



CITY OF GLENDALE, CALIFORNIA REPORT TO THE CITY COUNCIL

AGENDA ITEM

Report: Summary Vacation of the City of Glendale's Sanitary Sewer and Right-of-Way Easement Located on Residential Property at 1248 Corona Avenue, Glendale, CA 91207.

1. Resolution ordering the summary vacation of the City of Glendale's sanitary sewer and right-of-way easement on property at 1248 Corona Avenue, Glendale, CA 91207.

COUNCIL ACTION

Item Type: Consent Calendar

Approved for October 24, 2023 **calendar**

EXECUTIVE SUMMARY

The City of Glendale has an easement for sanitary sewer and right-of-way purposes on the residential property at 1248 Corona Avenue (Property). The property owner intends to construct a single-family home on their property at the location of the sanitary sewer and right-of-way easement and has requested that the city summary vacate the easement.

Public Works Department staff have investigated and determined that the said easement is not used for sanitary sewer and right-of-way purposes and is no longer required by the city and recommends that the easement in question be summary vacated.

COUNCIL PRIORITIES

Not Applicable

RECOMMENDATION

That the City Council approve the resolution ordering the summary vacation of the easement for sanitary sewer and right-of-way purposes granted to the City of Glendale by easements on April 25, 1927 and recorded on May 17, 1927, in Book 6686, Page 138 of Official Records, and authorize the City Manager or a designee to execute any other documentation as may be required to accomplish said summary vacation.

BACKGROUND

State of California Streets and Highways Code Section 8333 allows the legislative body of a local agency to summarily vacate a public service easement in either one of the following instances:

- (a) The easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation; or
- (b) The date of dedication or acquisition is less than five years, and more than one year, immediately preceding the proposed vacation, and the easement was not used continuously since that date; or
- (c) The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.

The summary vacation process differs from the traditional vacation process in that a public hearing is not required. If any of the above circumstances are met, the City Council can approve a resolution to summarily vacate a public service easement.

On April 25, 1927, an easement for sanitary sewer and right-of-way purposes was granted to the City of Glendale by easements over portions of Lots 147 and 148 of Tract No. 6759 as recorded in Book 91 Pages 25 to 28 of Maps. This easement was recorded on May 17, 1927, in Book 6686, Page 138 of Official Records, County of Los Angeles, State of California.

The Property belongs to Aligned Properties, LLC, a California Limited Liability Company (Owner). In October 2022, the Owner's contractor approached the City of Glendale Public Works Department to vacate the easement in the middle of their Property to allow the construction of a single-family residence over Lots 147 & 148 of Tract No. 6759.

ANALYSIS

After investigation, the Public Works Department has determined that no sanitary sewer facilities were constructed in said easement on the Property. Additionally, staff has confirmed that there are no other public facilities located within said easement.

Therefore, the vacation qualifies for the summary vacation process, under Streets and Highways Code Section 8333(c). The city's easement for sanitary sewer and right-of-way purposes proposed to be vacated is depicted in Exhibits "A" & "B" attached hereto.

STAKEHOLDERS/OUTREACH

Staff has worked with the property owner to facilitate the vacation of the sanitary sewer and right-of-way easement.

FISCAL IMPACT

There is no fiscal impact associated with this report. The summary vacation will allow construction of a single-family residence on a residential hillside lot, providing a minimal increase to the property tax base of the city.

ENVIRONMENTAL REVIEW (CEQA/NEPA)

This item is considered a ministerial activity and therefore, not subject to CEQA review.

CAMPAIGN DISCLOSURE

Not Applicable

ALTERNATIVES

- Alternative 1: Approve the resolution ordering the summary vacation of the City's sanitary sewer and right-of-way easement on property at 1248 Corona Avenue. This will allow the property owner to construct a single-family residence on their property.
- Alternative 2: Do not approve the resolution. The property owner will not be allowed to construct a single-family residence on their property and will prevent an increase in the city's housing stock.
- Alternative 3: The City Council may consider any other alternative not proposed by staff.

ADMINISTRATIVE ACTION

Prepared by:

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Approved by:

Roubik R. Golanian, P.E., City Manager

EXHIBITS/ATTACHMENTS

Exhibit A: Legal description of sanitary sewer and right-of-way easement to be summary vacated.

Exhibit B: Drawing showing location of sanitary sewer and right-of-way easement to be summary vacated.