

**RESOLUTION OF INTENTION NO. 895**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA, DECLARING ITS INTENTION TO VACATE AND ABANDON FOR PUBLIC PURPOSES A ± 6,600 SQUARE FOOT PORTION OF SOUTH 13<sup>TH</sup> STREET, LOCATED SOUTH OF WRIGHT AVENUE BETWEEN PARCELS APN 560-371-002 AND APN 560-372-001**

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**WHEREAS**, that portion of South 13<sup>th</sup> Street affecting the property at 1240 Wright Avenue is unnecessary for present or prospective public street purposes; and

**WHEREAS**, said portion of street as described above is shown on the official map of the City of Richmond, California, at the office of the City Clerk of said city to which all parties interested are referred to for particulars of the proposed vacation and abandonment; and

**WHEREAS**, the City Council elects to proceed with said vacation and abandonment under Sections 8300 through 8325, inclusive of the Streets and Highways Code of the State of California as amended; and

**WHEREAS**, at its April 6, 2006 meeting, the Planning Commission found that the proposed street vacation satisfied the required findings for a street vacation and voted unanimously (7-0) to recommend approval of the proposed street vacation to the City Council; and

**WHEREAS**, the City Council has considered the proposed Resolution of Intention to vacate and abandon said portion of said street at its properly noticed public hearing on June 6, 2006; and

**WHEREAS**, the City Council determined that the proposed street vacation is found to be categorically exempt from the California Environmental Quality Act (CEQA) review per the provisions of Section 15061(b)(3) (General Exemption), of the CEQA Guidelines; and

**NOW, THEREFORE**, be it resolved by the City Council of the City of Richmond, California, as follows:

**SECTION 1.** It is the intention of the City Council of the City of Richmond to order the vacation and closing to public use a ±6,600 SF portion of South 13<sup>th</sup> Street, located between south of Wright Avenue, between Parcels APN 560-371-002 and APN 560-372-001, in the City of Richmond, County of Contra Costa, State of California, more particularly described in the attached Legal Description and Exhibit "A" attached hereto and incorporated herein by this reference.

**SECTION 2.** The portion of said street which the City Council of the City of Richmond intends to order vacated and closed is shown and delineated upon a map entitled, "Vacation of a portion of South 13<sup>th</sup> Street Herman's Addition to Point Richmond", now on file in the office of the City Clerk of the City of Richmond to which reference is hereby made for all particulars of the proposed vacation and abandonment of said portion of said street. The said property, vacated and abandoned, shall be divided equally among the adjacent property owners and incorporated within the boundaries of parcels APN 560-371-002 and APN 560-372-001.

**SECTION 3.** Tuesday, the 6<sup>th</sup> day of June, 2006, at 7:00 p.m. in the Council Chambers of the City of Richmond, City Hall, Richmond, California is hereby fixed as the time and place for public hearing of all persons interested in or objecting to the proposed vacation of said portion of said street.

**SECTION 4.** The City Clerk is hereby instructed to cause to be posted conspicuously along the line of said portion of said street to be vacated and closed notices entitled, "NOTICE OF VACATION", which shall state the adoption of this Resolution of Intention and the time and place of said hearing thereon. Said notices shall be posted not more than three hundred feet (300') apart and at least three (3) of said notices shall be posted on said street proposed to be vacated and closed. The City Council has elected and does hereby elect to take proceedings for the vacation and closing of said portion of said street under the provisions of the Street Vacation

Act of 1941, Streets and Highways Code of the State of California. No portion of said street to be closed and vacated in these proceedings is a state highway.

**SECTION 5.** This resolution of intention, upon adoption, shall be printed and published in THE WEST COUNTY TIMES, a newspaper of general circulation, printed and published in the City of Richmond, and shall take effect and be in force after its adoption and publication.

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I certify that the foregoing resolution was passed and adopted by the City Council of the City of Richmond, California, at a regular meeting thereof held May 2, 2006, by the following vote:

AYES: Councilmembers Bates, Butt, Griffin, Marquez, McLaughlin, Rogers, Thurmond, Viramontes, and Mayor Anderson

NOES: None

ABSTENTIONS: None

ABSENT: None

SANDRA L. THOMPSON  
Acting Clerk of the City of Richmond, CA

(SEAL)

APPROVED:

IRMA L. ANDERSON  
Mayor

APPROVED AS TO FORM:

JOHN EASTMAN  
City Attorney

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

I certify that the foregoing is a true copy of Resolution of Intention No. 895, finally passed and adopted by the Council of the City of Richmond at a regular meeting held on May 2, 2006, and published in accordance with law.