

STAFF REPORT
City of Lancaster

CC 15
09/23/08
MVB

Date: September 23, 2008

To: Mayor Parris and City Council Members

From: James R. Williams, Director of Public Works

Subject: **Vacation of Road Right-of Way
Located on the Northeast Corner of Lancaster Boulevard and Yucca Avenue
Adjoining APN 3138-011-051**

Recommendation:

Adopt **Resolution No. 08-82**, declaring its intention to vacate road right-of-way located on the northeast corner of Lancaster Boulevard and Yucca Avenue.

Fiscal Impact:

None.

Background:

The Plat of the Town of Lancaster, as recorded in miscellaneous Records, Book 55, Page 83, dedicated the road right-of-way to the City of Lancaster. In order to construct the improvements as proposed, it is necessary to vacate the existing road right-of-way. On April 21, 2008, the Lancaster Planning Commission determined that the subject road right-of-way vacation was in conformance with the General Plan.

In order to proceed with the road right-of-way vacation, Staff recommends October 28, 2008, be set as the date of the public hearing to receive testimony relative to the vacation.

Attachment:

Resolution No. 08-82

VJ:lcs

RESOLUTION NO. 08-82

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA, DECLARING ITS INTENTION TO VACATE A PORTION OF ROAD RIGHT-OF-WAY, ON LANCASTER BOULEVARD AND YUCCA AVENUE, LOCATED ON THE NORTHEAST CORNER OF LANCASTER BOULEVARD AND YUCCA AVENUE.

WHEREAS, the City of Lancaster is holder of easement rights of the road right-of-way dedicated to the City of Lancaster per the Plat of the Town of Lancaster, as recorded in Miscellaneous Records, Book 55, Page 83, (see Exhibit "A"); and

WHEREAS, Harry Bederian, owner of Lancaster Flooring, intends to construct improvements on the site, thus expanding the site and eliminating the need for the excess right-of-way; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the City Council of the City of Lancaster, State of California, that:

Section 1. The public interest, convenience, and necessity so requiring, it is the intention of the City Council of the City of Lancaster to vacate the road right-of-way in accordance with Section 5400 of the California Health & Safety Code.

Section 2. The City Council does hereby declare its intention to vacate that certain road right-of-way to the owners of record.

Section 3. Said vacation has been duly recommended for approval based on the fact that the road right-of-way is not required for public access and circulation; therefore, the subject vacation is not objectionable.

Section 4. The 28th day of October, 2008 at the hour of 5:00 p.m. in the Council Chambers at Lancaster City Hall, 44933 Fern Avenue, Lancaster, is hereby designated as the date, time, and place at which a public hearing will be held before the Lancaster City Council to discuss the proposed vacation. At that time, all persons with interest in or objection to the proposed vacation, may appear and be heard.

Section 5. The City Clerk is hereby authorized and directed to post notices of said proposed vacation conspicuously along the line of the road right-of-way thereof proposed to be vacated at least two weeks prior to the date of said hearing. Such notices shall be prepared and posted pursuant to Section 8323 of the Streets and Highways Code of the State of California. Further, the City Clerk shall notice the meeting and hearing in accordance with Section 8322 of the Streets and Highways Code of the State of California.

PASSED, APPROVED, and ADOPTED this _____ day of _____, 2008, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

GERI K. BRYAN, CMC
City Clerk
City of Lancaster

R. REX PARRIS
Mayor
City of Lancaster

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF LANCASTER)

CERTIFICATION OF RESOLUTION
CITY COUNCIL

I, _____, _____ City of Lancaster, CA, do hereby certify that this is a true and correct copy of the original Resolution No. 08-82, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this _____ day of _____, _____.

(seal)
