



CONSENT CALENDAR

Agenda Item # 6

AGENDA REPORT SUMMARY

Meeting Date: August 22, 2017

Subject: Resolution No. 2017-35: Vacation of right-of-way at 587 Van Buren Avenue

Prepared by: Victor Chen, Senior Civil Engineer

Reviewed by: Susanna Chan, Public Works Director

Approved by: Chris Jordan, City Manager

Attachments:

1. Resolution No: 2017-35
2. Plat map and legal description

Initiated by:

Property owner of 587 Van Buren Avenue

Previous Council Consideration:

None

Fiscal Impact:

None

Environmental Review:

Not applicable

Policy Question(s) for Council Consideration:

None

Summary:

- Property owner of 587 Van Buren Avenue has requested the City vacate a portion of public right-of-way
- The property owner will be able to proceed with future remodel based on the new property line and setback compliance

Staff Recommendation:

Move to adopt Resolutions No. 2017-35 summary vacating a portion of right-of-way at 587 Van Buren Avenue



Subject: Resolution No. 2017-35: Vacation of right-of-way at 587 Van Buren Avenue

Purpose

Summary vacation of portion of right-of-way at 587 Van Buren Avenue

Background

Property owner of 587 Van Buren Avenue has requested that City vacate a portion of public right-of-way in front of 587 Van Buren Avenue. This portion of the right-of-way is located at the shoulder area and is not part of the vehicle travel lane. Based on the parcel map, the property line at the south-east corner angles and makes it non-compliant with setback requirements prohibiting future remodel efforts.

Per Section 8334 of the Streets and Highways Code, the legislative body of a local agency may summarily vacate “an excess right-of-way of a street or highway not required for street or highway purposes.”

Discussion/Analysis

Staff has reviewed the site and researched the history of the right-of-way. The area of Van Buren Avenue to be vacated is at the end of the street shoulder. The end of Van Buren Avenue only serves 587 and 586 Van Buren Avenue. The remaining right-of-way width (24 feet) is sufficient to accommodate the utilities and roadway access to both properties. Currently, there is a water meter at the shoulder area which will be inside the private property once this portion of right-of-way is vacated. California Water Service Company and the property owner have agreed to relocate the water meter to the public right-of-way right after the vacation. Staff recommends this summary vacation. A resolution ordering the vacation is attached.

Options

- 1) Adopt Resolution No. 2017-35

Advantages: The property owner will be able to proceed with remodel efforts based on the new property line and setback compliance.

Disadvantages: None, the area being vacated serves no benefit other than to the property owner of 587 Van Buren Avenue.

- 2) Not adopt Resolution No. 2017-35

Advantages: None

Disadvantages: The property owner will not be able to perform a remodel.

Recommendation

The staff recommends Option 1.

When recorded return to:

City Engineer
City of Los Altos
One North San Antonio Road
Los Altos, California 94022

Record without fee under section
6103 Government Code

SPACE ABOVE THIS LINE FOR RECORDERS USE ONLY

RESOLUTION NO. 2017-35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS ORDERING THE VACATION OF A CERTAIN STRIP OF LAND DESIGNATED AS A PUBLIC RIGHT OF WAY BY THE "TRACT NO. 24 WASSON SUBDIVISION" FILED JUNE 27, 1932, IN BOOK 1 PAGE 4&5, RECORDS OF SANTA CLARA COUNTY CALIFORNIA.

WHEREAS, pursuant to the provisions of Chapter 4 of the California Streets and Highway Code, Section 8334 *et seq.*, the City Council may summarily vacate "an excess right-of-way of a street or highway not required for street or highway purposes"; and

WHEREAS, the public right-of-way by Tract No. 24 Wasson Subdivision filed June 27, 1932, in Book 1 Page 4&5, Records of Santa Clara County California (said Tract No 24 is attached hereto as Exhibit "A"); and

WHEREAS, the City Council having duly considered all evidence, and followed the procedure prescribed by law, hereby finds and determines from all evidence submitted that the proposed order of vacation of the public service easement conforms with the provisions of Section 8334 of the California Streets and Highway Code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOS ALTOS AS FOLLOWS:

1. That the portion of public right-of-way by the Tract No. 24 filed June 27, 1932, in

Book 1 Page 4&5, Records of Santa Clara County California, is now no longer necessary because it has not been used for the purpose for which it was dedicated for five (5) consecutive years immediately preceding the proposed vacation, and there are no other public facilities located within the easement.

2. That the City Council, pursuant to Streets and Highway Code, Chapter 4, Section 8334 *et seq.*, hereby orders the vacation of the public right-of-way described in Exhibit "A" attached hereto; and

3. This Resolution shall become effective on the 22nd day of August, 2017, and shall be recorded by the City Clerk in the Santa Clara County Recorder's Office shortly thereafter; and

4. From and after the date this Resolution is recorded in the Santa Clara County Recorder's Office, the portion of public right-of-way shall no longer constitute a public service right-of-way and the land subject to the public right-of-way shall revert to the property located at 587 Van Buren Avenue, Los Altos, California, APNs 167-20-056, pursuant to Streets and Highway Code Section 8351.

I HEREBY CERTIFY that the forgoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a regular meeting thereof held on the 22nd day of August, 2017, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mary Prochnow, MAYOR

ATTEST: _____

Jon Maginot, CMC, CITY CLERK

Exhibit "A"
Legal Description for Lot Line Adjustment
Parcel 1
Los Altos, California

All that certain real property situate in the City of Los Altos, County of Santa Clara, State of California, being all of the lands of Huang and Siuling as described in that certain Grant Deed recorded June 17, 2013 in Document No. 22266528, Santa Clara County Records and a portion of Van Buren Place as shown on that certain map entitled, "Tract No. 24 Wasson Subdivision" filed in Book 1 of Maps at Pages 4 and 5, Santa Clara County Records. Said lands are shown on attached plat Exhibit "B" and made a part hereof, more particularly described as follows:

Beginning at the most Southeastern corner of Lot 8, in Block 2 as shown on said map; thence along the Southerly line of said lot North 89°59'00" West, 181.46 feet to the centerline of Adobe Creek; thence along said centerline the following twenty (20) courses:

1. North 06°50'57" West, 24.62 feet
2. North 18°37'05" West, 54.17 feet
3. North 34°48'00" West, 12.08 feet
4. North 15°21'59" West, 12.42 feet
5. North 04°25'03" East, 19.59 feet
6. North 52°51'18" East, 16.90 feet
7. North 88°04'57" East, 17.45 feet
8. North 58°05'07" East, 21.91 feet
9. North 07°55'43" West, 18.46 feet
10. North 26°50'21" West, 36.18 feet
11. North 08°21'08" West, 21.56 feet
12. North 55°44'19" East, 13.77 feet
13. South 79°22'57" East, 77.60 feet
14. South 63°16'04" East, 25.92 feet
15. South 10°41'59" East, 33.33 feet
16. South 71°11'56" East, 8.56 feet
17. South 55°18'43" East, 11.97 feet
18. South 46°56'43" East, 62.70 feet
19. South 88°59'57" East, 17.15 feet

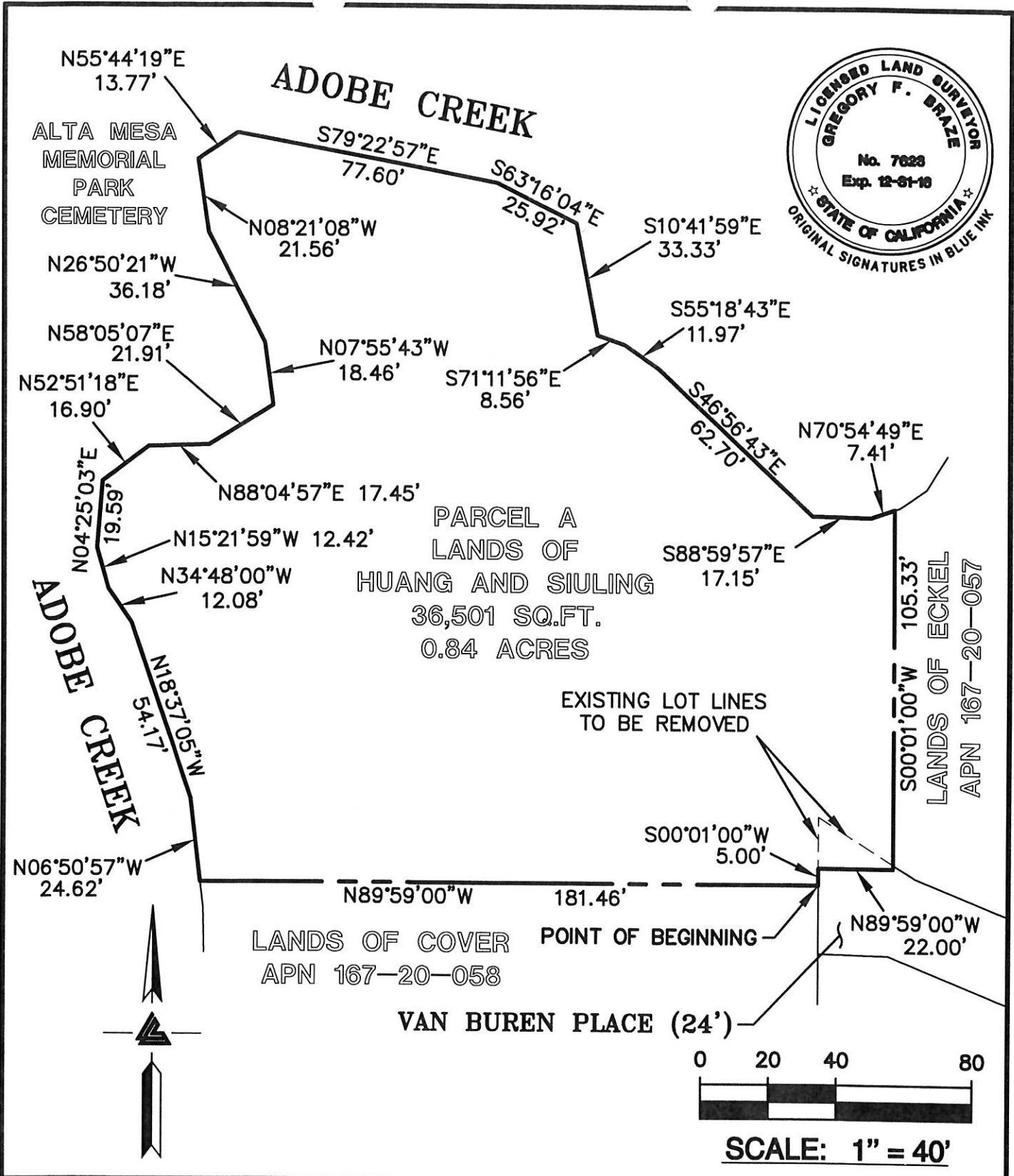
20. North 70°54'49" East, 7.41 feet to the most Northeastern corner of said lands of Huang and Siuling.



Thence along the Easterly line of said lands and it's prolongation, South 00°01'00" West, 105.33 feet; thence North 89°59'00" West, 22.00 feet to said Easterly line of said Lot 8; thence along last said line South 00°01'00" West, 5.00 feet to the **Point of Beginning**.

Containing 0.84 acres, more or less.





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EXHIBIT "B"
PLAT TO ACCOMPANY LEGAL
DESCRIPTION FOR PARCEL 1
(LOT LINE ADJUSTMENT)
587 VAN BUREN STREET
LOS ALTOS, CALIFORNIA
SANTA CLARA COUNTY

PARCEL 1

CLOSURE CALCS PARCEL 1

	North: 3858.4392		East : 5104.9345
Line	Course: N 89-59-00 W	Length: 181.46	
	North: 3858.4920		East : 4923.4745
Line	Course: N 06-50-57 W	Length: 24.62	
	North: 3882.9363		East : 4920.5385
Line	Course: N 18-37-05 W	Length: 54.17	
	North: 3934.2715		East : 4903.2442
Line	Course: N 34-48-00 W	Length: 12.08	
	North: 3944.1910		East : 4896.3500
Line	Course: N 15-21-59 W	Length: 12.42	
	North: 3956.1670		East : 4893.0588
Line	Course: N 04-25-03 E	Length: 19.59	
	North: 3975.6988		East : 4894.5677
Line	Course: N 52-51-18 E	Length: 16.90	
	North: 3985.9036		East : 4908.0389
Line	Course: N 88-04-57 E	Length: 17.45	
	North: 3986.4875		East : 4925.4791
Line	Course: N 58-05-07 E	Length: 21.91	
	North: 3998.0703		East : 4944.0771
Line	Course: N 07-55-43 W	Length: 18.46	
	North: 4016.3539		East : 4941.5308
Line	Course: N 26-50-21 W	Length: 36.18	
	North: 4048.6365		East : 4925.1959
Line	Course: N 08-21-08 W	Length: 21.56	
	North: 4069.9678		East : 4922.0642
Line	Course: N 55-44-19 E	Length: 13.77	
	North: 4077.7199		East : 4933.4448
Line	Course: S 79-22-57 E	Length: 77.60	
	North: 4063.4220		East : 5009.7162
Line	Course: S 63-16-04 E	Length: 25.92	
	North: 4051.7626		East : 5032.8658
Line	Course: S 10-41-59 E	Length: 33.33	
	North: 4019.0121		East : 5039.0539
Line	Course: S 71-11-56 E	Length: 8.56	
	North: 4016.2533		East : 5047.1572
Line	Course: S 55-18-43 E	Length: 11.97	
	North: 4009.4411		East : 5056.9997
Line	Course: S 46-56-43 E	Length: 62.70	
	North: 3966.6360		East : 5102.8147
Line	Course: S 88-59-57 E	Length: 17.15	
	North: 3966.3365		East : 5119.9621
Line	Course: N 70-54-49 E	Length: 7.41	
	North: 3968.7595		East : 5126.9647
Line	Course: S 00-01-00 W	Length: 105.33	
	North: 3863.4295		East : 5126.9341
Line	Course: N 89-59-00 W	Length: 22.00	
	North: 3863.4359		East : 5104.9341
Line	Course: S 00-01-00 W	Length: 5.00	
	North: 3858.4359		East : 5104.9326

Perimeter: 827.57 Area: 36,501. sq. ft. 0.84 acres

Mapcheck Closure - (Uses listed courses and chords)
Error Closure: 0.0039 Course: S 29-19-25 W
Error North: -0.00336 East : -0.00189
Precision 1: 212,189.74

CALCS TRANSFER AREA

CLOSURE CALCS TRANSFER FROM VAN BUREN PLACE

North: 4569.0064	East : 4994.8411
Line Course: S 00-01-00 W Length: 15.00	
North: 4554.0064	East : 4994.8367
Line Course: S 89-59-00 E Length: 22.00	
North: 4554.0000	East : 5016.8367
Line Course: N 00-01-00 E Length: 1.26	
North: 4555.2600	East : 5016.8371
Line Course: N 57-59-26 W Length: 25.94	
North: 4569.0098	East : 4994.8410

Perimeter: 64.20 Area: 179 sq. ft. 0.00 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0033 Course: N 01-42-17 W
Error North: 0.00333 East : -0.00010
Precision 1: 19,454.55