

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 THACKERY AVENUE AND ALLEY NORTH OF TWINTREE AVENUE, WEST OF HARBOR BLVD., 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 public right-of-way known as Thackery Avenue and Alley, a public street commencing on Twintree Avenue to the south and terminating in a cul-de-sac on the north end, approximately 450 linear feet away; and

WHEREAS, Thackery Avenue and Alley previously served as the access to single-family homes and business; and

WHEREAS, those homes and businesses were purchased and demolished by either the City and/or former Garden Grove Agency for Community Development as part of a project to develop a hotel development; and

WHEREAS, pursuant to the development agreement, the Former Agency was obligated to fund and demolish the alley and a portion of Thackery Avenue; and

WHEREAS, the subject public right-of-way, described in the legal description in Exhibit "A" and depicted in Exhibit "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 Highway Code Section 8312, the City Council is authorized to vacate all or a portion of a public street within the City.

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 Thackery Avenue and Alley commencing on Twintree Avenue to the south and terminating in a cul-de-sac on the north end.

SECTION 3. It is the intention of the City Council to find that Thackery Avenue and Alley commencing on Twintree Avenue to the south and terminating in a cul-de-sac on the north end and described in Exhibits "A" and "B" hereto is unnecessary for present or prospective public street purposes, or as a non-motorized transportation facility.

SECTION 4. The City Council hereby sets a public hearing to be held on **September 13, 2022, 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 5. 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 6. The City elects to proceed under the provision of Chapter 3, Part 3, Division 9 (Section 8320 et seq.) of the California Streets and Highway Code.