

Council Meeting of
January 26, 2010

Honorable Mayor and Members
of the Torrance City Council
City Hall
Torrance, California

Members of the Council

**SUBJECT: Community Development – Adopt RESOLUTION summarily
vacating a portion of a public sewer easement**

RECOMMENDATION

Recommendation of the Community Development Director that the City Council adopt a RESOLUTION summarily vacating a portion of a public sewer easement located at 18900 Hawthorne Boulevard.

FUNDING

No funding required.

BACKGROUND/ANALYSIS

The proposed sewer easement vacation is initiated by the property owner at 18900 Hawthorne Boulevard (Lot 2 of Parcel Map No. 19431). The existing 10' wide sewer easement to be vacated was granted to the City on vacation resolution 80-263 and recorded on February 2, 1981 as Instrument Number 81-124160. This Resolution vacated a portion of Hawthorne Boulevard and reserved several easements (see Attachment C). The sewer easement served the 10" City sewer that ran north-south across the approximate center of the vacation proponent's property.

The property owner obtained Planning Commission approval on October 1, 2008 to construct a new parking structure (CUP08-00022) on his property. The location of the building was to be over the existing City sewer. City policy does not allow buildings to be constructed over City pipeline facilities. The Engineering Division of the Community Development Department imposed a condition on the case to relocate the existing City sewer and easement around the proposed parking structure prior to issuance of building permits and is the reason for this vacation proceeding. The owner has worked with the Public Works and Community Development Departments to determine the new alignment of the City sewer and easement. The new sewer easement has been recorded as Instrument Number 20090675510 (see Attachment D) and the owner has realigned the City sewer at his cost.

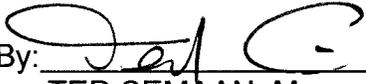
12B

Since the proposed easement to be vacated has been replaced with an alternate easement, the existing easement may be vacated summarily as per State law. The area of the existing easement to be vacated is approximately 1,503 square feet and the area of the replacement easement is approximately 6,932 square feet.

As a side note, Resolution 80-263, which created the sewer easement, a portion of which we are vacating with this action, also granted a phone easement in the same alignment as the sewer easement. This phone easement was quitclaimed by Verizon (see Attachment E) as per Instrument Number 20091549084 and recorded on October 13, 2009.

Respectfully submitted,

JEFFERY W. GIBSON
Community Development Director

By: 
TED SEMAAN, Manager
Transportation Planning,
Development Engineering &
Records Division

CONCUR:


JOHN L. FELLOWS III
City Attorney


JEFFERY W. GIBSON
Community Development Director


LeROY J. JACKSON
City Manager

- Attachments:
- Resolution
 - A. Vicinity Map
 - B. Location Sketch
 - C. Resolution No. 80-263 granted original sewer & phone easements – Instrument No. 81-124160
 - D. Recorded replacement City sewer easement – Instrument No. 20090675510
 - E. Recorded quitclaim of phone easement by Verizon – Instrument No. 20091549084

RESOLUTION NO. 2010-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
ORDERING THE SUMMARY VACATION OF A PORTION OF A SEWER
EASEMENT LOCATED AT 18900 HAWTHORNE BOULEVARD**

WHEREAS, the City of Torrance was granted a sewer easement over a certain portion of land described as follows:

THAT PORTION OF THE SANITARY SEWER EASEMENT, IN THE CITY OF TORRANCE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, RESERVED BY THE CITY OF TORRANCE IN RESOLUTION NO. 80-263, RECORDED FEBRUARY 2, 1981 AS INSTRUMENT NO. 81-124160, OFFICIAL RECORDS OF SAID COUNTY LYING SOUTHERLY OF A LINE PARALLEL WITH AND 12.50 FEET SOUTHERLY OF THE NORTHERLY LINE OF PARCEL 2 OF PARCEL MAP NO. 19431 RECORDED IN BOOK 211 PAGES 58 THROUGH 60 INCLUSIVE OF PARCEL MAPS, RECORDS OF SAID COUNTY, SAID PARALLEL LINE BEARS NORTH 89°59'36" EAST.

WHEREAS, the property owner wishes to construct a structure over the above described easement.

WHEREAS, the property owner has granted a replacement sewer easement to the City of Torrance in an alternate and acceptable location to allow the continued operation, access, and maintenance of the existing and relocated City sewer facilities.

WHEREAS, for the purpose of said proposed vacation, the City Council elects to proceed under the vacation provision Division 9, Part 3, Chapter 4, beginning with Section 8330 of the Streets and Highways Code.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Torrance as follows:

SECTION 1

That it is hereby found and determined that the portion of the sewer easement herein above more particularly described is unnecessary for present and prospective purposes and the public interest requires the vacation thereof.

SECTION 2

That the above described portion of the sewer easement is hereby vacated and abandoned and that, from and after the date this Resolution is recorded, this portion no longer constitutes an easement for sewer purposes.

SECTION 3

That the City Clerk is hereby authorized and directed to cause a certified copy of this Resolution and Attachments A and B to be recorded in the Office of the County Recorder of the County of Los Angeles.

INTRODUCED, APPROVED AND ADOPTED this 26th day of January 2010.

Frank Scotto, Mayor

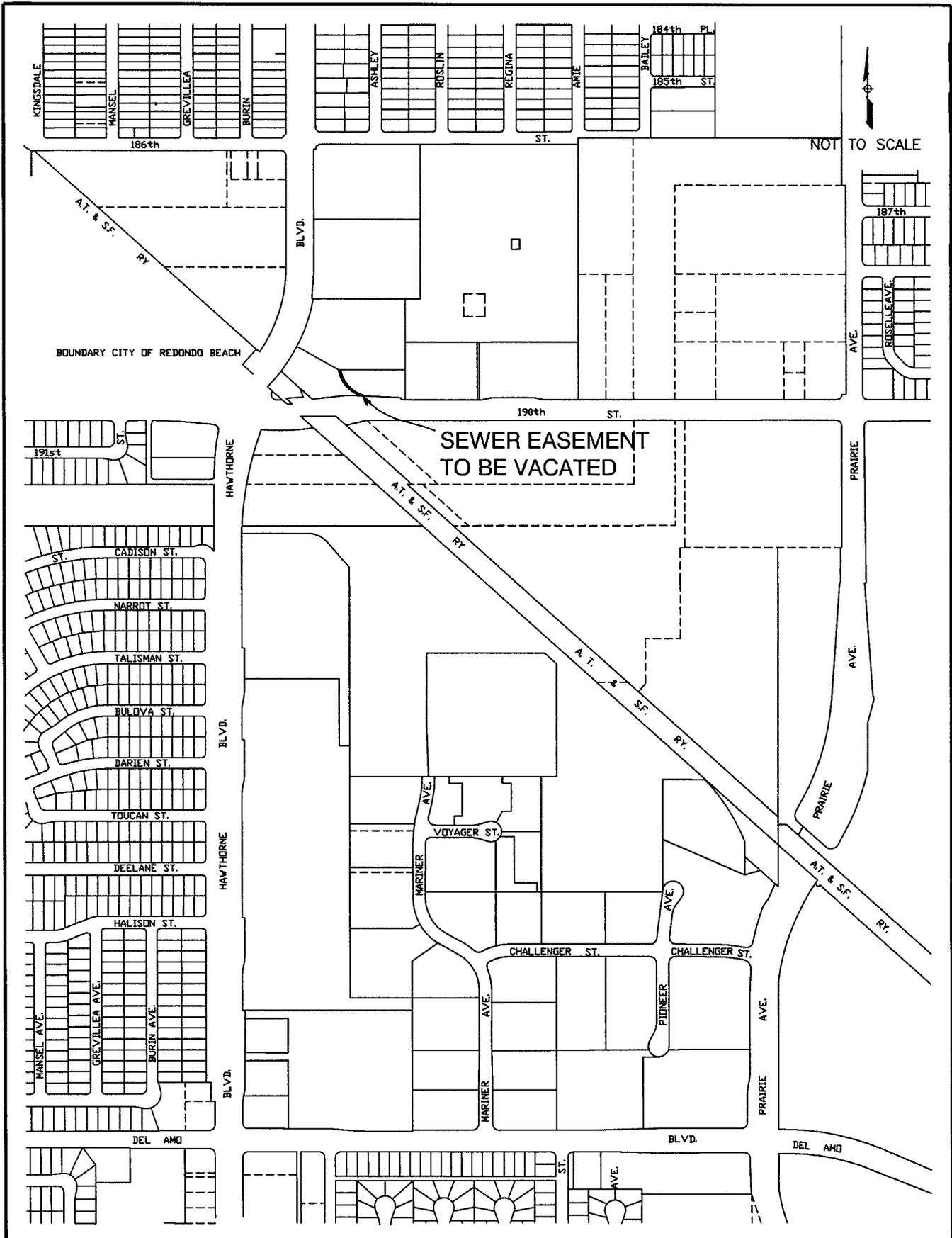
ATTEST:

Sue Herbers, City Clerk

APPROVED AS TO FORM:

JOHN L. FELLOWS III
City Attorney

By: _____
Ronald T. Pohl, Assistant City Attorney

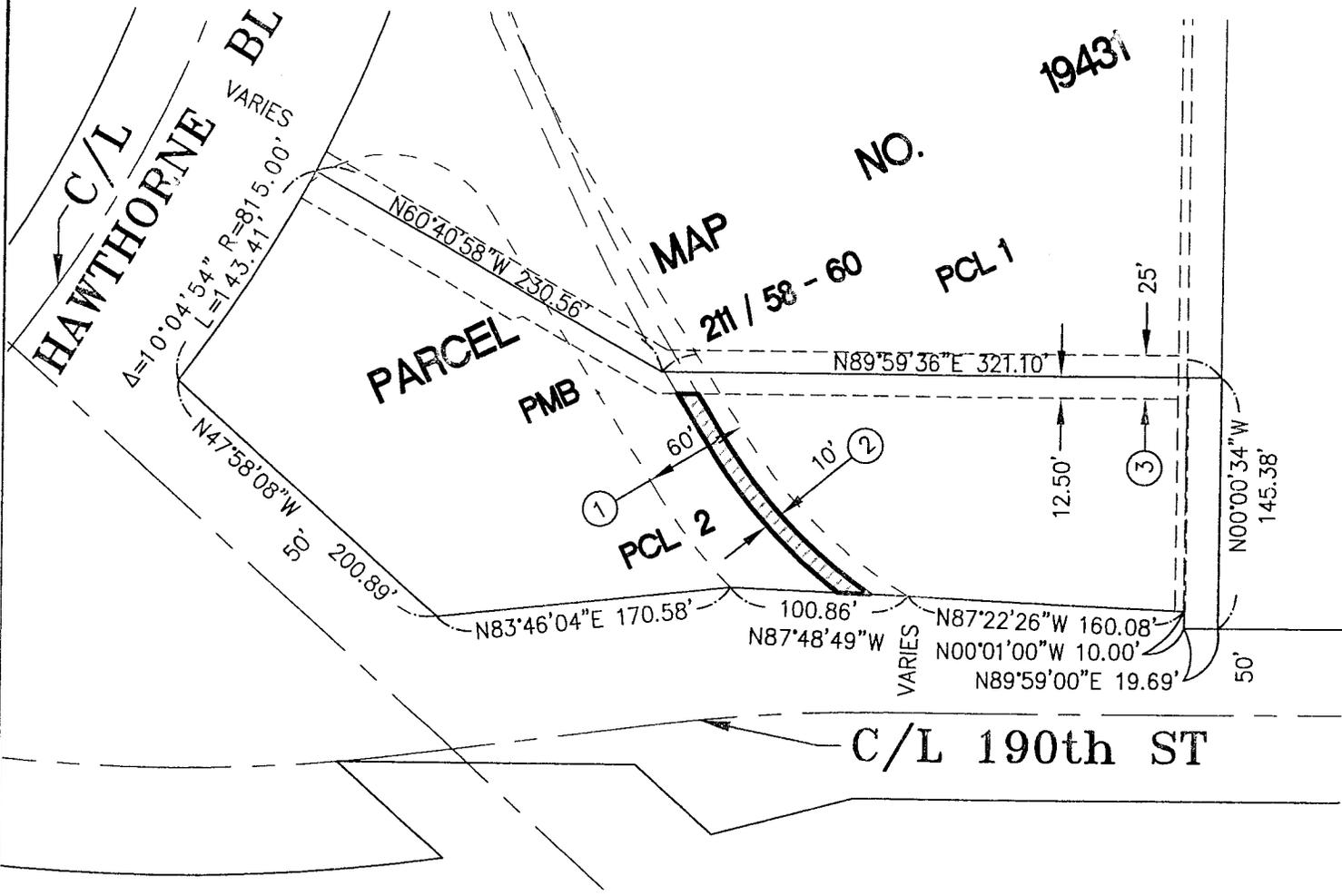


CITY OF TORRANCE - COMMUNITY DEVELOPMENT DEPARTMENT

MAY 2009

VICINITY MAP

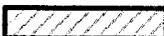
EXHIBIT 'B' VACATION OF SANITARY SEWER EASEMENT



EASEMENTS:

- ① EASEMENT TO GENERAL TELEPHONE FOR UTILITY PURPOSES PER INST NO. 81-124160 O.R.
- ② EASEMENT TO CITY OF TORRANCE FOR SEWER PURPOSES PER INST NO. 81-124160 O.R.
- ③ EASEMENT FOR INGRESS AND EGRESS PURPOSES FOR THE BENEFIT OF PCL'S 1 AND 2 PER PM 19431, PMB 211/58-60.

LEGEND:

 PROPOSED VACATION OF SANITARY SEWER EASEMENT

WILLIAM E. SNOW _____ DATE
 P.L.S. NO. 4725
 REG. EXP: 09/30/09



PENCO ENGINEERING, INC.
 Civil Engineering
 Planning
 Surveying
 One Technology Park
 Building J-725
 Irvine, California 92618
 (949) 753-8111

SKETCH TO ACCOMPANY
 A LEGAL DESCRIPTION
CITY OF TORRANCE
 VACATION OF SANITARY SEWER EASEMENT

SCALE: AS-SHOWN
DRAWN BY: REP
CHECKED BY: WES
DATE: 04-09-09
JOB No. 02035.01

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#17, 18, 19 & 20

RESOLUTION NO. 80-263

ATTACHMENT C
81- 124160

WHEN RECORDED RETURN TO
City of
2541
Torrance, California 90503

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TORRANCE ORDERING THE VACATION OF A PORTION OF
190th STREET AND HAWTHORNE BOULEVARD IN THE
CITY OF TORRANCE

FREE CH

WHEREAS, the relocation of the alignment of 190th Street and Hawthorne Boulevard has superseded that portion of said streets within the City of Torrance, County of Los Angeles, State of California, more particularly described as follows, to wit:

Those portions of 190th Street and Hawthorne Boulevard, all in the City of Torrance, County of Los Angeles, State of California described as follows:

Beginning at the most Westerly corner of the land described in Parcel 9-16 of the deed to the County of Los Angeles, recorded on January 5, 1978, as Instrument No. 78-16356, in the Office of the County Recorder of said County, said point being a point in the Southwesterly line of Parcel 1 of Parcel Map No. 2307, filed in Book 32 page 61 of Parcel Maps, in said Office of the County Recorder, said Southwesterly line being the Northwesterly line of 190th Street as described in Case No. 283272 of the Superior Court of Los Angeles a copy of the final decree of condemnation was recorded in Book 11690 page 147 Official Records of said County; thence Northwesterly and Northerly along said Southwesterly line through its various courses and curves to and along the Westerly line of Parcel 2 of Parcel Map No. 668 filed in Book 113 page 9 of Parcel Maps, in the Office of the County Recorder of said County, to a line that is concentric with and distant Easterly 9.00 feet from that certain curve having a radius of 795.00 feet, being concave to the Northwest as described in parcel 9-14 in that certain deed to the County of Los Angeles recorded on June 23, 1977 as Instrument No. 77-669787, in the Office of the County Recorder of said County; thence Southwesterly along said curve having a radius of 801.00 feet to the most Northerly corner of said Parcel 9-14, said corner being a point in the Southeasterly line of Hawthorne Boulevard, being a curve concave Northwesterly and having a radius of 610.10 feet; thence Northeasterly along said Southeasterly line of Hawthorne Boulevard having a radius of 610.10 feet to the most Westerly corner of the land described in the deed to the County of Los Angeles, recorded on August 19, 1929, as Instrument No. 1025 in Book 8175 page 330 of Official Records, in said Office of the County Recorder; thence Northeasterly along the Southeasterly line of said last mentioned land of the County of Los Angeles being a curve concave Southeasterly and having a radius of 70.00 feet to the Northwesterly corner of the land described in Resolution No. 73-6, recorded on January 3, 1973 as Instrument No. 3935, in said Office of the County Recorder; thence Easterly along the Northerly line of said land described in Resolution No. 73-6, being a curve concave Southerly and having a radius of 70.00 feet, to the Southwesterly line of 190th Street as described in Case No. 283272 of the Superior Court of Los Angeles County a copy of the final decree of condemnation was recorded in Book 11690 page 147 of Official Records of said County; thence Southeasterly along the Southwesterly line of said 190th Street through its various courses and curves to the most Northerly corner of the land described

RECORDED IN OFFICIAL RECORDS
OF LOS ANGELES COUNTY, CALIF.
FEB 2 1 11 PM 1981
Recorder-Recorder

CBS

See Attached Map

Handwritten signatures and initials, including "A10/23" and "A9/22".

in Parcel 9-15 of said hereinabove mentioned deed to the County of Los Angeles, recorded on January 5, 1978, as Instrument No. 78-16356 in said Office of the County Recorder; thence Easterly in a direct line to the Point of Beginning.

WHEREAS, for the purpose of said vacation the City Council elects to proceed under the provisions of the Summary Vacation and Abandonment of Streets Act of 1969 of the State of California (Chapter 665, Statutes of 1969; Division 2.5, Chapter 5 of the Streets and Highway Code).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Torrance as follows:

SECTION 1

That it is hereby found and determined that said portion of 190th Street and Hawthorne Boulevard hereinbefore more particularly described is unnecessary for present and prospective public street purposes and that the public interest requires the vacation.

SECTION 2

That from and after the date this resolution is recorded said portion of 190th Street and Hawthorne Boulevard no longer constitutes a public street.

SECTION 3

The City of Torrance does reserve and except from the vacation a permanent easement for the benefit of General Telephone Company of California with the right at any time to construct, maintain, operate, replace, remove, renew and enlarge lines of pipe, conduits, cables, wires, poles, and other convenient structures, equipment and fixtures for the operation of telegraphic and telephone lines and for the transportation or distribution of electric energy, including access and the right to keep the property free from inflammable material and wooded growth, and otherwise protect the same from all hazards in, upon and or the portion of 190th Street and Hawthorne Boulevard proposed to be vacated.

SECTION 4

The City of Torrance does reserve and except from the vacation a permanent easement with the right to construct, operate, maintain, repair and use or to reconstruct a sanitary sewer and appurtenant structures in, under and across a ten (10) foot wide strip, the center line of said strip being the center line of the sanitary sewer as shown on the City of Torrance Plan No. SS-4 on file in the Office of the City Engineer of the City of Torrance.

SECTION 5

The City of Torrance does reserve and except from the vacation a permanent easement for the benefit of Chevron U.S.A. Inc. with the right to construct, operate, maintain, repair and use, or to reconstruct, pipelines, and appurtenant structures for the transportation of hydro carbon substances, including water in, under and across a fifteen (15) foot wide strip, the Northwesterly line thereof being that certain curve concave Northwesterly having a radius of 803.00 feet as described in the above vacation.

81- 124160

SECTION 6

The City of Torrance does reserve and except from the vacation a permanent easement with the right to construct, operate, maintain, repair and use, or to reconstruct water lines and appurtenant structures in, under and across a ten (10) foot wide strip of land, the easterly line of said strip beginning at the most northerly corner of said vacation and extending southerly parallel to the Easterly line of Parcel 1 of Parcel Map No. 2307, as referenced in said vacation, to the southerly line of said vacation; and a ten (10) foot wide strip, the center line of which is a curve concave southerly having a radius of 80 foot and being concentric with the curve concave southerly having a radius of 70 feet in the southerly boundary of said vacation, said curved strip being bounded easterly by the easterly line of the strip first described herein.

SECTION 7

That the City Clerk is hereby authorized and directed to cause a certified copy of this resolution to be recorded in the Office of the County Recorder of Los Angeles County, California.

Introduced, approved and adopted this 16th day of December 19 80

/s/ James R. Armstrong
Mayor of the City of Torrance

ATTEST:

/s/ Sherie L. Nelson
City Clerk of the City of Torrance

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF TORRANCE)

I, Sherie Nelson, City Clerk of the City of Torrance, California, do hereby certify that the foregoing resolution was duly introduced, approved and adopted by the City Council of the City of Torrance at a regular meeting of said Council held on the 16th day of December 19 80, by the following roll call vote:

AYES: COUNCILMEN: Applegate, Brown, Geissert, Rossberg, Walker, Wilson and Armstrong.
NOES: COUNCILMEN: None.
ABSENT: COUNCILMEN: None.

81- 124160

/s/ Sherie L. Nelson
City Clerk of the City of Torrance

APPROVED AS TO FORM:
Stanley E. Remelmeyer, City Attorney

By: _____

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF TORRANCE)

This is to certify that the foregoing is a true and correct copy of the original document

Dated: JAN 11 1981

[Signature]
Deputy City Clerk

4.
PARCEL MAP NO.

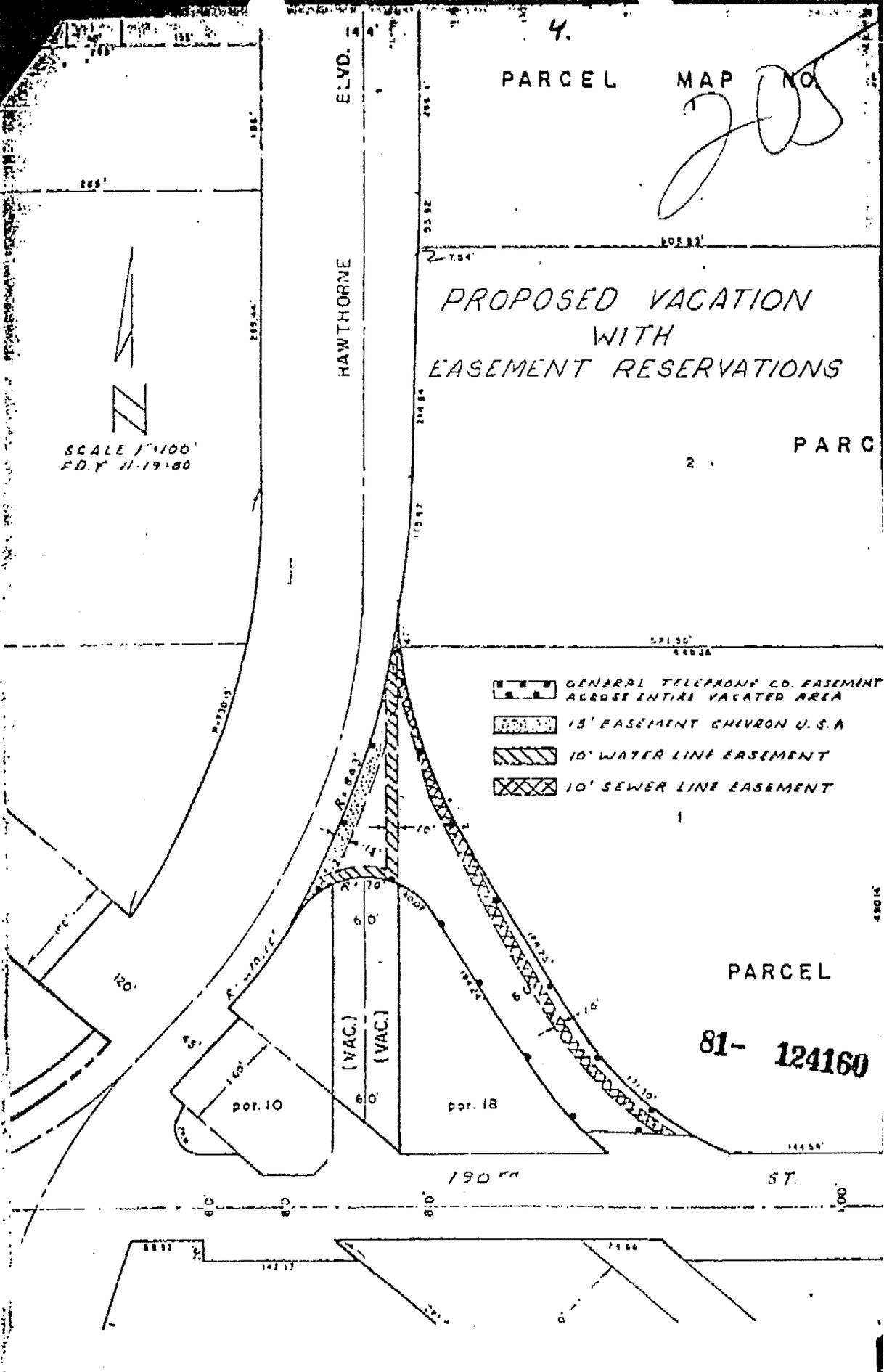
205

PROPOSED VACATION WITH EASEMENT RESERVATIONS

PARC

SCALE 1"=100'
P.D.Y. 11-19-80

-  GENERAL TELEPHONE CO. EASEMENT ACROSS ENTIRE VACATED AREA
-  15' EASEMENT CHEVRON U.S.A
-  10' WATER LINE EASEMENT
-  10' SEWER LINE EASEMENT



PARCEL
81-124160

190th

ST.

Recording Requested by:
Sue Herbers, City Clerk

When Recorded Mail to:
CITY OF TORRANCE
3031 Torrance Boulevard
Torrance, CA 90503



EASEMENT DEED

In consideration of the sum of One Dollar (\$1.00), and other valuable consideration, receipt of which is hereby acknowledged,

Hitchcock Commercial Properties, L.P. a California Limited Partnership

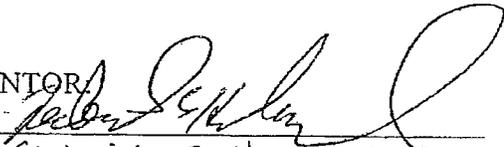
(GRANTOR)

do(es) hereby grant to the City of Torrance (CITY), a municipal corporation of Los Angeles County, State of California, a perpetual easement and right-of-way for, and the right to construct, operate, maintain, repair and use, or to reconstruct, a **SANITARY SEWER** and appurtenant structures in, under and across certain real property, together with the right to enter upon and to pass and repass over and along said easement and right-of-way and to deposit tools, implements and other materials thereon, by CITY, its officers, agents and employees and by any contractor, its agents and employees, engaged by CITY, whenever and wherever necessary for the purposes above set forth.

Said real property is situated in said City of Torrance, County of Los Angeles, State of California, and more particularly described as follows:

(Legal description here or attached)
See attached exhibit "A"

Signed and delivered this
29 day of April 2009.

GRANTOR
Sign: 
Print: Frederick E. Hitchcock Jr
Address: P.O. Box 8010
City of Industry CA 91748

Page 1 of 1

PENCO ENGINEERING, INC.
 ONE TECHNOLOGY PARK-BUILDING J-725
 IRVINE, CA 92618

April 9, 2009
 JN: 2035.02

EXHIBIT "A"
LEGAL DESCRIPTION FOR SANITARY SEWER EASEMENT

THAT PORTION OF PARCEL 2, IN THE CITY OF TORRANCE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, OF PARCEL MAP NO. 19431 RECORDED IN BOOK 211 PAGES 58 THROUGH 60 INCLUSIVE OF PARCEL MAPS, RECORDS OF SAID COUNTY, DESCRIBED AS FOLLOWS:

THE NORTHERLY 12.50 FEET AND THE EASTERLY 25.00 FEET OF SAID PARCEL 2.

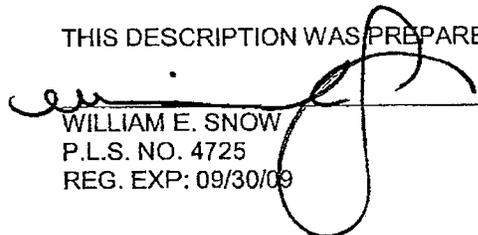
BEING BOUNDED ON THE WEST BY THE NORTHEASTERLY LINE OF THE 10.00 FOOT SANITARY SEWER EASEMENT RESERVED BY THE CITY OF TORRANCE IN RESOLUTION NO. 80-263, RECORDED FEBRUARY 2, 1981 AS INSTRUMENT NO. 81-124160, OFFICIAL RECORDS OF SAID COUNTY AND BEING BOUNDED ON THE SOUTH BY THE SOUTHERLY LINE OF SAID PARCEL 2.

CONTAINING: 7,070 SQUARE FEET, MORE OR LESS.

EXHIBIT "B" ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF.

SUBJECT TO: COVENANTS, CONDITIONS, RESERVATIONS, RESTRICTIONS, RIGHTS OF WAY AND EASEMENTS OF RECORD, IF ANY.

THIS DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION.

 04/20/09
 WILLIAM E. SNOW
 P.L.S. NO. 4725
 REG. EXP: 09/30/09
 DATE





CITY OF
TORRANCE

CERTIFICATE OF ACCEPTANCE

THIS IS TO CERTIFY that an easement deed dated April 29, 2009 from **HITCHCOCK COMMERCIAL PROPERTIES, L.P.**, a California Limited Partnership is hereby accepted by the order of Resolution No. 3417 adopted by the City Council of the City of Torrance on February 18, 1958, and duly recorded on the 26th day of February, 1958, in Book 56502, Page 139, Official Records, in the office of the County Recorder of Los Angeles County, and that the Grantee consents to the recordation thereof by its duly authorized officer.

By: _____

SUE HERBERS, CITY CLERK
CITY OF TORRANCE

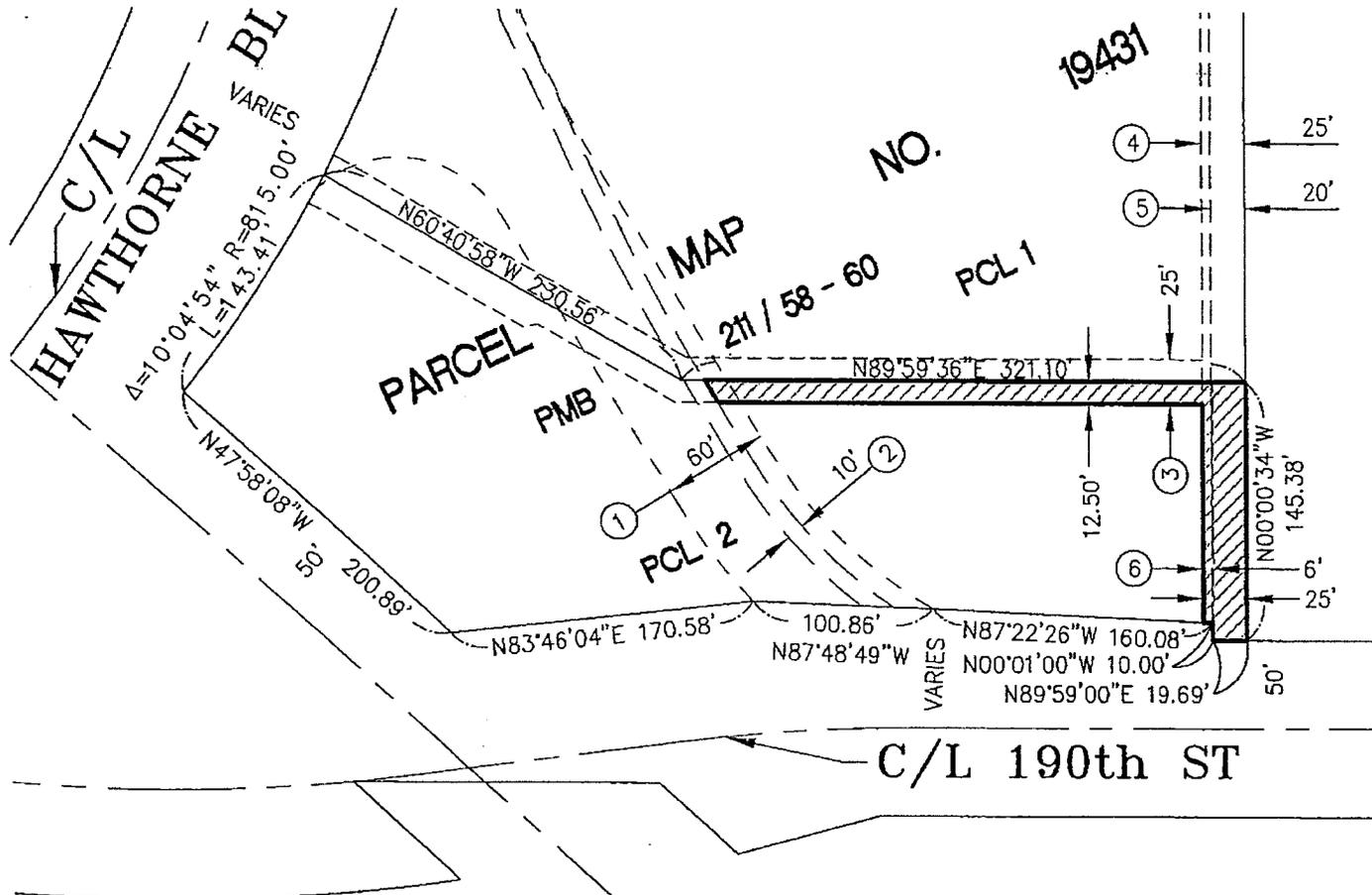
DATED: May 6, 2009

(Section 27281 of Government Code, as amended)

PURPOSE: **SANITARY SEWER**

EXHIBIT 'B'
SANITARY SEWER EASEMENT

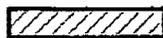
SHEET 1 OF 1



EASEMENTS:

- ① EASEMENT TO GENERAL TELEPHONE FOR UTILITY PURPOSES PER INST NO. 81-124160 O.R.
- ② EASEMENT TO CITY OF TORRANCE FOR SEWER PURPOSES PER INST NO. 81-124160 O.R.
- ③ EASEMENT FOR INGRESS AND EGRESS PURPOSES FOR THE BENEFIT OF PCL'S 1 AND 2 PER PM 19431, PMB 211/58-60.
- ④ EASEMENT FOR INGRESS AND EGRESS PURPOSES FOR THE BENEFIT OF PCL'S 1 AND 2 PER PM 19431, PMB 211/58-60 AND PCL 2 PER PM 90, PMB 9/90.
- ⑤ EASEMENT TO CHARLES L. BUTLER JR. FOR INGRESS AND EGRESS PURPOSES PER INST NO. 298, BK D-3535, PG 541, O.R.
- ⑥ EASEMENT TO SOUTHERN CALIFORNIA EDISON COMPANY FOR UTILITY PURPOSES PER INST NO. 88-1733753 O.R.

LEGEND:

 PROPOSED SANITARY SEWER EASEMENT

William E. Snow
WILLIAM E. SNOW
P.L.S. NO. 4725
REG. EXP: 09/30/09
DATE: 04/20/09



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PENCO ENGINEERING, INC.
Civil Engineering
Planning
Surveying
One Technology Park
Building J-725
Irvine, California 92618
(949) 753-8111

SKETCH TO ACCOMPANY
A LEGAL DESCRIPTION
CITY OF TORRANCE
SANITARY SEWER EASEMENT

SCALE: AS-SHOWN
DRAWN BY: REP
CHECKED BY: WES
DATE: 04-09-09
JOB No. 02035.01

2



RECORDING REQUESTED BY
VERIZON CALIFORNIA INC.

WHEN RECORDED MAIL TO

VERIZON CALIFORNIA INC.
ROSE MURPHY
Specialist/Easement Right of Way
201 Flynn Road - CAM38NE2
Camarillo, CA 93012-8058



(RIT 11911)
No Consideration Value Less Than \$100
No Documentary Transfer Tax Due By
Verizon California Incorporated

Rose Murphy
Specialist/Easement Right of Way

QUITCLAIM OF EASEMENT

APN# 1084-024-02

VERIZON CALIFORNIA INCORPORATED, a Corporation hereby quitclaims **HITCHCOCK COMMERCIAL PROPERTIES LLC**, a California Limited Partnership, all its rights, title, and interest in and to the easement and right of way for telephone purposes in the real property situated in the County of Los Angeles, State of California, described as follows:

**SEE EXHIBIT "A" LEGAL DESCRIPTION
AND EXHIBIT "B" FOR QUITCLAIM OF EASEMENT
ATTACHED HERETO AND MADE A PART HEREOF**

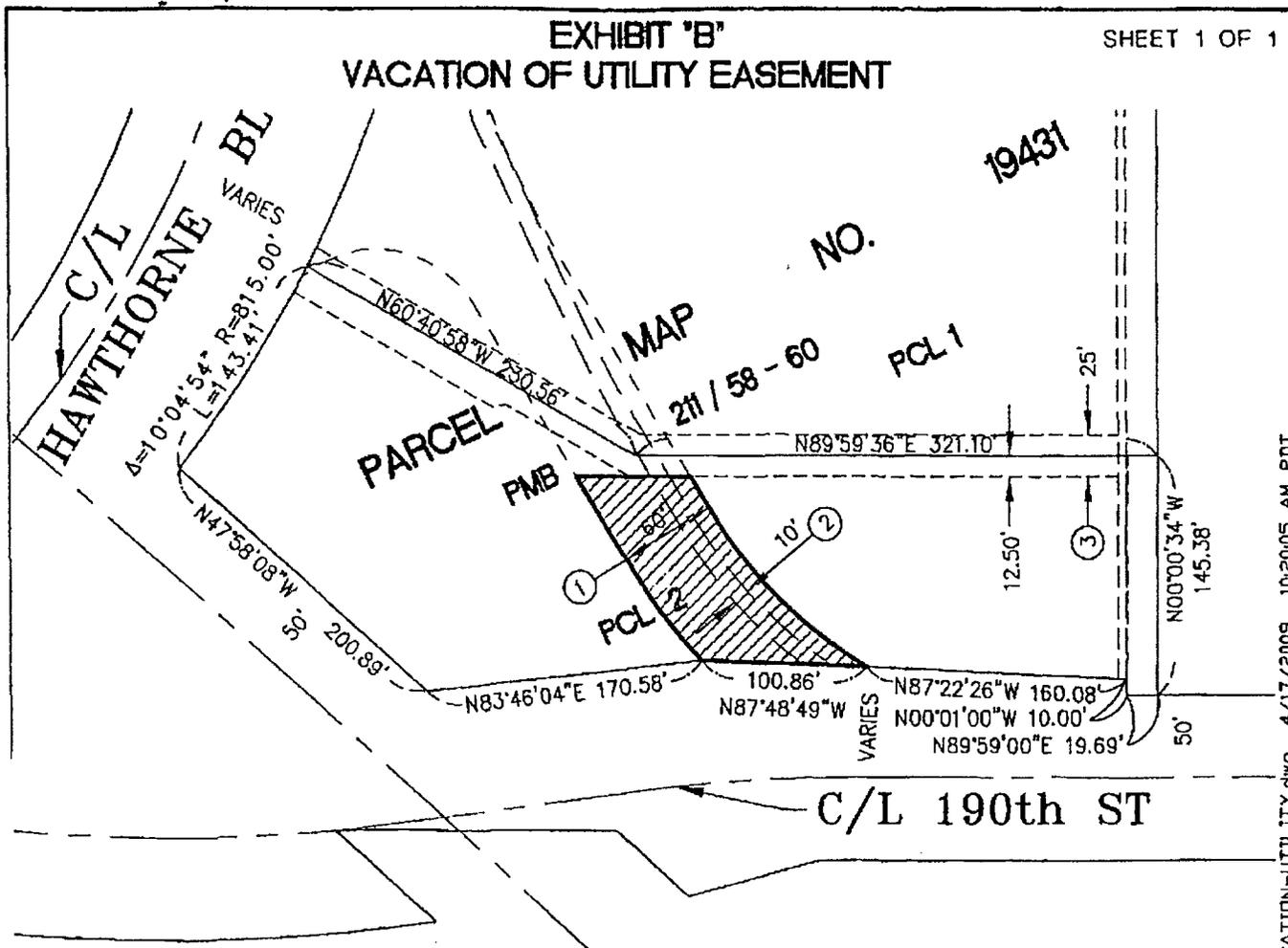
Said easement was acquired by VERIZON CALIFORNIA INCORPORATED., a corporation, formerly incorporated as GTE CALIFORNIA INCORPORATED, a corporation and successor in interest to GENERAL TELEPHONE COMPANY OF CALIFORNIA, a corporation, in resolution No. 80-263, recorded February 2, 1981, as Instrument No 81-124160, of official Records of said County.

The easements quitclaimed hereby are not necessary or useful in the performance of the duties of VERIZON CALIFORNIA INCORPORATED. in serving the public.

EXECUTED, this 19 day of May, 2009

VERIZON CALIFORNIA INCORPORATED,
a Corporation

By *[Signature]*
JAMES D. GANTT
Manager - Network Engineering



EASEMENTS:

- ① EASEMENT TO GENERAL TELEPHONE FOR UTILITY PURPOSES PER INST NO. 81-124160 O.R.
- ② EASEMENT TO CITY OF TORRANCE FOR SEWER PURPOSES PER INST NO. 81-124160 O.R.
- ③ EASEMENT FOR INGRESS AND EGRESS PURPOSES FOR THE BENEFIT OF PCL'S 1 AND 2 PER PM 19431, PMB 211/58-60.

LEGEND:

 PROPOSED VACATION OF UTILITY EASEMENT

WILLIAM E. SNOW _____ DATE
 P.L.S. NO. 4725
 REG. EXP. 09/30/09



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PENCO ENGINEERING, INC.
 Civil Engineering Planning Surveying
 One Technology Park Building J-725
 Irvine, California 92618
 (949) 753-8111

SKETCH TO ACCOMPANY
 A LEGAL DESCRIPTION
CITY OF TORRANCE

VACATION OF UTILITY EASEMENT

SCALE: AS-SHOWN

DRAWN BY: REP

CHECKED BY: WES

DATE: 04-09-09

JOB No. 02035.01