

GARDEN GROVE CITY COUNCIL

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE, CALIFORNIA, DECLARING ITS INTENTION TO VACATE AND ABANDON THE SOUTHERN PORTION OF BRADY WAY SOUTH OF STANFORD AVENUE, AND SETTING A PUBLIC HEARING THEREON

The City Council of the City of Garden Grove hereby finds, determines, declares, and resolves as follows:

WHEREAS, the City of Garden Grove (“City”) owns the fee interest in the public right of way known as Brady Way, a public street commencing on Stanford Avenue to the north and terminating in a cul-de-sac at the 22 Freeway to the south; and

WHEREAS, Brady Way south of Stanford Avenue was formerly part of Knott Street and is now a cul-de-sac created after CalTrans relocated Knott Street when it widened the 22 Freeway in 1966; and

WHEREAS, the southern portion of said street adjacent to the property located at 12821 Knott Street is only used for street parking and access to 12821 Knott Street; and

WHEREAS, this street area, described in the legal description in Attachment “A” and depicted in Attachment “B” hereto, is no longer necessary for current or prospective public street purposes, or as a non-motorized transportation facility; and

WHEREAS, pursuant to Chapter 3 of Part 3 of Division 9 of the Streets and Highways Code, Sections 8320 et seq., the City Council is authorized on its own initiative to initiate proceedings for vacation of public streets that are no longer necessary for current or prospective public street purposes or as a non-motorized transportation facility; and

WHEREAS, pursuant to Streets and Highways Code Section 8312, the City Council is authorized to vacate all or a portion of a public street within the City; and

WHEREAS, on August 15, 2019, the Planning Commission of the City of Garden Grove pursuant to Government Code 65402 found that the proposed vacation of the southerly portion of Brady Way is consistent with the General Plan of the City of Garden Grove.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDEN GROVE, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct and are incorporated by reference herein.

SECTION 2. It is the intention of the City Council to vacate and abandon the southerly portion of Brady Way, south of Stanford Avenue, adjacent to 12821 Knott Street,

as more particularly described on Exhibit "A" and depicted on Exhibit "B", attached hereto and incorporated herein by reference.

SECTION 3. It is the intention of the City Council to find that the southerly portion of Brady Way adjacent to 12821 Knott Street and described in Attachments "A" and "B" hereto is unnecessary for present or prospective public street purposes, or as a non-motorized transportation facility.

SECTION 4. It is the intention of the City Council to reserve easements for existing public utilities per Section 8340 of the Streets and Highways Code.

SECTION 5. The City Council intends to find that this vacation action is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 14304 (Class 4 categorical exemption-minor alteration of land), Section 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment), and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical changes to the environment, directly or indirectly.

SECTION 6. The City Council hereby sets a public hearing to be held on **September 24, 2019, at 6:30 pm**, or as soon hereafter as possible, in the Council Chambers of the City Council of the City of Garden Grove located at 11300 Stanford Avenue, Garden Grove, California, 92840. At this hearing, all interested persons may introduce evidence and testimony pertaining to the proposed vacation. At the conclusion of the hearing the City Council shall determine, from all evidence submitted, whether or not the proposed vacation is in the public interest.

SECTION 7. Notice of the Public Hearing shall be published, posted, and mailed in accordance with the requirements of Street and Highways Code Sections 8320, et seq., as follows:

- (a) The City Clerk is directed to cause a copy of this Resolution to be published in a weekly newspaper, published and circulated in Garden Grove for at least two successive weeks prior to the time set herein for the public hearing.
- (b) The Director of Public Works is directed to post, or cause to be posted, notice of vacation conspicuously along the line of the portions of the street to be vacated, not more than 300 feet apart, but at least at three locations thereon.

SECTION 8. The City elects to proceed under the provisions of Chapter 3, Part 3, Division 9 (Section 8320 et seq.) of the California Streets and Highway Code.

PASSED, APPROVED, AND ADOPTED this 27th day of August 2019.