

GARDEN GROVE CITY COUNCIL

RESOLUTION NO. 9586-19

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;

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;

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;

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;

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;

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 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.

Adopted this 27th day of August 2019.

ATTEST:

/s/ STEVEN R. JONES
MAYOR

/s/ TERESA POMEROY, CMC
CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS:
CITY OF GARDEN GROVE)

I, TERESA POMEROY, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Garden Grove, California, at a meeting held on August 27, 2019, by the following vote:

AYES:	COUNCIL MEMBERS:	(7)	BRIETIGAM, O'NEILL, NGUYEN T., BUI KLOPFENSTEIN, NGUYEN K., JONES
NOES:	COUNCIL MEMBERS:	(0)	NONE
ABSENT:	COUNCIL MEMBERS:	(0)	NONE

/s/ TERESA POMEROY, CMC
CITY CLERK

EXHIBIT A

VACATION DESCRIPTION

BRADY WAY
 GARDEN GROVE, CA.

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF GARDEN GROVE IN THE COUNTY OF ORANGE, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL A:

THAT PORTION OF THE WESTERLY 30 FEET OF BRADY WAY, FORMERLY KNOTT STREET, AS SHOWN ON THE MAP OF TRACT NO 3808 FILED IN BOOK 135, PAGES 42 AND 43 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA, LYING SOUTH OF THE SOUTHWESTERLY PROLONGATION OF THE NORTHWESTERLY LINE OF PARCEL B OF SAID PARCEL MAP.

EXCEPT THEREFROM ALL OIL, OIL RIGHTS, MINERALS, MINERAL RIGHTS, NATURAL GAS, NATURAL GAS RIGHTS, AND OTHER HYDROCARBONS BY WHATSOEVER NAME KNOWN THAT MAY BE BELOW THE UPPER 500 FEET OF THE SUBSURFACE OF SAID LAND, WITHOUT, HOWEVER, THE RIGHT TO DRILL, MINE, EXPLORE AND OPERATE THROUGH THE SURFACE OF SAID UPPER 500 FEET OF THE SUBSURFACE OF SAID LAND, AS RESERVED IN DEED RECORDED JUNE 15, 1960 IN BOOK 5287, PAGE 22, OF OFFICIAL RECORDS OF SAID ORANGE COUNTY.

PARCEL B:

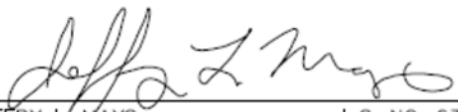
THAT PORTION OF THE EASTERLY 30 FEET OF BRADY WAY AS SHOWN ON THE PARCEL MAP FILED IN BOOK 38, PAGE 38 OF PARCEL MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA, LYING SOUTH OF THE SOUTHWESTERLY PROLONGATION OF THE NORTHWESTERLY LINE OF PARCEL B OF SAID PARCEL MAP.

EXCEPT ANY PORTION THEREOF LYING SOUTH OF THE NORTHERLY LINE OF PARCEL 1 AS DELINEATED AND SHADED ON MAPS RECORDED JULY 1, 1966 IN BOOK 4 OF HIGHWAY MAPS PAGES 23, 24 AND 25, RECORDS OF ORANGE COUNTY, CALIFORNIA.

PARCEL C:

THAT PORTION OF BRADY WAY, LYING EAST OF THE CENTERLINE AS SHOWN ON THE PARCEL MAP FILED IN BOOK 38, PAGE 38 OF PARCEL MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA, AND DESCRIBED AS PARCEL 1 AS DELINEATED AND SHADED ON MAPS RECORDED JULY 1, 1966 IN BOOK 4 OF HIGHWAY MAPS PAGES 23, 24 AND 25, RECORDS OF ORANGE COUNTY, CALIFORNIA.

NOTE: THE DESCRIPTION ABOVE IS NOT A MATTER OF RECORD AND HAS BEEN PROVIDED SOLELY AS AN ACCOMMODATION TO FACILITATE THE CONTEMPLATED ACQUISITION OF BRADY WAY.



 JEFFERY L. MAYS L.S. NO. 6379



SHEET <u>1</u> OF <u>2</u>	SCALE: 1" = 150'	JRN CIVIL ENGINEERS
	DATE: 08/07/19	
FILE NO. 18517-A	DRAWN BY: JFC	232 AVENIDA FABRICANTE, SUITE 107
	CHKD. BY: JRN	SAN CLEMENTE, CALIFORNIA 92672
		(949) 248-4685 FAX (949) 248-4687

EXHIBIT B

