

**ITEM 1 ATTACHMENT B
RESOLUTION NO. 2016-1497**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA APPROVING THE SUMMARY STREET VACATION OF RONDELL STREET EAST OF THE INTERSECTION AT LAS VIRGENES ROAD AND RONDELL STREET.

WHEREAS, the applicant (Rondell Oasis, LLC) requests the summary street vacation of a portion of Rondell Street, located east of the intersection at Las Virgenes Road and Rondell Street, and constituting approximately 0.87 acres of land area;

WHEREAS, the applicant shall comply with the conditions of approval set forth in Attachment "A", which must be completed to allow for recordation of the resolution of summary street vacation; and

WHEREAS, Rondell Street is an unimproved public right of way stub that runs from Las Virgenes Road but does not connect to any other road; and

WHEREAS, Rondell Street is not needed for street or highway purposes as it does not connect to any other streets and is not an integral component of the City's circulation system; and

WHEREAS, the City Council is permitted pursuant to Section 8330, et. Seq. of the California Streets and Highways Code, to vacate that portion of Rondell Street, specifically Streets and Highways Code section 8334, subdivision (a); and

WHEREAS, the City Council desires to summarily vacate the identified portion of Rondell Street;

WHEREAS, this vacation is made pursuant to the requirements of California Streets and Highways Code, Division 9. – Change of Grade and Vacation, Part 3. – Public Streets, Highways, and Service Easements Vacation Law (sections 8300 et seq.), Chapter 4. – Summary Vacation; and

WHEREAS, the Planning Commission at a Public Hearing on February 3 and 4, 2015 determined that the vacation conforms to the policies and programs of the Calabasas 2030 General Plan; and

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

NOW, THEREFORE, BE IT RESOLVED determined and ordered by the City Council of the City of Calabasas:

Section 1. Incorporation of Recitals. The City Council hereby finds and determines that the Recitals of this Resolution are true and correct and are hereby incorporated into this Resolution as though fully set forth herein.

Section 2. Declaration of Vacation

The City Council of the City of Calabasas finds and declares that the portion of Rondell Street proposed to be vacated is an excess right-of-way of a street or highway not required for street or highway purposes under Section 8334(a), Streets and Highway Code, except for the reservations referred to in Section 4, and pursuant to the provisions of the Summary Vacation Procedures of Part 3, Chapter 4, Division 9 of the Streets and Highways Code (commencing with Section 8330). The City Council under the authority vested in it by the Streets and Highways Code, sections 8334, subdivision (a) and 8335, hereby orders the vacation of the portion of Rondell Street more particularly described and depicted in Section 3 and Attachment B, reserving the easements described below in Section 4.

Section 3. Designation of Street to be vacated

The subject street to be vacated is described as follows:

(a) A portion of Ronell Street, east of the intersection of Las Virgenes Road and Rondell Street.

(b) The portion of Rondell Street to be vacated is further identified on the map in Attachment "B" as "Parcel 2" and is described as stated in Attachment "B"

Section 4. Reserving Easements

The City Council hereby expressly reserves and exempts from said summary vacation the easements necessary for existing facilities and appurtenances including utilities, not relocated as part of this action and a 24-foot wide pedestrian and vehicular access to the property to the north (APN: 2069020001).

Section 5. Recordation of resolution

The City will process the summary vacation to the point of recordation, but will withhold recording the resolution of summary vacation until all conditions contained in Attachment "A" have been met. If the applicant does not first complete the conditions, then the City will not proceed with the recordation of the

notice of summary vacation and the City will retain the interest in the street because the summary vacation will never have been completed.

Upon satisfaction of all conditions in Attachment "A" and recordation by the City Clerk of this resolution, the area shown on the attached map (Attachment "B") as "Parcel 2" is hereby vacated. Third parties may conclusively assume that if this resolution is recorded, all conditions have been satisfied, and the vacation complete.

Once all of the conditions of summary vacation have been met, the vacated area becomes the property of the applicant, and the applicant shall adhere to all City rules, regulations and ordinances regarding the use and development of the property.

Section 6. Adoption of resolution

That the City Clerk shall certify to the passage and adoption of this resolution and shall cause the same to be possessed in the manner required by law, upon satisfaction of the conditions stated in Section 5. This resolution shall become effective upon its adoption. Upon the recordation of this resolution, the vacation is complete, and the vacated portion of Rondell Street will no longer constitute a City-owned public right of way.

PASSED, APPROVED AND ADOPTED this 3rd day of May, 2016.

James R. Bozajian, Mayor

ATTEST:

Maricela Hernandez, MMC
City Clerk

APPROVED AS TO FORM:

Scott Howard, city Attorney