



Legislation Details (With Text)

**File #:** 14-286      **Version:** 1      **Name:** Public Right-of-Way Vacation of Martinez and West Estudillo - ORD

**Type:** Ordinance      **Status:** Passed

**On agenda:** 7/21/2014      **In control:** City Council

**Enactment date:** 9/2/2014      **Final action:** 9/2/2014

**Enactment #:** Ordinance 2014-014

**Title:** ORDINANCE Vacating Portions of Public Rights-of-Way and Retaining Public Utility Easements (Martinez Street Between West Estudillo Avenue and Thornton Boulevard, and West Estudillo Avenue Between Alvarado Street and Martinez Street) (vacates portions of public streets and retains public utility easements in the vacated areas)

**Sponsors:** Uchenna Udemezue

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit 'A' - Legal Description of the Proposed Public Rights of Way Areas for Vacation

| Date      | Ver. | Action By    | Action          | Result |
|-----------|------|--------------|-----------------|--------|
| 9/2/2014  | 1    | City Council | Adopted         | Pass   |
| 7/21/2014 | 1    | City Council | Passed to Print | Pass   |

ORDINANCE Vacating Portions of Public Rights-of-Way and Retaining Public Utility Easements (Martinez Street Between West Estudillo Avenue and Thornton Boulevard, and West Estudillo Avenue Between Alvarado Street and Martinez Street) (vacates portions of public streets and retains public utility easements in the vacated areas)

WHEREAS, the City Council of the City of San Leandro, on June 16, 2014, passed its Resolution of Intention No. 2014-060 to vacate portions of Martinez Street and West Estudillo Avenue as hereinafter described; and

WHEREAS, a public hearing was set for July 21, 2014, at which time any person objecting to such vacations was given the opportunity to appear and show cause why such vacations should not be ordered, and notice of such meeting was duly published and posted; and

WHEREAS, such hearing was held by the City Council on July 21, 2014, and the City Council at the time of such hearing determined that said portions of Martinez Street and West Estudillo Avenue are unnecessary for present and prospective public use; and

WHEREAS, the San Leandro Planning Commission found that the proposed vacations conform to the requirements of the San Leandro General Plan.

NOW, THEREFORE, the City Council of the City of San Leandro does ORDAIN as follows:

Section 1. That a portion of Martinez Street located within the City of San Leandro, Alameda County, California, is unnecessary for present or prospective public use and said portion of

Martinez Street is hereby vacated and abandoned, as more particularly described in Exhibit "A", attached hereto, and made a part hereof.

Section 2. That a portion of West Estudillo Avenue located within the City of San Leandro, Alameda County, California, is unnecessary for the present or prospective public use and said portion of West Estudillo Avenue is hereby vacated and abandoned, as more particularly described in Exhibit "A", attached hereto, and made a part hereof.

Reserving and excepting therefrom, until such time as all utilities are relocated outside the area proposed to be reserved and excepted, easements and right-of-way to construct, maintain, operate, replace, remove, renew and enlarge sanitary sewers, storm drains and public utility services now existing in said area, including all necessary and convenient appurtenant structures and incidental purposes thereto, including access. Said area of easements and rights-of-way are made a part hereof.

Said vacations shall not become effective until Chang Income Property Partnership, LP completes the street improvements required by the City Engineer and said improvements are approved and accepted by the City Engineer.