

CITY OF ALAMEDA RESOLUTION NO. \_\_\_\_\_

TO SUMMARILY VACATE AN EXCESS PORTION OF EVERETT STREET IN THE CITY OF ALAMEDA, CALIFORNIA PURSUANT TO STREETS AND HIGHWAYS CODE SECTION 8330.

WHEREAS, Chapter 4 of the Public Streets, Highways and Service Easements Vacation Law, commencing with Streets and Highways Code section 8330, provides for summary vacation of streets and highways; and

WHEREAS, on October 6, 1959 the City of Alameda approved Resolution 5949 that vacated a portion of right-of-way along the northern end of Everett Street, north of Blanding Avenue; and

WHEREAS, on April 6, 2020, Apex Companies, LLC submitted, on behalf of the property owner, TC I 2421 Blanding LLC, an application for an encroachment permit for various improvements to a private parking lot serving 2421 Blanding Avenue, located at the north end of Everett Street; and

WHEREAS, approximately 960 square feet of right-of-way on Everett Street, approximately 116 feet northeasterly of Blanding Avenue, is located behind a privately owned mechanized gate providing access to the private property; and

WHEREAS, on August 6, 2020, the City of Alameda approved an encroachment permit for improvements to the parking lot, subject to a condition of approval requiring the owner to either remove the gate or complete a vacation of the excess right-of-way along Everett Street; and

WHEREAS, the private improvements on the 960 square feet of excess City right-of-way on Everett Street require the right-of-way to be vacated for orderly development; and

WHEREAS, the 960 square feet of excess City right-of-way on Everett Street is not required for street or highway purposes, nor to serve any of the City's operational needs; and

WHEREAS, the 960 square feet of excess City right-of-way on Everett Street has been impassable for vehicular travel for the past five consecutive years, and no public money was expended for maintenance on the excess portion during such period; and

WHEREAS, based on the above recitals, the City Council desires to summarily vacate the 960 square feet of right-of-way on Everett Street, as more particularly described in Exhibits A, B and C to the accompanying staff report; and

WHEREAS, the City Council also desires to reserve and except from the vacation all of the existing easements along Everett Street, including but not limited to a 10-foot wide sewer and storm drain easement and a 12-foot wide joint pole public utility easement; and

WHEREAS, Streets and Highways Code Section 8313 and Government Code Section 65402 require that the location, purpose, and extent of a street vacation conform with the City's General Plan; and

WHEREAS, the subject right-of-way is designated General and Maritime Industry in the Alameda 2040 General Plan; and

WHEREAS, on May 23, 2022, the Planning Board adopted a resolution confirming that the vacation of the 960 square feet of excess City right-of-way on Everett Street conforms with the City's General Plan; and

WHEREAS, on June 7, 2022, the City Council of the City of Alameda conducted a duly noticed public hearing to consider the same.

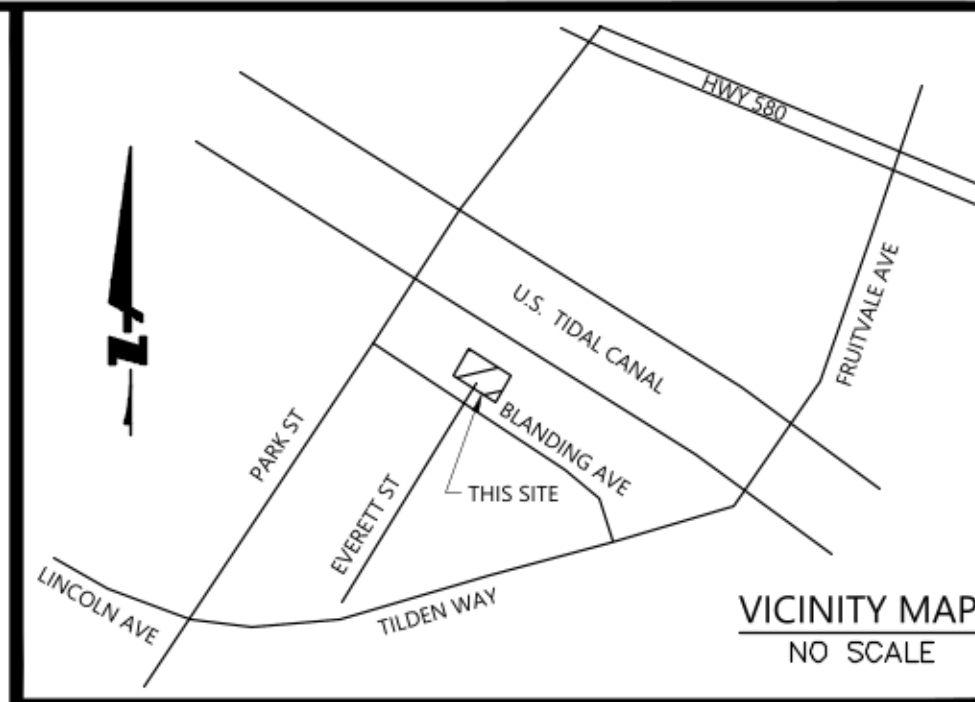
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Alameda that:

SECTION 1. The foregoing recitals are true and correct, and, together with information provided by City staff and the public, if any, form the basis for the approvals, findings, resolutions, and determinations set forth below.

SECTION 2. Pursuant to the requirements of California Streets and Highway Code Section 8330, the City Council hereby orders the vacation portion of the public right-of-way described in Exhibits 1, 2 and 3 to the accompanying staff report. However, all the existing utility easements along the vacated portion of the right-of-way shall be reserved from the vacation and shall be maintained.

SECTION 3. This Resolution shall become effective on the 7th day of June, 2022, and shall be recorded by the City Clerk in the Alameda County Recorder's Office shortly thereafter.

SECTION 4. From and after the date this Resolution is recorded in the Alameda County Recorder's Office, the vacated portion of public right-of-way shall no longer constitute a public street or highway and shall revert to the property located at APNs 70-195-15 and 70-196-23.



EVERETT STREET ABANDONMENT  
EXHIBIT

COUNTY OF ALAMEDA

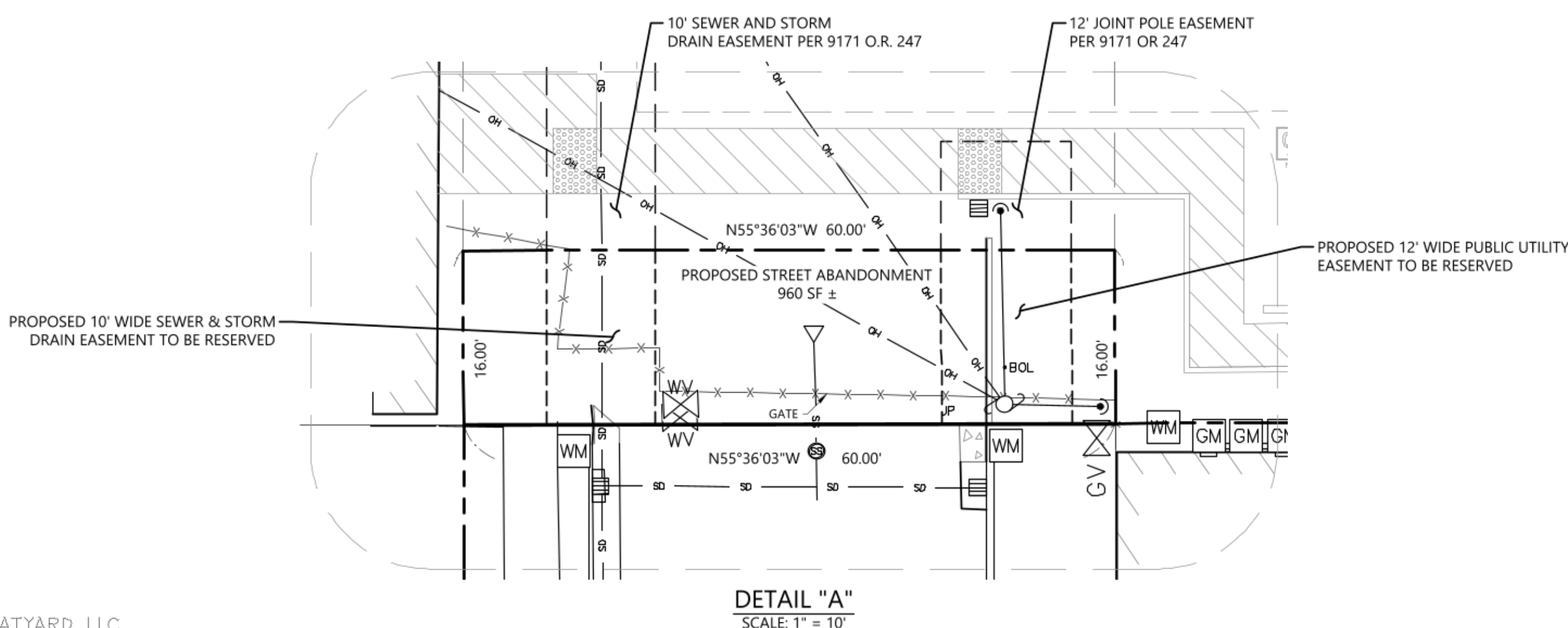
AI AMEDA

|           |           |     |  |
|-----------|-----------|-----|--|
| Date:     | 1/24/2022 | No. |  |
| Scale:    | 1"=20'    |     |  |
| Design:   |           |     |  |
| Drawn:    | CAS       |     |  |
| Approved: | PK        |     |  |
| Number:   |           |     |  |
| Drawing   |           |     |  |
| Revisions |           |     |  |

191315  
1 OF 1

## ABBREVIATIONS

|      |                          |
|------|--------------------------|
| AC   | ASPHALT CONCRETE         |
| AP   | ASSESSOR'S PARCEL NUMBER |
| BOL  | BOLLARD                  |
| DI   | DROP INLET               |
| DN   | DOCUMENT NUMBER          |
| GM   | GAS METER                |
| GV   | GAS VALVE                |
| MB   | MAILBOX                  |
| MH   | MANHOLE                  |
| OH   | OVERHEAD UTILITY LINE    |
| O.R. | OFFICIAL RECORDS         |
| SD   | STORM DRAIN              |
| SDMH | STORM DRAIN MANHOLE      |
| SS   | SANITARY SEWER           |
| SSCO | SANITARY SEWER CLEAN OUT |
| SSMH | SANITARY SEWER MANHOLE   |
| UB   | UTILITY BOX              |
| WM   | WATER METER              |
| WV   | WATER VALVE              |



DETAIL "A"  
SCALE: 1" = 10'

$$\varepsilon: 1'' = 1\text{C}$$

## BASIS OF BEARINGS

THE BEARING OF NORTH 33°04'44" EAST BETWEEN FOUND MONUMENTS ON THE NORTH AND SOUTH SIDE OF THE FRUITVALE BRIDGE AS SHOWN ON THE PARCEL MAP 8725, FILED NOVEMBER 10TH, 2005 IN BOOK 286 OF PARCEL MAPS AT PAGE 1-4, ALAMEDA COUNTY RECORDS, WAS TAKEN AS THE BASIS OF BEARINGS FOR THIS SURVEY.

## NOTES

1. TOPOGRAPHY IS BASED ON A FIELD SURVEY PERFORMED IN OCTOBER OF 2019
2. ALL UNITS ARE IN FEET AND DECIMALS THEREOF.
3. UTILITY INFORMATION IS LIMITED TO VISIBLE SURFACE UTILITIES.

**SURVEYOR'S STATEMENT:**

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYOR'S ACT.

Paul Kittredge  
PAUL KITTREDGE, P.L.S. NO. 5790



JANUARY 24, 2022  
DATE:





September 26, 2020  
BKF Job No. 20191315-51

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**EVERETT STREET ABANDONMENT**

The land referred to herein is situated in the City of Alameda, County of Alameda, State of California, and is described as follows:

**BEING** a portion of Everett Street, a 60-foot wide road, in the City of Alameda and more particularly described as follows:

**BEGINNING** at the southwesterly corner of the parcel of land described in Resolution No. 5949, Ordering the Vacation of a Portion of Everett Street, in the City of Alameda (Northern End – Everett St.), recorded October 6, 1959, in Book 9171, at Page 247, Official Records of Alameda County, said corner being a point on the northwesterly line of Everett Street, 60 feet wide, distant North 34°24'00" East (described as North 34°23'08" East on Resolution No. 5949) 116.00 feet from the northeasterly line of Blanding Avenue, 60 feet wide, as said street and avenue are shown on the "Map of the Jenks and Mead Homestead Tract", filed June 23, 1869, in Book 6 of Maps, at Page 12, in the Office of the Recorder of Alameda County;

THENCE, southeasterly along the southwesterly line of said Resolution No. 5949, South 55°36'03" East (shown as North 55°36'30" West on Resolution No. 5949) 60.00 feet to a point on the southeasterly line of said Everett Street, distant North 34°24'00" East (described as North 34°23'08" East on Resolution 5949) 116.00 feet from said northeasterly line Blanding Avenue;

THENCE, along said southeasterly line of Everett Street, South 34°24'00" West 16.00 feet;

THENCE, leaving said southeasterly line of Everett Street, North 55°36'03" West 60.00 feet to the aforesaid northwesterly line of Everett Street;

THENCE, along the last said line, North 34°24'00" East 16.00 feet to the **POINT OF BEGINNING**.

Containing an area of 960 square feet, more or less.

The bearing of "North 33°04'44" East" between found City of Alameda brass disc monuments on the north and south of the Fruitvale Bridge as shown on Record of Survey No. 1245, filed July 14, 1994, in Book 18 of Record of Survey Maps at Pages 63 through 66, inclusive, in the Office of the Recorder of Alameda County, was taken as the basis of bearing for this description.

September 26, 2020  
BKF Job No. 20191315-51  
Everett Street Abandonment

A plat showing the above described parcel is attached hereto and made a part hereof as Exhibit "B".

This description was prepared by me or under my direction for BKF Engineers.

By: \_\_\_\_\_  
Paul A. Kittredge, P.L.S. No. 5790

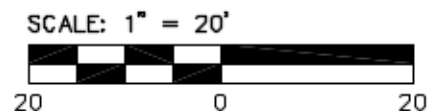
Dated: \_\_\_\_\_





TC I 2421  
BLANDING LLC  
2018-244054 O.R.  
APN: 070-0195-015

19 MAPS 60



TC I 2421  
BLANDING LLC  
2018-244054 O.R.  
APN: 070-0196-023

12' PUBLIC  
UTILITY EASEMENT  
9171 O.R. 247

10' SEWER AND STORM  
DRAIN EASEMENT  
9171 O.R. 247

EVERETT STREET  
(CLOSED AND  
ABANDONED)  
9171 O.R. 247

N55°36'03"W 60.00'(1)  
**STREET ABANDONMENT**  
960 SF±

N55°36'03"W 140.86'

N55°36'03"W 60.00'

TC I 2421  
BLANDING LLC  
2018-244054 O.R.  
APN: 070-0195-003

6 MAPS 12

CAL VITA LLC  
2003-215257 O.R.  
APN: 070-0196-022

TC I 2421 BLANDING LLC  
2018-244054 O.R.  
APN: 070-0195-004

(N34°23'08"E 116.00')(1)  
N34°24'00"E 116.00'

100.00'

**EVERETT STREET**  
(60' WIDE PUBLIC RIGHT OF WAY)

100.00'  
N34°24'00"E 116.00'

### LEGEND:

- STREET ABANDONMENT
- SUBJECT PROPERTY LINE
- ADJOINER OR RIGHT OF WAY LINE
- ASSESSOR'S PARCEL LINE
- EASEMENT LINE
- EVERETT STREET ABANDONMENT
- O.R. OFFICIAL RECORD  
(100.00')(1) DENOTES RECORD DATA PER 9171 O.R. 247,  
RESOLUTION NO. 5949

N55°36'03"W

N55°36'03"W

**BLANDING AVENUE**  
(60' WIDE PUBLIC RIGHT OF WAY)

CITY OF ALAMEDA  
COUNTY OF ALAMEDA  
STATE OF CALIFORNIA **EXHIBIT "B"**

\* \* \* \* \*

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the 7th day of June 2022, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 8th day of June 2022.

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Lara Weisiger, City Clerk  
City of Alameda

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Yibin Shen, City Attorney  
City of Alameda