

RECORDED AT REQUEST OF:
City of Richmond City Clerk

WHEN RECORDED MAIL TO:
City of Richmond
City Clerk's Office
450 Civic Center Plaza, Suite 300
Richmond, CA 94804

**NO RECORDING FEE PURSUANT TO
GOVERNMENT CODE SECTION 27383**


CONTRA COSTA Co Recorder Office
JOSEPH CANCIAMILLA, Clerk - Recorder
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Til Pd \$0.00 Nbr-0002262382

rrc / R9 / 1-6

DOCUMENT TITLE

ORDER OF VACATION NO. 909

**ORDERING THE VACATION OF THE SOUTH HAMPTON COURT, SOUTH OF
LANCASTER DRIVE IN THE CITY OF RICHMOND, CALIFORNIA**

ORDER OF VACATION NO. 909

ORDERING THE VACATION OF THE SOUTH HAMPTON COURT, SOUTH OF LANCASTER DRIVE

WHEREAS, in order to facilitate the request made by the “Menlo Westridge Affordable Partners” for a street vacation that would allow more flexibility and functional use of the street for the surrounding residential development around the street named South Hampton Court, south of Lancaster Drive, the City of Richmond Engineering Services Department has requested that the cul-de-sac and South Hampton Court 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 cul-de-sac and South Hampton Court, 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; and

WHEREAS, the City Engineer has reported to this Council that the area to be vacated is surplus and is not necessary for 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 of California Streets and Highways Code, Section 8300 et. seq; and

WHEREAS, Section 8340 (c) of the Streets and Highways Code requires that unless public convenience and necessity require otherwise, the City must reserve and except from the vacation any easement and right necessary to maintain, operate, replace, remove and renew public utility facilities; and

WHEREAS, the “Menlo Westridge Affordable Partners” and/or the property management of the Westridge Apartments have agreed to provide easements for utilities, emergency vehicle access; and

WHEREAS, on April 2, 2015, the Planning Commission found that the proposed street vacation conforms with the City’s General Plan, as reviewed by Section 65402 of the Government Code, and voted to recommend approval to the City Council; and

WHEREAS, on March 03, 2015 the City Clerk administratively set the public hearing for the City Council to consider the proposed vacation for April 07, 2015 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 April 7, 2015, 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 portion of South Hampton Court and the Cul-De-Sac, south of Lancaster Drive, described in the legal description and plat map attached hereto, as Exhibits A and B, is not necessary for present or prospective transportation needs and is hereby vacated.
2. Pursuant to Section 8340 (c) of the California Streets and Highway Code, the City hereby reserves for the benefit of the public, a non-exclusive easement in gross over the entirety of the land described in Exhibits A and B, for public utilities including but not limited to storm and sanitary sewers, water, electric, gas, telephone, cable, television, cable, television and communications facilities, including the construction, access and maintenance thereof.

3. The City Clerk is hereby directed to record this order vacating South Hampton Court as described in Exhibits A and B at the office of the Contra Costa County Recorder.

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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 April 7, 2015, by the following vote:

AYES: Councilmembers Bates, Beckles, Martinez, McLaughlin, Pimplé,
Vice Mayor Myrick, and Mayor Butt.
NOES: None
ABSENT: None
ABSTAIN: None

PAMELA CHRISTIAN
Clerk of the City of Richmond, CA

(SEAL)

Approved:

TOM BUTT
Mayor

Approved as to form:

BRUCE GOODMILLER
City Attorney

Certified as a True Copy
Pamela Christian
CLERK OF THE CITY OF RICHMOND, CA

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. 909, finally passed and adopted by the City Council of the City of Richmond at a regular meeting on April 7, 2015.

EXHIBIT "A"
 LEGAL DESCRIPTION FOR
 STREET VACATION & PUBLIC UTILITY EASEMENT
 CITY OF RICHMOND, CONTRA COSTA COUNTY, CALIFORNIA

ALL THAT PORTION OF LAND LYING WITHIN THE CITY OF RICHMOND, IN THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, BEING A PORTION OF LAND AS SHOWN AND OFFERED FOR DEDICATION ON THAT CERTAIN SUBDIVISION MAP ENTITLED "SUBDIVISION 3187", FILED FOR RECORD IN BOOK 102 OF MAPS AT PAGE 1, ALSO AS SHOWN ON THAT CERTAIN PARCEL MAP ENTITLED "PARCEL MAP MS 764-80", FILED FOR RECORD IN BOOK 94 OF PARCEL MAPS AT PAGE 40, OFFICIAL RECORDS OF THE COUNTY OF CONTRA COSTA COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF INTERSECTION AS SHOWN ON THE ABOVE MENTIONED PARCEL MAP; THENCE ALONG THE CENTERLINE OF SOUTH HAMPTON COURT, AS CENTER LINE IS SHOWN ON SAID MAP, SOUTH 24°15'32" EAST 30.00 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT OF WAY LINE PROLONGATION, AS SAID RIGHT OF WAY IS SHOWN ON SAID MAP, BEING ALSO THE TRUE POINT OF BEGINNING; THENCE ALONG SAID RIGHT OF WAY PROLONGATION NORTH 65°44'28" EAST 45.00 FEET TO THE BEGINNING OF A CURVE AS SHOWN ON SAID MAP, CONCAVE SOUTHEASTERLY, HAVING A CENTRAL ANGLE OF 90°00'00" AND A RADIUS OF 20.00 FEET; THENCE ALONG THE RIGHT OF WAY AS SHOWN ON SAID MAP THE FOLLOWING NINE COURSES AND CURVES:

- 1) THENCE SOUTHEASTERLY ALONG SAID CURVE 31.42 FEET;
- 2) THENCE SOUTH 24°15'32" EAST 134.00 FEET TO A POINT OF CURVE, CONCAVE NORTHWESTERLY, HAVING A CENTRAL ANGLE OF 60°37'17" AND A RADIUS OF 150.00 FEET;
- 3) THENCE SOUTHWESTERLY ALONG SAID CURVE 158.71 FEET TO A POINT OF REVERSE CURVE, CONCAVE SOUTHEASTERLY, HAVING A CENTRAL ANGLE OF 21°50'03" AND A RADIUS OF 37.00 FEET;
- 4) THENCE SOUTHWESTERLY ALONG SAID CURVE 14.10 FEET TO A POINT OF REVERSE CURVE, CONCAVE NORTHEASTERLY, HAVING A CENTRAL ANGLE OF 249°17'39" AND A RADIUS OF 45.00 FEET;
- 5) THENCE NORTHWESTERLY ALONG SAID CURVE 195.80 FEET TO A POINT OF REVERSE CURVE, CONCAVE NORTHWESTERLY, HAVING A CENTRAL ANGLE OF 75°48'52" AND A RADIUS OF 37.00 FEET;
- 6) THENCE NORTHEASTERLY ALONG SAID CURVE 48.96 FEET TO A POINT OF COMPOUND CURVE, CONCAVE SOUTHWESTERLY, HAVING A CENTRAL ANGLE OF 32°16'01" AND A RADIUS OF 100.00 FEET;
- 7) THENCE NORTHWESTERLY ALONG SAID CURVE 56.32 FEET;
- 8) THENCE NORTH 24°15'32" WEST 134.00 FEET TO A POINT OF CURVE, CONCAVE SOUTHWESTERLY, HAVING A CENTRAL ANGLE OF 90°00'00" AND A RADIUS OF 20.00 FEET;
- 9) THENCE NORTHWESTERLY ALONG SAID CURVE 31.42 FEET;

THENCE LEAVING THE RIGHT OF WAY AS SHOWN ON SAID MAP AND ALONG THE PROLONGATION OF SAID RIGHT OF WAY NORTH 65°44'28" EAST 45.00 FEET TO THE TRUE POINT OF BEGINNING.

EXHIBIT A

CONTAINING 0.47 ACRES MORE OR LESS.

THE ABOVE DESCRIPTION SHOWN ON EXHIBIT "B" AND BY REFERENCE MADE A PART HEREOF.

THE BASIS OF BEARINGS FOR THE ABOVE DESCRIPTION IS BASED UPON THAT CERTAIN PARCEL MAP ENTITLED "PARCEL MAP MS 764-80", FILED FOR RECORD IN BOOK 94 OF MAPS AT PAGE 40, OFFICIAL RECORDS OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

PREPARED BY OR UNDER THE DIRECTION OF:

JAN. 29, 2015

MICHAEL J. WALTERS PLS 5528

DATE



PLAT TO ACCOMPANY
LEGAL DESCRIPTION FOR STREET VACATION & PUBLIC UTILITY EASEMENT

