

# City of Carson Report to Mayor and City Council

January 18, 2011 Special Orders of the Day

SUBJECT: PUBLIC HEARING TO CONSIDER RESOLUTION NO. 11-008, TO VACATE A 70-FOOT PUBLIC RIGHT-OF-WAY APPROXIMATELY 330 FEET EAST OF ARNOLD CENTER ROAD BETWEEN CARSON STREET AND NORTHERLY TO THE

RAILROAD TRACKS

Submitted by M. Victor Rollinger

Development Services General Manager

Approved by Clifford W. Graves

Interim City Manager

### I. SUMMARY

On December 21, 2010, the City Council approved the adoption of Resolution No. 10-127 (Exhibit No. 1) declaring its intent to vacate a 70-foot public right-of-way approximately 330 feet east of Arnold Center Road between Carson Street and Northerly to the railroad tracks (Exhibit No. 2), and setting a date for a public hearing on January 18, 2011 (Exhibit No. 3).

### II. RECOMMENDATION

TAKE the following actions:

- 1. OPEN the Public Hearing, TAKE public testimony, and CLOSE the Public Hearing.
- 2. WAIVE further reading and ADOPT Resolution No. 11-008, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, TO VACATE A 70-FOOT PUBLIC RIGHT-OF-WAY APPROXIMATELY 330 FEET EAST OF ARNOLD CENTER ROAD BETWEEN CARSON STREET AND NORTHERLY TO THE RAILROAD TRACKS, AS DESCRIBED HEREIN."

### III. ALTERNATIVES

- 1. DENY the request to vacate a 70-foot public right-of-way approximately 330 feet east of Arnold Center Road between Carson Street and Northerly to the railroad tracks.
- 2. TAKE another action the City Council deems appropriate.

### IV. BACKGROUND

The 70-foot public right-of-way to be vacated is composed of two easements granted to the city at separate times. The westerly 40-foot portion and the easterly 30-foot portion were dedicated to the City of Carson in 1987 and 1994, respectively, as easements for public road and highway purposes. The combined

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### **City of Carson**

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January 18, 2011

70-foot wide dedication would have been utilized for the construction of a public road that would have ultimately connected Carson Street and Dominguez Street.

Staff has consulted with the city's Traffic Engineer regarding the city's previous plan to construct a public road on the 70-foot public right-of-way that would have connected Carson Street to the south and Dominguez Street to the north. It had previously been anticipated that the connector road would be needed to accommodate the traffic generated by land uses along Dominguez Street. Subsequent studies indicated, however, that the traffic could be accommodated without the proposed connector road. Since the city no longer has the intention to proceed with the construction of the public road, the existing public right-of-way should be vacated.

Staff has researched and verified with utility companies that there are no affected utilities within the public right-of-way to be vacated, with the exception of Southern California Edison (SCE). Staff diligently worked with SCE to develop acceptable easement reservation document for SCE facilities within the public right-of-way to be vacated.

City staff finds the public right-of-way vacation to be compatible with the Carson General Plan Circulation Element.

### V. FISCAL IMPACT

None.

### VI. <u>EXHIBITS</u>

- 1. Minutes, December 21, 2010. (pg. 4)
- 2. Location Map. (pg. 5)
- 3. Resolution No. 11-008. (pgs. 6-14)

\\Carson nas\\devsvrs\ENGINEERING DIVISION\VACATION OF ROW\PROLOGIST\\01-18-11 CC Order to Vacate 70-ft (Prologist-NYK).doc

Prepared by: Raymond Velasco, P.E., Associate Civil Engineer

TO:Rev122210

Reviewed by:

City Clerk	City Treasurer	
Administrative Services	Development Services	
Economic Development Services	Public Services	

## **City of Carson**

## **Report to Mayor and City Council**January 18, 2011

Action taken by City Council		
Date	Action	
		4.44.4.4

CONSIDERATION OF RESOLUTION NO. 10-127, INTENT TO VACATE A 70-FOOT PUBLIC RIGHT-OF-WAY APPROXIMATELY 330 FEET EAST OF ARNOLD CENTER ROAD BETWEEN CARSON STREET AND NORTHERLY TO THE RAILROAD TRACKS (DEVELOPMENT SERVICES)

RECOMMENDATION for the City Council:

TAKE the following actions:

- 1. WAIVE further reading and ADOPT Resolution No. 10-127, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, DECLARING ITS INTENTION TO VACATE A 70-FOOT PUBLIC RIGHT-OF-WAY APPROXIMATELY 330 FEET EAST OF ARNOLD CENTER ROAD BETWEEN CARSON STREET AND NORTHERLY TO THE RAILROAD TRACKS, AND SETTING A TIME AND A PLACE FOR A PUBLIC HEARING HEREIN."
- 2. SET a Public Hearing for January 18, 2011, at 6:00 p.m.

ACTION: Item No. 11 was previously approved on the New Business Consent Calendar on motion of Dear, seconded by Santarina and unanimously carried by the following vote:

Ayes:

Mayor Dear, Mayor Pro Tem Santarina, Council Member Gipson, Council

Member Davis-Holmes, and Council Member Ruiz-Raber

Noes:

None

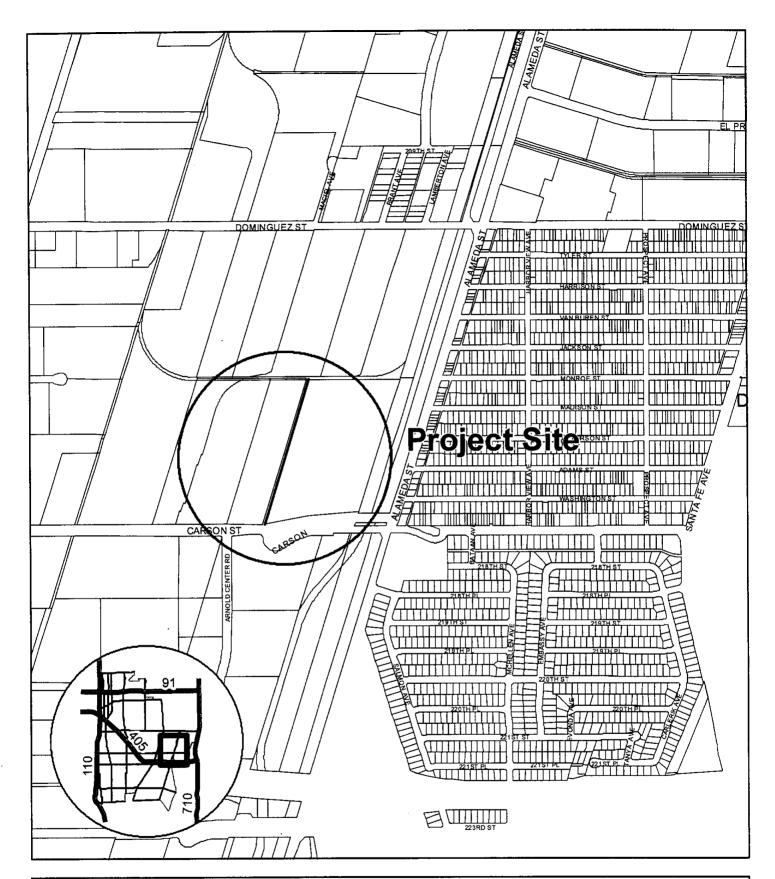
Abstain:

None

Absent:

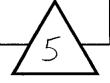
None







Location Map
Public Right-of-Way Vacation
Carson Street East of Arnold Center Road



### **RESOLUTION NO. 11-008**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, TO VACATE A 70-FOOT PUBLIC RIGHT-OF-WAY APPROXIMATELY 330 FEET EAST OF ARNOLD CENTER ROAD BETWEEN CARSON STREET AND NORTHERLY TO THE RAILROAD TRACKS

NOW, THEREFORE, be it determined by the City Council of the City of Carson, California, that:

- Section 1. The City Council of the City of Carson on December 21, 2010, adopted Resolution No. 10-127, entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, DECLARING ITS INTENTION TO VACATE A 70-FOOT PUBLIC RIGHT-OF-WAY APPROXIMATELY 330 FEET EAST OF ARNOLD CENTER ROAD BETWEEN CARSON STREET AND NORTHERLY TO THE RAILROAD TRACKS, AND SETTING A TIME AND A PLACE FOR A PUBLIC HEARING HEREIN."
- Section 2. The City Council of the City of Carson scheduled a Public Hearing thereon on January 18, 2011, at the hour of 6:00 p.m. at the City Council Chambers at Carson City Hall, 701 E. Carson Street, Carson, California.
- **Section 3.** Notice of the proposed street vacation was duly published and posted in manner and form and at the time required by Street and Highways Code Section 8322.
- Section 4. The City Council of the City of Carson held a Public Hearing thereon on January 18, 2011, at the hour of 6:00 p.m. at the City Council Chambers at Carson City Hall, 701 E. Carson Street, Carson, California. On that date, the City Council heard all evidence offered by persons interested in said vacation and no persons were present to protest same.
- **Section 5.** Pursuant to Section 892 of the Street and Highways Code of the State of California, the City Council finds and determines the right-of-way proposed for abandonment is not useful as a non-motorized transportation facility.
- **Section 6.** The City Council of the City of Carson hereby finds the 70-foot public right-of-way approximately 330 feet east of Arnold Center Road between Carson Street and Northerly to the railroad tracks, as described herein, is unnecessary for present or prospective public use.
- **Section 7.** The proposed vacation constitutes a disposition of the remainder of a street, which was acquired and used in part for street purposes, which disposition is of a minor nature.
- **Section 8.** The proposed vacation constitutes an abandonment of real property, which was originally acquired for street purposes, which abandonment is of a minor nature.

[MORE]



**Section 9.** The City Council has considered the General Plan of the City of Carson and finds the proposed vacation to be in conformity with the General Plan.

Section 10. The City Council of the City of Carson hereby orders that the 70-foot public right-of-way approximately 330 feet east of Arnold Center Road between Carson Street and Northerly to the railroad tracks, as described on Attachments A1 and A2 and depicted on Attachments B1 and B2.

**Section 11.** The City Council hereby determines that public convenience and necessity requires the preservation of certain easements and hereby reserves and excepts from the proposed vacation reserving to Southern California Edison Company an easement for public utility purposes in, over, under and across the described portions shown on Attachment B2 herein being vacated.

**Section 12.** The City Council is directed to cause a certified copy of this Resolution and order to be recorded in the office of the Recorder of the County of Los Angeles.

PASSED, APPROVED, and ADOPTED this 18th day of January, 2011.

	Mayor Jim Dear
ATTEST:	
City Clerk Helen S. Kawagoe	
APPROVED AS TO FORM:	
City Attorney	



"OFFER OF DEDICATION" NOT BEING USED (NO NAME)

FROM CARSON STREET TO RAILROAD

#### LEGAL DESCRIPTION

THAT PORTION OF THE IRREVOCABLE "OFFER OF DEDICATION" TO THE CITY OF CARSON FOR PUBLIC ROADS AND HIGHWAY PURPOSES, RECORDED OCTOBER 26, 1987 AS INSTRUMENT NO. 87-1710119, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

PART "A" :

THE EASTERLY FORTY (40) FEET OF THE FOLLOWING DESCRIBED PARCEL:

LOT 6 IN BLOCK "B" OF SUBDIVISION OF PART OF RANCHO SAN PEDRO, KNOWN AS DOMINGUEZ COLONY TRACT, IN THE CITY OF CARSON, AS PER MAP RECORDED IN BOOK 1. PAGE 601 OF MISCELLANEOUS REGORDS, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA.

EXCEPTING THE EAST 1003 FEET OF SAID LOT 6, MEASURED ALONG THE SOUTH LINE.

EXCEPTING THAT PORTION WITHIN CARSON STREET (100.00 FEET WIDE) AS SHOWN ON PARCEL MAP NO. 18528, AS PER MAP FILED IN BOOK 205, PAGES 40 AND 41 OF PARCEL MAPS, IN THE OFFICE OF SAID COUNTY RECORDER.

PART "B" :

THAT PORTION OF ABOVE-MENTIONED LOT 6 WITHIN THE FOLLOWING DESCRIBED BOUNDARY:

BEGINNING AT THE SOUTHWESTERLY CORNER OF THE ABOVE DESCRIBED PART "A";
THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID PART "A" TO THE BEGINNING
OF A CURVE CONGAVED TO THE NORTHWEST, HAVING A RADIUS OF 27 FEET, TANGENT
TO SAID WESTERLY LINE AND TANGENT TO THE WESTERLY PROLONGATION OF THE
SOUTHERLY LINE OF SAID PART "A"; THENCE SOUTHWESTERLY ALONG SAID CURVE TO
SAID WESTERLY PROLONGATION; THENCE EASTERLY THEREON TO THE POINT OF
BEGINNING.

EXCEPTING THAT PORTION WITHIN CARSON STREET (100.00 FEET WIDE) AS SHOWN ON PARCEL MAP NO. 18528, AS PER MAP FILED IN BOOK 205, PAGES 40 AND 41 OF PARCEL MAPS, IN THE OFFICE OF SAID COUNTY RECORDER.



SURVEYOR:

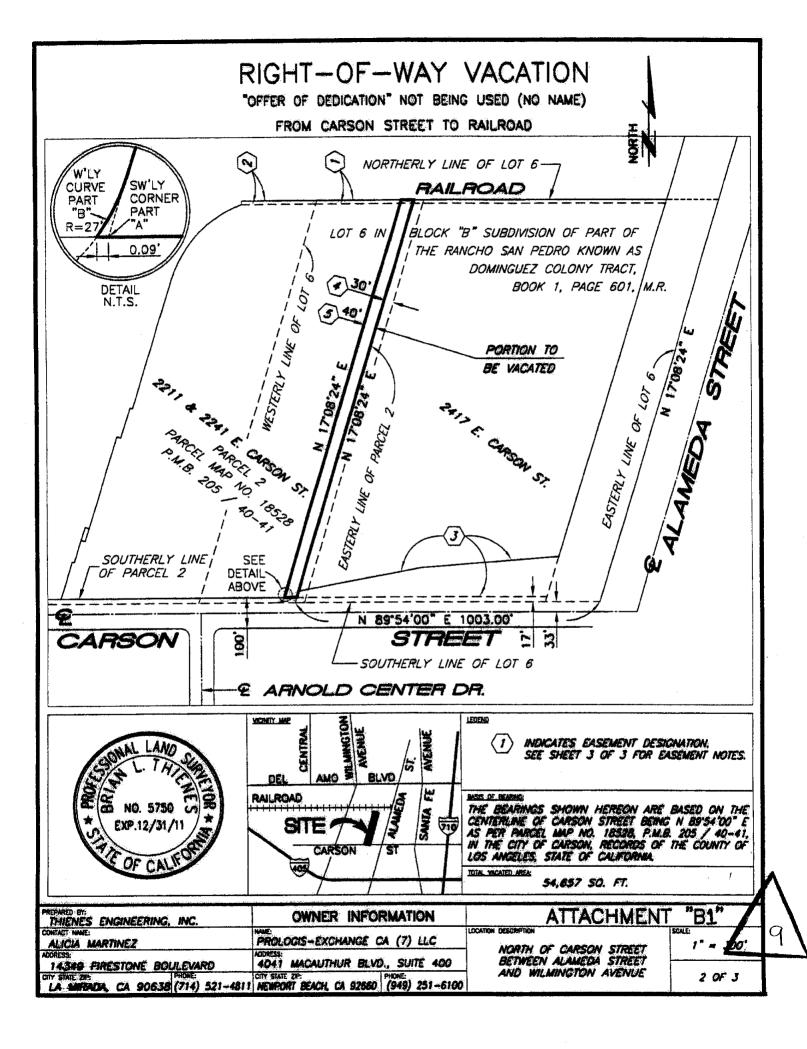
PREPARED UNIDER THE SURERVISION OF:

BANAN L THIENDS DATE

P.L.S. NO. 5750 REG. EXP. DEC. 31, 2011



PREPARED BY: THIENES ENGINEERING, INC.	OWNER INFORMATION	ATTACHMENT "A1"
CONTACT NAME: ALICIA MARTINEZ	PROLOGIS-EXCHANGE CA (7) LLC	LOGATION DESCRIPTION STREET SCALE:
14349 FIRESTONE BOULEVARD	4041 MACAUTHUR BLVD., SUITE 400	BETWEEN ALAMEDA STREET
LA MIRADA. CA 90638 (714) 521-4811	NEWPORT BEACH, CA 92660 (949) 251-6100	

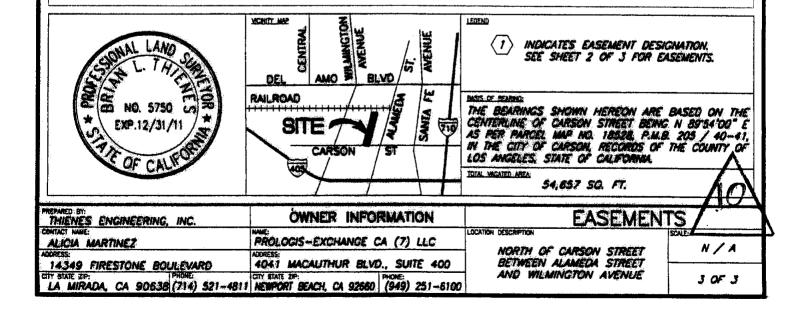


"OFFER OF DEDICATION" NOT BEING USED (NO NAME)
FROM CARSON STREET TO RAILROAD

#### EASEMENT NOTES:

- 1) AN EASEMENT FOR SPUR OR DRILL RAILROAD TRACK AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN DOCUMENTS RECORDED OCTOBER 4, 1944 IN BK. 21342 PG. 162, O.R. AND DECEMBER 29, 1944 IN BK. 21346 PG. 187, O.R.
- 2 AN EASEMENT FOR RAILROAD DRILL TRACK AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT RECORDED JULY 25, 1952 AS INSTRUMENT NO. 1405, O.R.
- (3) GRANT DEED FOR PUBLIC ROAD AND HIGHWAY PURPOSES, GRANTED TO THE CITY OF CARSON, RECORDED APRIL 22, 1994 AS INSTRUMENT NO. 94-777832, O.R.
- (4) AN EASEMENT FOR PUBLIC ROAD AND HIGHWAY PURPOSES, GRANTED TO THE CITY OF CARSON, RECORDED APRIL 22, 1994 AS INSTRUMENT NO. 94-783495, O.R.
- (5) IRREVOCABLE "OFFER OF DEDICATION" TO THE CITY OF CARSON FOR PUBLIC ROADS AND HIGHWAY PURPOSES, RECORDED OCTOBER 26, 1987 AS INSTRUMENT NO. 87-1710119, O.R.

  (PORTION TO BE VACATED)



"ROAD DEED" NOT BEING USED (NO NAME) FROM CARSON STREET TO RAILROAD

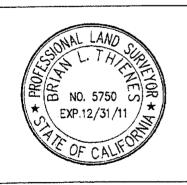
### LEGAL DESCRIPTION:

THAT PORTION OF THE "ROAD DEED" TO THE CITY OF CARSON FOR PUBLIC ROADS AND HIGHWAY PURPOSES, RECORDED APRIL 22, 1994 AS INSTRUMENT NO. 94-0783495, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

THE WESTERLY THIRTY (30) FEET OF THE FOLLOWING DESCRIBED PARCEL:

THE EAST 1003 FEET, MEASURED ALONG THE SOUTH LINE, OF LOT 6 IN BLOCK "B" OF SUBDIVISION OF PART OF RANCHO SAN PEDRO, KNOWN AS DOMINGUEZ COLONY TRACT, IN THE CITY OF CARSON, AS PER MAP RECORDED IN BOOK 1, PAGE 601 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA.

EXCEPTING THAT PORTION LYING SOUTHERLY OF THE NORTHERLY LINE OF "GRANT DEED" FOR PUBLIC ROAD AND HIGHWAY PURPOSES, GRANTED TO THE CITY OF CARSON, RECORDED APRIL 22, 1994 AS INSTRUMENT NO. 94-777832, O.R.



SURVEYOR:

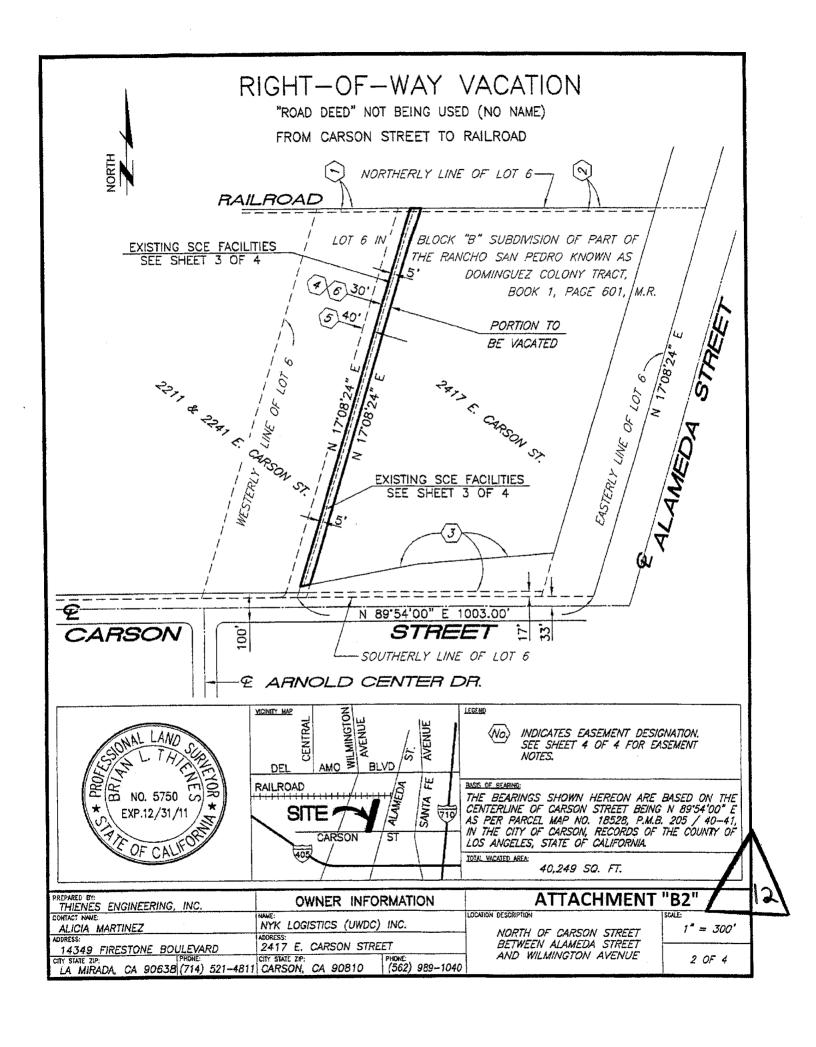
PREPARED UNDER THE SUPERVISION OF:

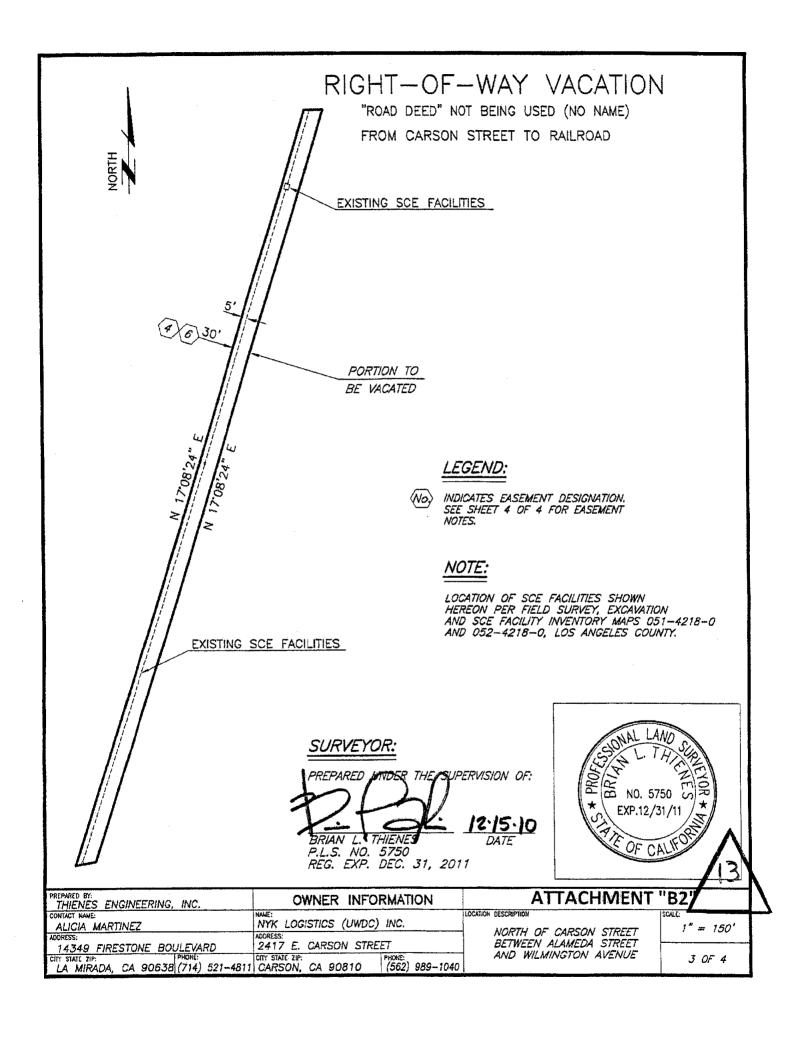
BAJAN L. THIENES DATE P.L.S. NO. 5750

REG. EXP. DEC. 31, 2011

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PREPARED BY: THIENES ENGINEERING, INC.	OWNER INFORMATION	ATTACHMENT "A2"
CONTACT NAME: ALICIA MARTINEZ	NAME: NYK LOGISTICS (UWDC) INC.	LOCATION DESCRIPTION SCALE:
ADDRESS: 14349 FIRESTONE BOULEVARD	ADDRESS: 2417 E. CARSON STREET	BETWEEN ALAMEDA STREET
	CARSON, CA 90810 PHONE: (562) 989-1040	AND WILMINGTON AVENUE 1 OF 4





"ROAD DEED" NOT BEING USED (NO NAME) FROM CARSON STREET TO RAILROAD

### EASEMENT NOTES:

- 1 AN EASEMENT FOR SPUR OR DRILL RAILROAD TRACK AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN DOCUMENTS RECORDED OCTOBER 4, 1944 IN BK. 21342 PG. 162, O.R. AND DECEMBER 29, 1944 IN BK. 21546 PG. 187, O.R.
- (2) AN EASEMENT FOR RAILROAD DRILL TRACK AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT RECORDED SEPTEMBER 20, 1944 IN BOOK 21271, PAGE 298, O.R.
- (3) GRANT DEED FOR PUBLIC ROAD AND HIGHWAY PURPOSES, GRANTED TO THE CITY OF CARSON, RECORDED APRIL 22, 1994 AS INSTRUMENT NO. 94-777832, O.R.
- AN EASEMENT FOR PUBLIC ROAD AND HIGHWAY PURPOSES, GRANTED TO THE CITY OF CARSON, RECORDED APRIL 22, 1994 AS INSTRUMENT NO. 94-783495, O.R.

  (PORTION TO BE VACATED)
- (5) IRREVOCABLE "OFFER OF DEDICATION" TO THE CITY OF CARSON FOR PUBLIC ROADS AND HIGHWAY PURPOSES, RECORDED OCTOBER 26, 1987 AS INSTRUMENT NO. 87-1710119, O.R.
- 6 AN EASEMENT TO BE RESERVED TO SOUTHERN CALIFORNIA EDISON COMPANY TO USE, MAINTAIN, OPERATE, REPAIR, REPLACE, REMOVE OR RENEW SCE FACILITIES OVER THE PUBLIC ROAD AND HIGHWAY PURPOSES EASEMENT DESCRIBED ABOVE AS INSTRUMENT NO. 94-783495, O.R.

