

HAYWARD CITY COUNCIL

RESOLUTION NO. 09-

Introduced by Council Member _____

RESOLUTION SUMMARILY VACATING RAMONA DRIVE
AND A PORTION OF EDEN AVENUE, RESERVING AN
EASEMENT FOR UTILITY PURPOSES WHILE REQUIRING
PUBLIC ACCESS OVER SAID VACATED STREETS IN
ASSOCIATION WITH THE MT. EDEN ANNEXATION PHASE
II PROJECT

WHEREAS, Ramona Drive and the portion of Eden Avenue southerly of Laguna Drive were established in 1928 by the Tract of Mohrland Gardens, Book 7 of Maps, Page 60. These streets were offered for dedication to the public by this map, but were never accepted by the County Board of Supervisors as public streets. Therefore, the streets have been used as private access for the owners adjacent to them; and

WHEREAS, a portion of Eden Avenue was widened by 24 feet for a total width of 44 feet by an offer of dedication by Parcel Map 7785 and accepted by the City in 2001; and

WHEREAS, Ramona Drive will be vacated from the westerly line of Monte Vista Drive to the westerly line of Eden Avenue, as more precisely shown in Attachment "XI-a". The Ramona Drive right-of-way to be vacated is approximately 7,200 square feet. A public utilities and access easement is reserved on all the vacated portions of the Ramona Drive right of way; and

WHEREAS Eden Avenue will be vacated from the northerly line of Ramona Drive to the southerly line of Laguna Drive, except for that section that is at the intersection with Occidental Road, and more precisely shown on Attachment "XI-a". A public utilities and access easement is reserved on all the vacated portions of the Eden Avenue right of way. The portion of the Eden Avenue right-of-way to be vacated is approximately 17,966 square feet; and

WHEREAS, Ramona Drive and the portion of Eden Avenue are no longer needed for public street right-of-way purposes; and

WHEREAS, upon Council's approval of the vacation, the land would revert to adjacent property owners; and

WHEREAS, there are water mains and other utilities within the proposed vacation; therefore, an easement will need to be reserved for public utilities and access; and

WHEREAS, vacation of excess right-of-way was considered in a Draft Initial Study and Mitigated Negative Declaration ("IS/MND") to analyze the potential environmental impacts of the Mt. Eden Annexation Phase II project, including the proposed vacation, pursuant to the requirements of the California Environmental Quality Act ("CEQA"). The Initial Study determined that the vacation and the overall annexation, with the recommended mitigation measures, will not result in significant effects on the environment; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that, pursuant to California Streets and Highways Code section 8334(a), it is hereby ordered that Ramona Drive and the portion of Eden Avenue as more described in Attachment "XI-a" attached hereto and made a part hereof, is hereby vacated and the City Clerk is authorized and directed to cause a certified copy of this resolution to be recorded in the office of the County Recorder of Alameda.

BE IT FURTHER RESOLVED that the City reserves an easement for the public utility purposes within the right-of-way to be vacated.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2009

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

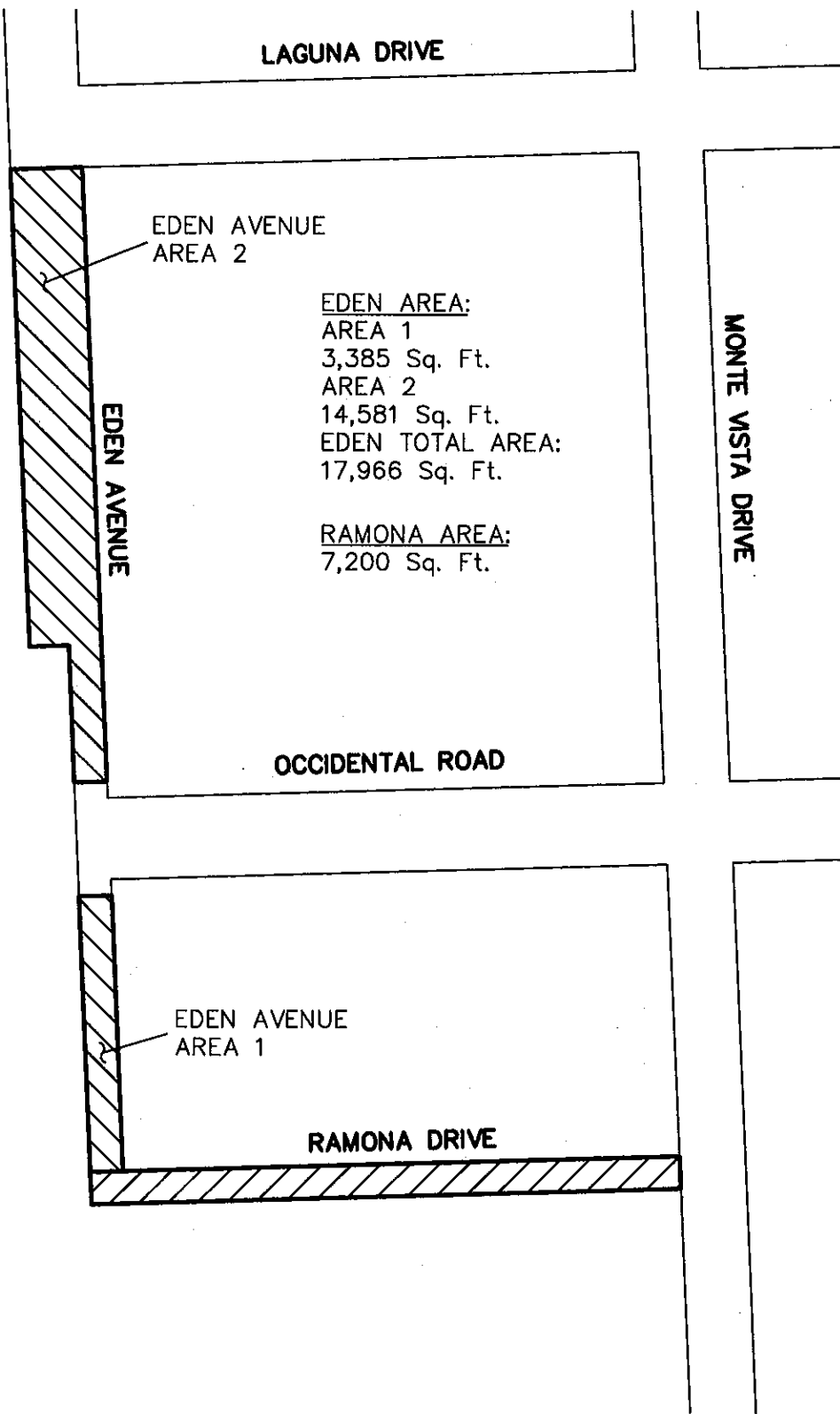
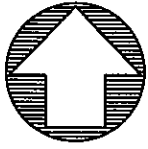
ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST:
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



CITY OF HAYWARD ENGINEERING DIVISION				VACATION OF RAMONA DRIVE AND A PORTION OF EDEN AVENUE	DWG. NO. 09009
DRAWN BY: BDS		DATE 10/21/09			FILED
CHECKED BY: JNP		SCALE: 1"=100'			
APPD. BY		APPROVED			
REV	DATE	BY	CITY ENGINEER		DIR. PUBLIC WORKS