

ORDER OF VACATION NO. 902

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND,
CALIFORNIA VACATING A PORTION OF CASTRO STREET**

WHEREAS, in 1995, the City of Richmond ("City") completed construction of the Richmond Parkway; and

WHEREAS, the Richmond Parkway serves to realign and supersede a portion of Castro Street that falls completely within the boundaries of property owned by Chevron U.S.A., Inc. ("Chevron"); and

WHEREAS, Chevron has granted the City an easement allowing for construction and operation of that portion of the Richmond Parkway that supersedes the portion of Castro Street to be vacated; and

WHEREAS, the City has consulted with public utilities and learned that there are in-place facilities for which easements must be reserved; and

WHEREAS, the City has published notice of its intent to vacate a portion of Castro Street and posted notice along the portion of Castro Street to be vacated,

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RICHMOND DOES
HEREBY FIND AND RESOLVE AS FOLLOWS:**

SECTION 1. The City Council finds:

- A. The portion of Castro Street described in Exhibit A, attached hereto and incorporated herein by reference, has been superseded by relocation and is no longer needed for public purposes.
- B. All public utilities other than those described below that were formerly within the portion of Castro Street to be vacated have been relocated.
- C. Vacation of a portion of Castro Street is exempt from the California Environmental Quality Act pursuant to CEQA Guideline 15305.

SECTION 2. Pursuant to California Streets and Highways Code Division 9 Part 3 Chapter 3, and based on the above findings, the City Council hereby vacates the portion of Castro Street described in Exhibit A, reserving therefrom the following easements pursuant to Streets and Highways Code Section 8340:

- A. For the benefit of the City of Richmond, a permanent easement in gross and the right from time to time to come upon the property and to reconstruct, maintain, operate, replace, remove, repair, renew, and enlarge existing lines of pipes and other equipment, facilities, fixtures and appurtenances within the City's sanitary sewer and stormwater collection systems. Said area of existing sanitary sewer and stormwater collection pipes equipment, facilities, fixtures and appurtenances shall be kept free of buildings and structures that impede the function of the sanitary sewer and stormwater collection system and of wells of any kind.
- B. For the benefit of Pacific Gas and Electric Company ("PG&E"), a permanent easement in gross and the right from time to time to come upon the property and to reconstruct, maintain, operate, replace, remove, repair, renew, and enlarge existing lines of pipes, conduits, cables, wires, poles, electrical conductors, and other equipment, fixtures and appurtenances for the operation of electric, gas and communication facilities, and also the rights to trim and cut down trees and brush that may be a hazard to the facilities. Said area of existing PG&E equipment, fixtures and appurtenances for the operation of

electric, gas and communication facilities shall be kept open and free of buildings, structures and wells of any kind.

- C. For the benefit of East Bay Municipal Utility District ("EBMUD"), permanent easement in gross and the right from time to time to come upon the property and to reconstruct, maintain, operate, replace, remove, repair, renew, and enlarge existing lines of pipes and other equipment, facilities, fixtures and appurtenances within EBMUD's water distribution system. Said area of existing water distribution pipes equipment, facilities, fixtures and appurtenances shall be kept free of buildings and structures that impede the function of the water distribution system and of wells of any kind.

SECTION 3. The City Clerk shall certify the passage of this resolution and cause it to be recorded by the County Recorder for the County of Contra Costa. From and after the date this resolution is recorded, the portion of Castro Street depicted in Exhibit A no longer constitutes a public street.

I certify that the foregoing order of vacation was adopted by the City Council of the City of Richmond at a regular meeting held on Tuesday, June 2, 2009, by the following vote:

AYES: Councilmembers Butt, Rogers, Ritterman, Viramontes, Vice Mayor Lopez, and Mayor McLaughlin.
NOES: None.
ABSTENTIONS: None.
ABSENT: Councilmembers Bates.

DIANE HOLMES
Clerk of the City of Richmond
(SEAL)

Approved:

GAYLE McLAUGHLIN
Mayor

Approved as to form:

RANDY RIDDLE
City Attorney

State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Order of Vacation No. 902**, finally passed and adopted by the Council of the City of Richmond at a meeting held on June 2, 2009.

DESCRIPTION

Portion of Existing Castro Street
Requested to be Vacated

All that certain real property situate in the City of Richmond, County of Contra Costa State of California, described as follows:

BEGINNING at a point in the southeasterly line of Castro Street (60.00 feet wide) as shown on that certain Record of Survey of portion of Sections 11 and 14 T.1.N., R.5.W., MDM and portion of Lot 93, San Pablo Rancho, which map was filed for record in Book 68 of L.S.M. at pages 16, 17 and 18 Contra Costa County Records; said point bears, along said southeasterly line N28°59'18"E 433.65 feet from the southerly terminus of the course shown on said map with distance of 2211.35 feet; thence from said POINT OF BEGINNING, along said southeasterly line and the easterly and southerly lines of Castro Street as shown on said map the following courses: N28°59'18"E 1777.48 feet; N1°39'03"W 220.79 feet; from a tangent bearing of N1°38'43"W, along a curve to the right with a radius of 88.99 feet, through a central angle of 51°49'44" for an arc length of 80.50 feet; and N88°18'56"E 236.79 feet; thence leaving said southerly line N24°35'45"E 88.12 feet to a point in the northerly line of Castro Street as shown on said map; thence along said northerly line, the westerly line and northwesterly line of said Castro Street the following courses: from a tangent bearing of S87°21'06"W along a curve to the right with a radius of 169.99 feet, through a central angle of 0°57'50" for an arc length of 2.86 feet; S88°18'56"W 217.99 feet; along a tangent curve to the left with a radius of 148.99 feet, through a central angle of 89°57'59" for an arc length of 233.95 feet; S1°39'03"E 204.35 feet; and S28°59'18"W 2174.32 feet; thence leaving said northwesterly line, from a tangent bearing of N40°54'15"E, along a curve to the left with a radius of 1500.00 feet, through a central angle of 4°12'42" for an arc length of 110.26 feet; thence N36°41'33"E 307.43 feet to the POINT OF BEGINNING.

Bearings and distances used in the above description are on the California Coordinate System of 1984, Zone III. Multiply distances shown by 1.0000671 to obtain ground level distances.

This description was prepared by me or under my direct supervision.

Dennis A. Miller

Licensed Land Surveyor

9/25/96

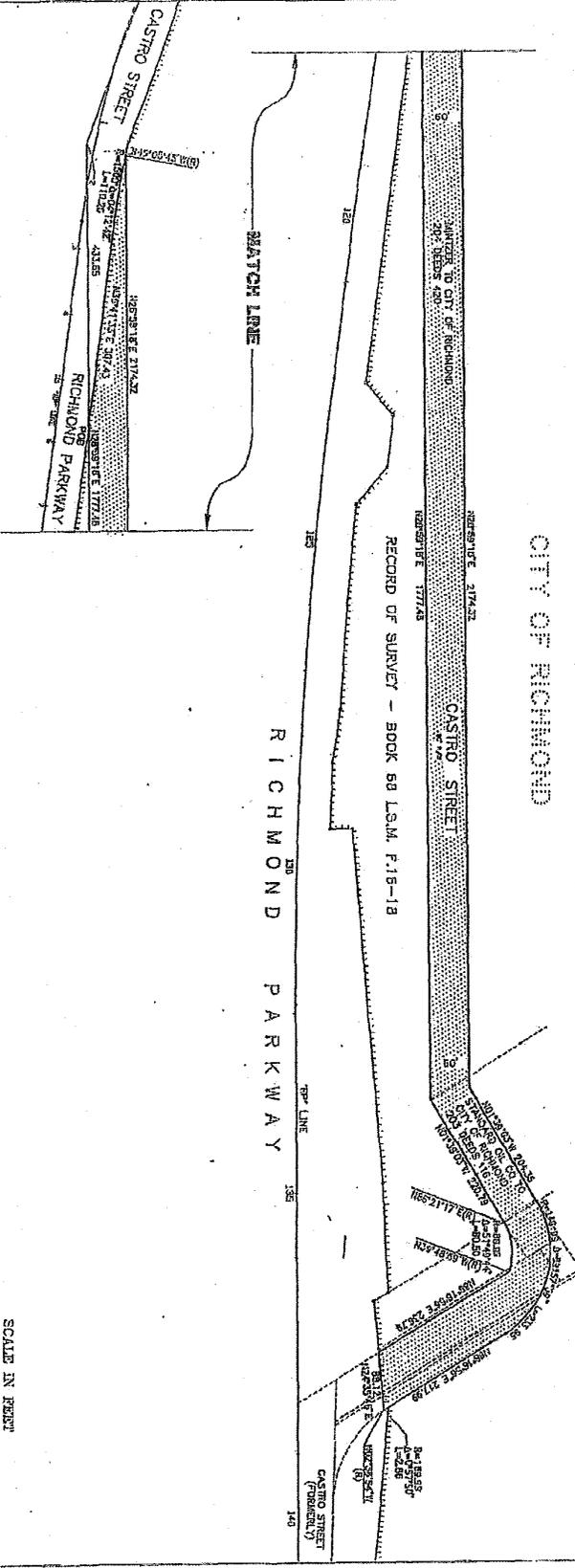
Date

Prepared by the firm of
MACKAY & SOMPS
San Jose, California

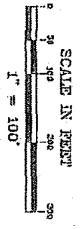


Exhibit A to Resolution of Vacation for Castro Street

SECTION 107 OF THE PUBLIC LANDS ACT OF 1906 APPLICABLE TO THIS PLAT. THE CITY OF RICHMOND IS THE SUCCESSOR OF THE STATE OF CALIFORNIA IN THE PUBLIC LANDS. THE CITY OF RICHMOND IS THE SUCCESSOR OF THE STATE OF CALIFORNIA IN THE PUBLIC LANDS.



THIS PLAT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION
Dennis A. Dillon
 DENNIS A. DILLON, LICENSED LAND SURVEYOR 4526
 DATE 7/25/95



PLAT TO ACCOMPANY DESCRIPTION	
PORTION OF CASTRO STREET	
REQUESTED TO BE VACATED	
MAKAY & SOMPS	
CIVIL ENGINEERING/LAND PLANNING/LAND SURVEYING	
1955 THE ALAMEDA, SAN JOSE, CA 95126 (408)985-0950	
DRAWN BY	1197-2
SCALE	DATE
1"=100'	SEPT 95
	JOB NO.
	1197-2

9-23-1995 /jass4/pp/1197-2/copy/assite

Exhibit A to Resolution of Vacation for Castro Street