

RESOLUTION OF VACATION NO. 901

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND,
ORDERING THE PARTIAL VACATION OF AN ALLEYWAY
ADJACENT TO HOFFMAN BOULEVARD AND BEHIND THE PROPERTY LOCATED
AT 618 SOUTH 8th STREET (File No. ST-1103973)**

WHEREAS, Todd G. Lewis, the property owner at 618 South 8th Street (APN No. 550-272-021), has submitted an application requesting that a 150-foot long portion of a 350-long alley adjacent to Hoffman Boulevard and behind the property located at 618 South 8th Street be vacated by the City of Richmond; and

WHEREAS, pursuant to Street and Highways Code Sections 8320 et. seq., the City of Richmond desires to vacate the subject alley, more particularly described in Exhibits A and B attached hereto and incorporated herein and hereafter referred to as the "area to be vacated," consisting of a legal description and map of the area to be vacated and; and

WHEREAS, the City Engineer has reported to this Council that the area to be vacated is surplus and is not necessary to meet the transportation needs of the City; and

WHEREAS, the City is authorized to vacate all or part of a public street or public service easement within the City pursuant to the Public Street, Highways, and Service Easements Law (State of California Streets and Highways Code, Section 8300 et. seq.); and

WHEREAS, on November 1, 2007, the Planning Commission found that the proposed street vacation satisfies the required findings for a street vacation as set forth by the State of California Streets and Highways Code, and voted unanimously to recommend approval to the City Council; and

WHEREAS, the City Clerk administratively set the public hearing for the City Council to consider the proposed vacation for December 11, 2007 pursuant to the Streets and Highways Code Section 8320; and

WHEREAS, notice of the hearing on the proposed street vacation as described on Exhibits A and B was duly published and posted as required by Streets and Highways Code Section 8322 and 8323; and

WHEREAS, on December 11, 2007, the City Council opened and conducted the public hearing allowing all interested parties an opportunity to speak.

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

1. The City Council finds, based on all the evidence submitted that the alleyway described in the legal description and vacation map attached hereto, as Exhibits A and B, are not necessary for present or prospective transportation needs and is hereby vacated.
2. The City Clerk is hereby directed to record this order declaring vacation of the subject alley described in Exhibits A and B in the Office of the Contra Costa County Recorder only after conditions required by the City Council have been satisfied.
3. Upon vacation of the portion of said street and transfer of ownership, the new property owners(s) shall have all properties adjoining the vacated right-of-way registered under a single parcel number at the Contra Costa County Recorder's office. Any existing easements shall be carried forward on the new map. A copy

of said recordation shall be submitted to the Planning Director within one month of the recordation of the Resolution of Vacation.

I CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Richmond, California at a meeting held on December 11, 2007, by the following vote:

AYES: Councilmembers Bates, Marquez, Rogers, Sandhu. and Viramontes

NOES: None

ABSTENTIONS: None

ABSENT: Councilmembers Butt, Thurmond, Lopez, and Mayor McLaughlin

DIANE HOLMES
Clerk of the City of Richmond

(SEAL)

APPROVED:

GAYLE McLAUGHLIN
MAYOR

Approved as to form:

LOUISE RENNE, Interim
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 Vacation No. 901, finally passed and adopted by the Council of the City of Richmond at a meeting held on December 11, 2007.