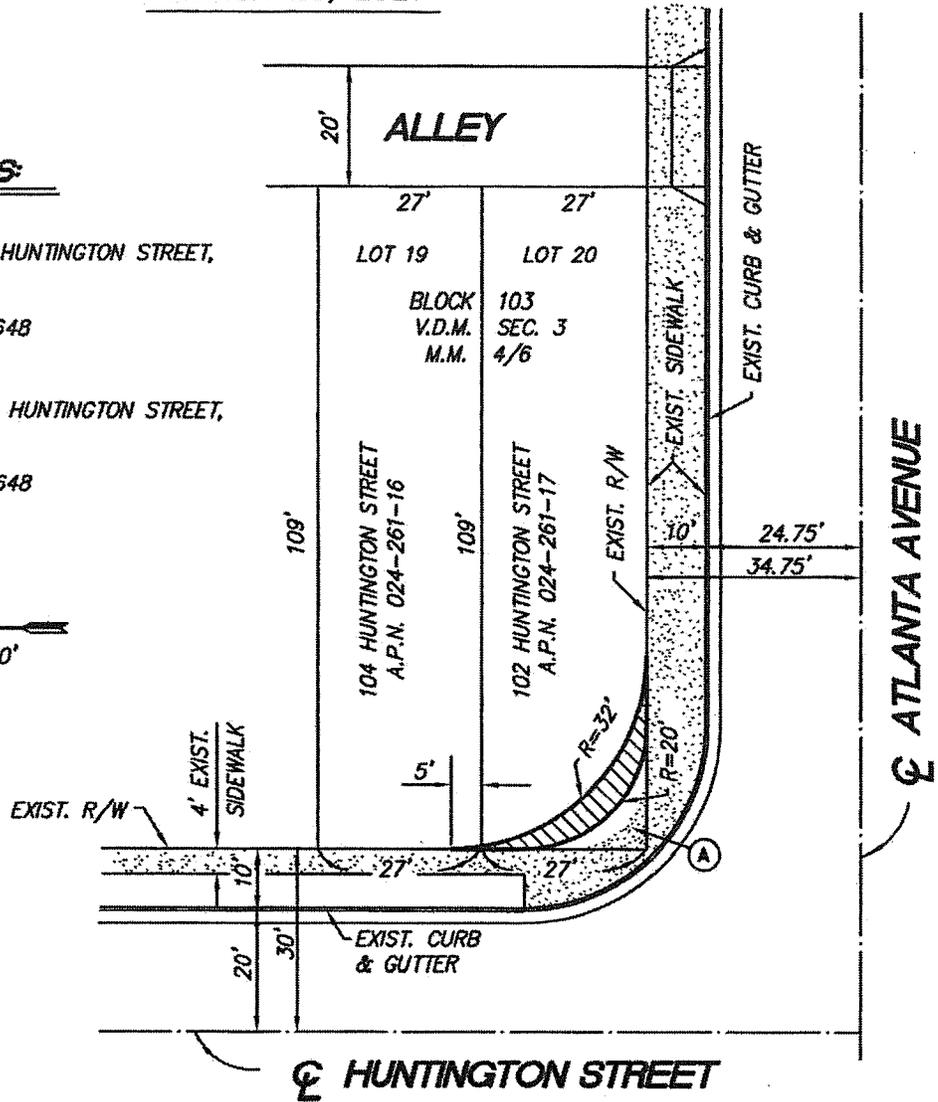
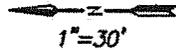
VACATION OF PUBLIC-RIGHT-OF-WAY
IN THE CITY OF HUNTINGTON BEACH, ORANGE COUNTY, CA.

MARCH 25, 2021

PROPERTY OWNERS:

CONTACT PERSON:
STEVE MARION, OWNER 102 HUNTINGTON STREET,
A.P.N. 024-261-17
105 ALABAMA STREET,
HUNTINGTON BEACH, CA 92648
(714) 496-6230

CRAIG L. WOOD, OWNER 104 HUNTINGTON STREET,
A.P.N. 024-261-16
104 HUNTINGTON STREET
HUNTINGTON BEACH, CA 92648



LEGEND:

(A) INDICATES AREA TO REMAIN AS PUBLIC RIGHT-OF-WAY.

 INDICATES AREA TO BE VACATED BY CITY OF HUNTINGTON BEACH



SITE ADDRESS :

102 & 104 HUNTINGTON STREET
HUNTINGTON BEACH, CA.. 92648

PREPARED BY:
EMERALD ENGINEERING
18600 MAIN STREET, SUITE 160
HUNTINGTON BEACH, CA 92648

Donald G. Baker 3/25/2021
DONALD G. BAKER DATE
L.S. 4683