

GARDEN GROVE CITY COUNCIL

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE,
CALIFORNIA, APPROVING STREET VACATION NO. SV-001-2019 AND ORDERING
VACATION AND ABANDONMENT OF THE SOUTHERN PORTION OF BRADY WAY SOUTH
OF STANFORD AVENUE AND RESERVING THEREON A PUBLIC SERVICE EASEMENT
FOR EXISTING PUBLIC UTILITY FACILITIES

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;

WHEREAS, on August 15, 2019, the Planning Commission of the City of Garden Grove adopted Resolution No. 5962-19 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;

WHEREAS, on August 27, 2019, the City Council adopted Resolution No. 9586-19 declaring its intention to vacate and abandon the southern portion of Brady Way and set a public hearing date for September 24, 2019, at 6:30 p.m. in the Community Meeting Center, 11300 Standford Avenue, Garden Grove;

WHEREAS, at the public hearing on September 24, 2019, at 6:30 p.m. in the

Community Meeting Center the City Council heard all persons interested in or objecting to the proposed vacation, and received and considered all evidence submitted; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

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

SECTION 1. *Incorporation of Recitals.* The foregoing recitals are true and correct and are incorporated by reference herein.

SECTION 2. *Findings.* The City Council finds 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 3. *CEQA Determination.* The City Council finds 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 4. *Vacation and Reservation of Easements.* Pursuant to the provisions of Chapter 3, Part 3, Division 9 (Section 8320 et seq.) of the California Streets and Highway Code, the City Council hereby orders the vacation and abandonment of 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, reserving therein (a) a public service easement over and beneath the subject area, for the purposes of constructing, maintaining, operating, replacing, removing or renewing the existing public facilities, and (b) a public service easement over and beneath the subject area, for in-place public utility facilities that are in use for the purposes of constructing, maintaining, operating, replacing, removing, or renewing the public utility facilities.