

EXEMPT FROM RECORDER'S FEES
Pursuant to Government Code §§ 6103 and 27383
And Per Street and Highway Code 8325

Recording requested by and when recorded return to:

City Clerk
City of Orange
300 East Chapman Avenue
Orange, CA 92866

Recorded in Official Records, Orange County
Tom Daly, Clerk-Recorder

 NO FEE

2010000609044 9:47 am 11/16/10

105 413 R28 9

0.00 0.00 0.00 0.00 24.00 0.00 0.00 0.00

(SPACE ABOVE FOR RECORDER'S USE)

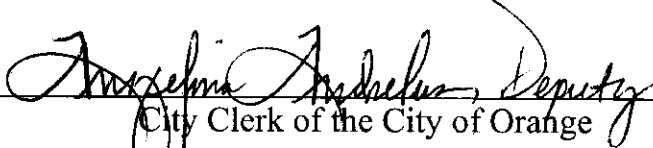
RESOLUTION NO. 10516

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF ORANGE FINDING THAT A PORTION OF
METROPOLITAN DRIVE IS NO LONGER NEEDED
BY THE PUBLIC AND ORDERING THE
VACATION THEREOF.**

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS.
CITY OF ORANGE)

I, MARY E. MURPHY, City Clerk of the City of Orange, California, DO HEREBY CERTIFY that the attached Resolution No. 10516, adopted November 9, 2010, is a true and correct copy of the original as it appears on file in this office.

WITNESS my hand and Seal this 16th day of November, 2010.



City Clerk of the City of Orange

RESOLUTION NO. 10516

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE SUMMARILY VACATING A PORTION OF METROPOLITAN DRIVE AS EXCESS STREET RIGHT OF WAY THAT IS NO LONGER NEEDED FOR STREET PURPOSES.

WHEREAS, pursuant to Streets and Highways Code Sections 8334, the City may summarily vacate an excess street easement if the easement is no longer required for street purposes and it lies within property under one ownership and does not continue through such ownership or end touching the property of another; and

WHEREAS, the City Council of the City of Orange hereby finds and determines that that the street easement on a portion of Metropolitan Drive, adjacent to The Block at Orange shopping center, as depicted on the map attached hereto as **Exhibit B** and more particularly described on **Exhibit A** is no longer needed for street purposes, lies within property under one ownership and does not continue through such ownership or end touching the property of another; and

WHEREAS, all existing public utility easements, if any, shall be reserved; and

WHEREAS, the City Council finds and determines, based upon the existing uses of the subject real property, that the proposed vacation of the subject real property will not result in a direct or reasonably foreseeable indirect physical change in the environment and is not, therefore, subject to the California Environmental Quality Act ("CEQA") pursuant to Section 15060 of the State CEQA Guidelines; and

WHEREAS, pursuant to Section 65402 of the California Government Code, the City Council finds and determines that the location, purpose and extent of the proposed vacation of the subject real property has been reported on by the Director of the Community Development Department of the City of Orange and that said proposed vacation of the subject real property conforms to the City's adopted general plan.

NOW THEREFORE, the City Council resolves, on the basis of the facts set forth in the agenda report presented to it and any testimony received at the meeting at which this matter was considered, as follows:

Section 1. The foregoing recitals are true and correct.

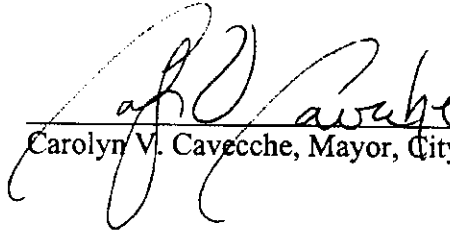
Section 2. Pursuant to Division 9, Part 3, Chapter 4 of the Streets and Highways Code (commencing at Section 8330), the street easement on Metropolitan Drive as generally depicted on the map attached as **Exhibit B** and more particularly described in **Exhibit A**, is hereby vacated effective upon recordation of this Resolution in the Official Records of the County of Orange, State of California (the "Official Records").

Section 3. The City reserves and accepts from such vacation all existing easements for public utility facilities purposes and any right necessary to maintain, operate, replace, remove or renew such public utilities or other public improvements within the subject easement.


Section 4. The City Clerk is hereby authorized and directed to cause a certified copy of this Resolution, attested by the City Clerk under seal, to be recorded without acknowledgement, certificate of acknowledgement, or further proof in the Official Records.

Section 5. From and after the date a certified copy of this Resolution is recorded in the Official Records, the street easement on Metropolitan Drive generally depicted on the map attached hereto as Exhibit B and more particularly described on Exhibit A shall no longer constitute a public street.

Adopted the 9th day of November, 2010.


Carolyn V. Cavecche, Mayor, City of Orange

ATTEST:


for Mary E. Murphy, City Clerk, City of Orange

I, MARY E. MURPHY, City Clerk of the City of Orange, California, do hereby certify that the foregoing Resolution was duly and regularly adopted by the City Council of the City of Orange at a regular meeting thereof held on the 9th day of November, 2010, by the following vote:

AYES:	COUNCIL MEMBERS: Smith, Murphy, Cavecche, Bilodeau
NOES:	COUNCIL MEMBERS: None
ABSENT:	COUNCIL MEMBERS: Dumitru
ABSTAIN:	COUNCIL MEMBERS: None

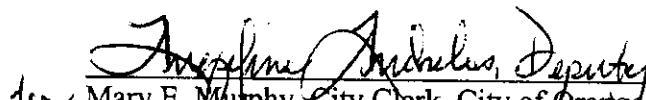

for Mary E. Murphy, City Clerk, City of Orange

EXHIBIT "A"

**LEGAL DESCRIPTION
OF THAT PORTION OF METROPOLITAN DRIVE TO BE VACATED**

[Behind this sheet.]

EXHIBIT "A"

LEGAL DESCRIPTION

THAT PORTION OF LOT 19 (METROPOLITAN DRIVE) OF TRACT NO. 3414, IN THE CITY OF ORANGE, COUNTY OF ORANGE, STATE OF CALIFORNIA, PER THE MAP FILED IN BOOK 249, PAGES 11 THROUGH 19, OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, TOGETHER WITH THOSE PORTIONS OF THE LANDS DESCRIBED IN THE DEED RECORDED FEBRUARY 18, 1970, IN BOOK 9219, PAGE 338, AND THE DEED RECORDED JUNE 8, 1998, AS INSTRUMENT NO. 19980357067, BOTH OF OFFICIAL RECORDS IN SAID OFFICE OF THE COUNTY RECORDER, DESCRIBED AS FOLLOWS:

PARCEL A

THAT PORTION OF SAID LOT 19 BOUNDED AS FOLLOWS:

BOUNDED ON THE SOUTH BY THE NORTHERLY LINE OF PARCEL 102300-1 OF THE FINAL ORDER OF CONDEMNATION RECORDED DECEMBER 28, 2006, AS INSTRUMENT NO. 2006000871508 OF SAID OFFICIAL RECORDS.

BOUNDED ON THE EAST BY A LINE PARALLEL WITH AND 82.00 FEET WESTERLY, MEASURED AT RIGHT ANGLES, OF THE CENTERLINE OF THE CITY DRIVE (FORMERLY MANCHESTER AVENUE) AS SHOWN ON RECORD OF SURVEY 2003-1006, FILED IN BOOK 199, PAGES 1 THROUGH 16, OF RECORDS OF SURVEY IN SAID OFFICE OF THE COUNTY RECORDER.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 50,438 SQUARE FEET, MORE OR LESS.

PARCEL B

ALL THAT PORTION OF SAID DEED RECORDED IN BOOK 9219, PAGE 338, LYING WESTERLY OF A LINE PARALLEL WITH AND 82.00 FEET WESTERLY, MEASURED AT RIGHT ANGLES, OF THE CENTERLINE OF THE CITY DRIVE (FORMERLY MANCHESTER AVENUE) AS SHOWN ON RECORD OF SURVEY 2003-1006, FILED IN BOOK 199, PAGES 1 THROUGH 16, OF RECORDS OF SURVEY IN SAID OFFICE OF THE COUNTY RECORDER.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 2,134 SQUARE FEET, MORE OR LESS.

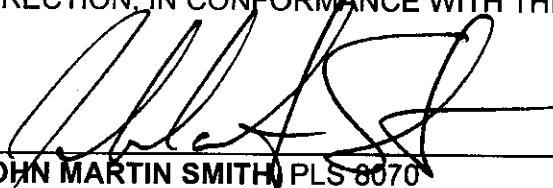
PARCEL C

ALL THAT PORTION OF SAID DEED RECORDED AS INSTRUMENT NO. 19980357067, LYING WESTERLY OF THE NORTHERLY PROLONGATION OF THE COURSE DESCRIBED IN SAID INSTRUMENT AS "NORTH 00°12'24" WEST, 242.08 FEET", SAID COURSE BEING PARALLEL WITH AND 82.00 FEET WESTERLY, MEASURED AT RIGHT ANGLES, OF THE CENTERLINE OF THE CITY DRIVE (FORMERLY MANCHESTER AVENUE) AS SHOWN ON RECORD OF SURVEY 2003-1006, FILED IN BOOK 199, PAGES 1 THROUGH 16, OF RECORDS OF SURVEY IN SAID OFFICE OF THE COUNTY RECORDER.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 231 SQUARE FEET, MORE OR LESS.

ALL AS SHOWN ON EXHIBIT "B" ATTACHED HEREWITH AND MADE A PART HEREOF FOR ILLUSTRATIVE PURPOSES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.



JOHN MARTIN SMITH, PLS 8070

DATE PREPARED: 09/22/2010



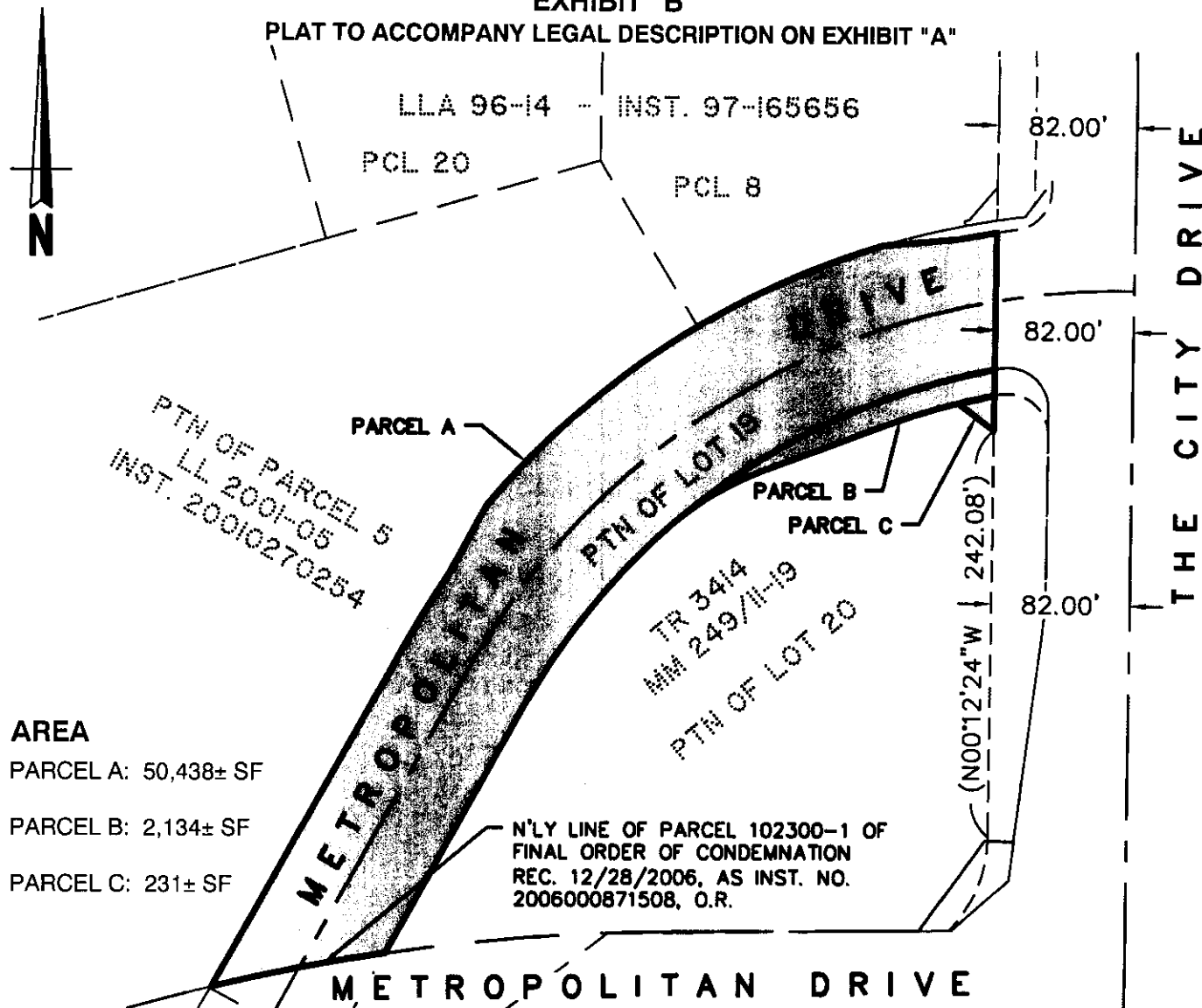
EXHIBIT "B"

**MAP DEPICTING THAT PORTION
OF METROPOLITAN DRIVE TO BE VACATED**

[Behind this sheet.]

EXHIBIT "B"

PLAT TO ACCOMPANY LEGAL DESCRIPTION ON EXHIBIT "A"



AREA

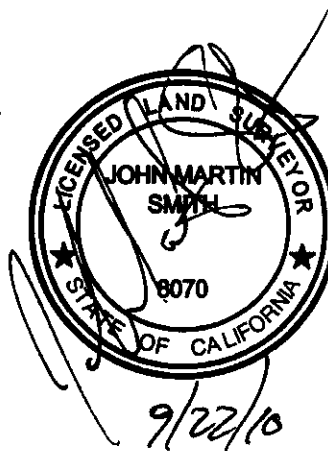
PARCEL A: 50,438± SF

PARCEL B: 2,134± SF

PARCEL C: 231± SF

LEGEND

- DESCRIPTION AREA
- — — — — ADJACENT PROPERTY LINES
- — — — — CENTERLINE



**DAVID EVANS
AND ASSOCIATES INC.**
4200 Concourse, Suite 200
Ontario California 91764
Phone: 909.481.5750

EXHIBIT "B"

JOB NO.:
RASN-0000-0001

SHEET: 1 TOTAL: 1

COUNTY: ORANGE CITY: ORANGE

VACATION OF
METROPOLITAN DRIVE

APN: N/A

CHECKED BY:
RDV

DRAWN BY:
MXSM

DATE:
09/22/10

SCALE:
1"=100'