

RESOLUTION #2010-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMOORE DECLARING ITS INTENTION TO ABANDON A 10' PUBLIC UTILITY EASEMENTS ALONG A PORTION OF BUSH STREET AS DEPICTED

At a Regular Meeting of the City Council of the City of Lemoore duly called and held on August 17, 2010, at 7:30 p.m. on said day, it was moved by Council Member _____, seconded by Council Member _____ and carried that the following Resolution be adopted:

WHEREAS, Lemoore 19th Avenue Partners, L.P.'s Site Plan Review #2009-08 approved construction of a one story 6,300 square foot building for a Private Outpatient Clinic located south of Bush Street approximately 330 feet west of the Bush Street / 19th Avenue intersection; and

WHEREAS, Condition #2 required additional Right-of-Way (ROW) between 2-9' and a new 10' Public Utility Easement (PUE) behind the new ROW along their two parcels located on the south side of Bush Street; and

WHEREAS, the City desires to initiate proceedings to abandon the Public Utility Easement located behind the existing right of way along Bush Street as shown on the attached Exhibits A & B; and

WHEREAS, the City has analyzed and examined the proposed abandonment and preliminary finds that the proposed abandonment would not be detrimental to the public, health, safety and welfare; and

WHEREAS, the City Council of the City of Lemoore desires to initiate abandonment proceedings under Chapter 3 of Division 9 of the Streets and Highway Code commencing with Section 8320 et. seq.; and

WHEREAS, the area proposed to be abandoned is described and shown on Exhibits A and B which are attached.

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

1. The intent to vacate portions of the 10' Public Utility Easement behind the existing right of way along Bush Street is hereby submitted to the Planning Commission to determine conformity with the Lemoore General Plan in accordance with Government Code Section 65402 at their next regular meeting.
2. September 21, 2010 at 7:30 p.m. is hereby fixed as the time of public hearing before the City Council for all persons interested in the proposed abandonment to be considered.
3. The Planning Department is directed to notify, in the manner prescribed by law, all affected persons of the proposed vacation and of the hearing thereon.
4. The City Clerk is directed to publish or post notice in the manner prescribed by law for the public hearing.

Passed and adopted at a Regular Meeting of the City Council of the City of Lemoore held on the 17th day of August , 2010, by the following vote:

AYES:
NOES:
ABSTAINING:
ABSENT:

APPROVED:

John F. Murray, Mayor

ATTEST:

Nanci O. Lima, CMC City Clerk

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EXHIBIT A

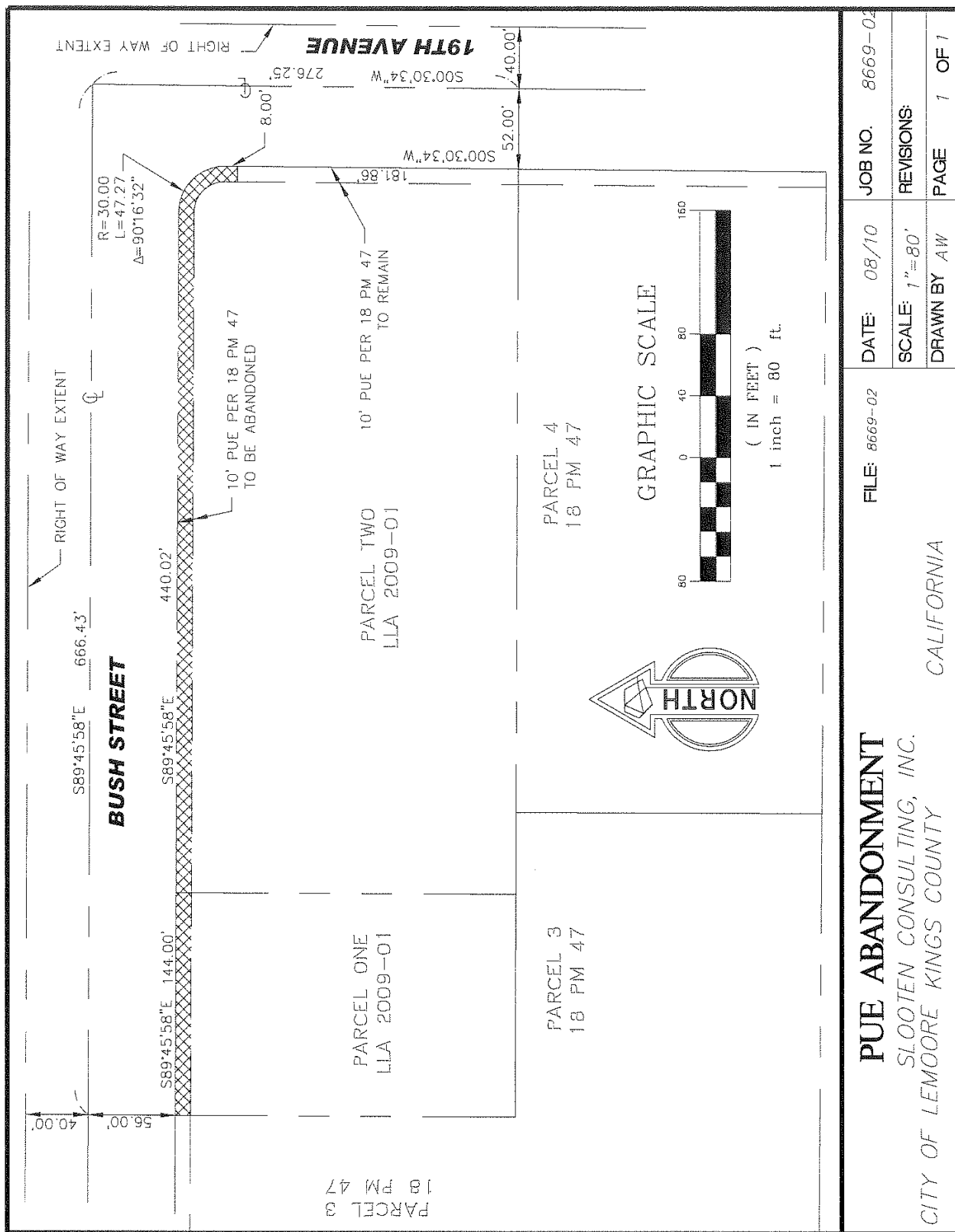
PUBLIC UTILITY ABANDONMENT

ALL THAT PORTION OF THE PUBLIC UTILITY EASEMENT IN PARCELS 1 AND 2 AS DELINEATED ON LOT LINE ADJUSTMENT # 2009-01, FILED ON JULY 30, 2010 AS INSTRUMENT NO. 2010-1012849, RECORDS OF KINGS COUNTY, CALIFORNIA DESCRIBED AS FOLLOWS:

A 10' STRIP OF LAND, THE NORTHERLY AND EASTERLY LINE OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID PARCEL ONE, SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF BUSH STREET;
THENCE FROM SAID POINT OF BEGINNING ALONG SAID SOUTHERLY LINE OF BUSH STREET, SOUTH $89^{\circ}45'58''$ EAST 584.02 FEET TO THE BEGINNING OF A 30 FOOT TANGENT CURVE TO THE RIGHT;
THENCE ALONG SAID CURVE TO THE RIGHT THROUGH AN INCLUDED ANGLE OF $90^{\circ}16'32''$, AN ARC DISTANCE OF 47.27 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF 19TH AVENUE;
THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE OF 19TH AVENUE, SOUTH $00^{\circ}30'34''$ WEST 8.00 FEET, TO THE END OF THE HEREIN DESCRIBED NORTHERLY AND EASTERLY LINE

EXHIBIT B



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CERTIFICATE

STATE OF CALIFORNIA)
COUNTY OF KINGS) ss.
CITY OF LEMOORE)

I, Nanci O Lima, City Clerk of the City of Lemoore, do hereby certify the foregoing Resolution of the City Council of the City of Lemoore was duly passed and adopted at a Regular Meeting of the City Council held on August 17, 2010.

DATED: _____, 2010

Nanci O. Lima, CMC
City Clerk

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