

RESOLUTION NO. _____

**A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, CALIFORNIA,
ORDERING THE SUMMARY VACATION OF THE EASEMENT FOR
FLOOD CONTROL PURPOSES ON PROPERTY LOCATED AT
1624 ARBOLES DRIVE, IN THE CITY OF GLENDALE**

WHEREAS, the City of Glendale (City) holds an easement for flood control purposes on property located at 1624 Arboles Drive in the City of Glendale, California, currently owned by Andrzej Krol and Monika Krol, as Co-trustees of The Andrzej and Monika Krol Family Trust, Dated December 2, 2008 ("Owners"); and

WHEREAS, the Owners has applied for the vacation of the City's Easement for Flood Control Purposes, which is not necessary for present or prospective flood control purposes; and

WHEREAS, pursuant to California Streets and Highways Code Section 8333, the City Council may summarily vacate a public service easement if the easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years preceding the proposed vacation or if the easement has been superseded by relocation or determined to be excess by the easement holder, and there are no other public facilities located within the easement;

WHEREAS, the City has determined that the existing easement for flood control purposes, granted to the City on Tract Map No. 11057 in Book 196, Pages 22 – 26 of Maps, County of Los Angeles, State of California which is no longer necessary to the City as an easement for flood control purposes, has been determined by the City to be in excess and there are no other public facilities located within the easement which would be affected by the vacation; and

WHEREAS, the summary vacation of the herein subject easement for flood control purposes is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, as the action involves the vacation of an easement for flood control purposes where the easement has been determined by the City to be in excess and will not cause or facilitate any physical changes that may result in environmental impacts.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLENDALE, CALIFORNIA THAT:

Section 1. The City Council of the City of Glendale finds from all of the evidence submitted in the Report to the City Council dated December 6, 2022, by the Director of Public Works, that the Easement for Flood Control Purposes as described in Exhibits "A" & "B", attached hereto, and by this reference made a part thereof, have been determined by the City to be in excess, and there are no other public facilities located within those certain portions of the easement to be vacated which would be affected by the vacation.

Section 2. The vacation is consistent with the General Plan.

Section 3. The vacation is made under Chapter 4 of the California Streets and Highways Code, entitled "Summary Vacation."

Section 4. The City Council orders that from and after the date this Resolution is recorded, the Easement for Flood Control Purposes depicted in Exhibits "A" and "B" are vacated and those easements no longer constitute a public service easement.

Section 5. The City Clerk of the City of Glendale is hereby authorized and directed to certify to the passage of this Resolution. The City Clerk is further authorized to cause a certified copy of this Resolution, attested by the City Clerk and under the seal of the City, to be recorded in the Office of the County Recorder of Los Angeles County, California.

Section 6. The City Manager, or his designee, is authorized to execute any other documentation as may be required to accomplish the herein ordered vacation.

Adopted by the Council of the City of Glendale on this ____ day of _____, 2022.

Mayor

ATTEST:

City Clerk

STATE OF CALIFORNIA) SS.
COUNTY OF LOS ANGELES)

I, Suzie Abajian, Ph.D., City Clerk of the City of Glendale, hereby certify that the foregoing Resolution No. _____ was adopted by a majority vote of the Council of the City of Glendale, California, at a regular meeting held on the _____ day of _____, 2022, and that the same was adopted by the following vote:

Ayes:

Noes:

Absent:

Abstain:

City Clerk