



# City of Del Mar Memorandum



TO: Honorable Mayor and City Council Members

FROM: Joseph Smith, AICP, Senior Planner

DATE: December 30, 2015

RE: **January 4, 2016 – Item 12: Attachment A – Intent to Vacate an Alley Easement (City Hall)**  
*Revised Resolution of Intent Setting the Public Hearing for February 1, 2016*

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Staff recommends the City Council supplement the attached resolution for Attachment A of Item 12. The attached resolution has been amended to set the public hearing for the alley vacation from Tuesday, January 19, 2016 to Monday, February 1, 2016.

Staff recommends the public hearing date be changed in order that the alley vacation can be grouped with two other actions pending the City Council's review on February 1, 2016 – authorization of a utility easement to be granted to SDG&E subsequent to the alley vacation, and a lot consolidation and boundary adjustment of the City Hall parcels located at 1050 Camino del Mar.

RESOLUTION NO. 2016-\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR DECLARING ITS INTENTION TO VACATE AN UNIMPROVED ALLEY EASEMENT LOCATED ON THE CITY HALL SITE AT 1050 CAMINO DEL MAR, IN THE CITY OF DEL MAR, CALIFORNIA

WHEREAS, the City of Del Mar (Applicant) requested the vacation of an unimproved, 20-foot wide, east-west alley located on the City Hall site (APNs 300-093-02 and 300-093-03) at 1050 Camino del Mar, in the City of Del Mar, California; and

WHEREAS, the vacation request is related to the City Hall/Town Hall Project; and

WHEREAS, the Planning Commission of the City of Del Mar reviewed the vacation request at its regular meeting of September 9, 2015 in accordance with the general vacation procedures contained in the Streets and Highways Code Section 8320, et seq. and determined that the vacation is consistent with the goals and policies of the Community Plan and recommended that the City Council consider and approve the request subject; and

WHEREAS, the City Council has reviewed the alley vacation request in accordance with the general vacation procedures contained in the Streets and Highways Code Section 8320, et seq; and

WHEREAS, the City Council of the City of Del Mar does hereby declare its intention to vacate the subject right-of-way;

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

Section 1. That it is the intention of the City Council to vacate an unimproved, 20-foot wide, east-west alley located on the City Hall site (APNs 300-093-02 and 300-093-03) at 1050 Camino del Mar, and the City Council hereby sets a public hearing in accordance with the vacation procedures contained in California Streets and Highway Code Section 8300 et seq to be held on ~~Tuesday, January 19,~~ Monday, February 1, 2016-at 6:00 p.m. at the Del Mar Communications Center located at 240 Tenth Street. At this hearing, all interested parties may introduce evidence and testimony pertaining to the proposed alley vacation. At the conclusion of the hearing, the City Council shall determine, from all evidence submitted, whether or not the alley easement is unnecessary for present or prospective public use.

Section 2. The maps attached hereto as Exhibit "A" show the approximate area to be vacated and shall be on file in the office of the City Clerk located at 1050 Camino Del Mar, Del Mar, California.

Section 3. The City Clerk is hereby directed to publish notice of the above hearing in accordance with the provisions of Streets and Highways Code Section 8322.

Section 4. The City Clerk is hereby directed to post the notice of this vacation in accordance with the provisions of Streets and Highways Code Section 8323.

PASSED AND ADOPTED by the City Council of the City of Del Mar at a regular meeting held this 4<sup>th</sup> day of January, 2016.

\_\_\_\_\_  
SHERRYL PARKS, MAYOR  
City of Del Mar

APPROVED AS TO FORM:

\_\_\_\_\_  
Leslie E. Devaney, City Attorney  
City of Del Mar

ATTEST AND CERTIFICATION:

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO  
CITY OF DEL MAR

I, ANDREW POTTER, Administrative Services Director/City Clerk of the City of Del Mar, California, DO HEREBY CERTIFY, that the foregoing is a true and correct copy of Resolution No. 2016-\_\_\_\_\_, adopted by the City Council of the City of Del Mar, California, at a Regular Meeting held the 4<sup>th</sup> day of January, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Andrew Potter, Administrative Services Director/City Clerk  
City of Del Mar

EXHIBIT "A"

LEGAL DESCRIPTION – ALLEY VACATION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

**PARCEL 1**

THAT PORTION OF THE OPEN ALLEY LYING BETWEEN LOTS 1 TO 4 AND 9 TO 12 IN BLOCK 26 OF DEL MAR, IN THE CITY OF DEL MAR, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 368, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, OCTOBER 7, 1885.

THE ABOVE DESCRIBED PARCEL CONTAINS 4000 SQUARE FEET, MORE OR LESS. ALL AS SHOWN ON EXHIBIT B ATTACHED HERETO AND MADE A PART HEREOF.

THIS DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.

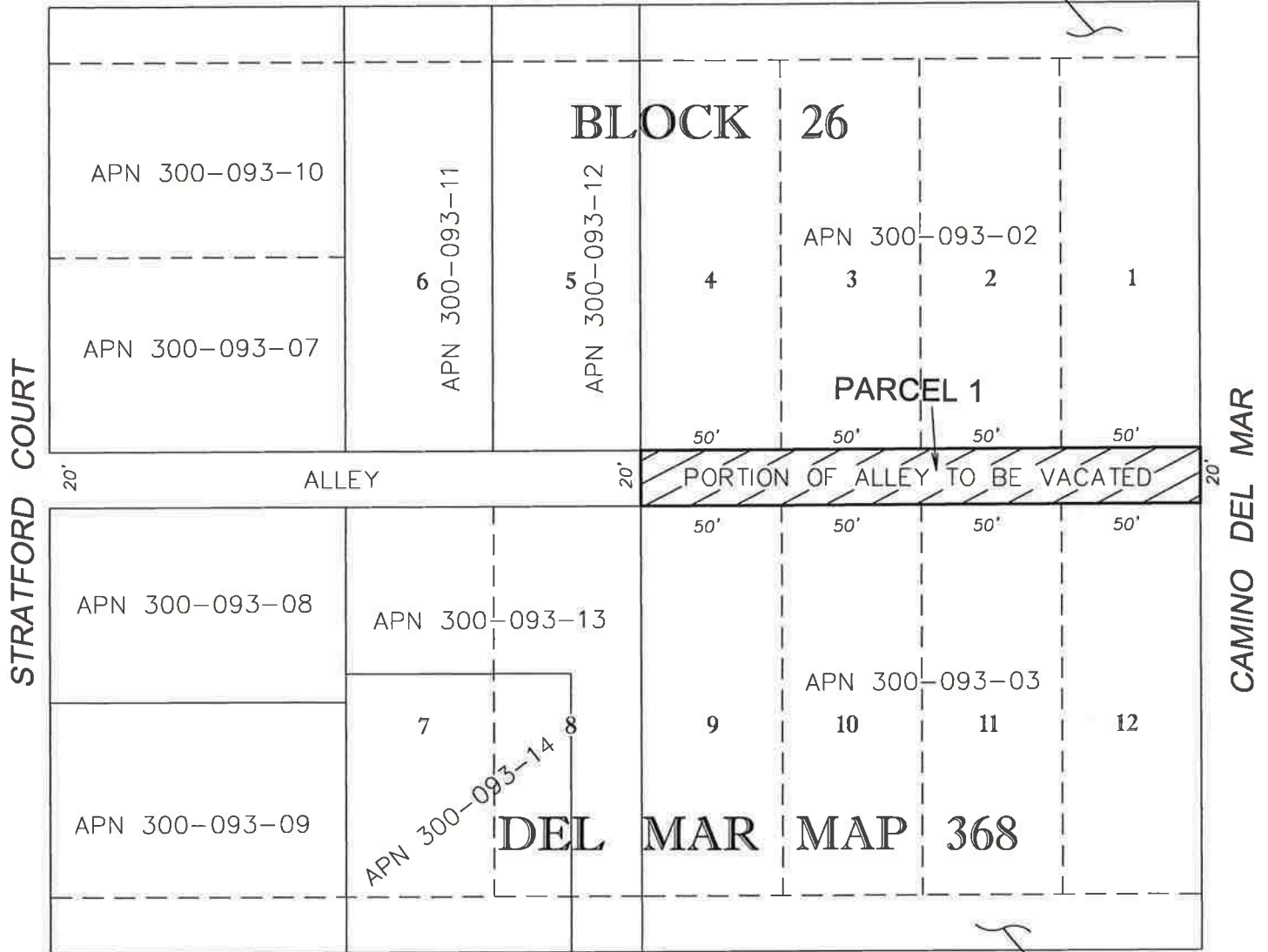
 8/31/2015  
Daniel J. McCroskey, PLS 7098 DATE



# EXHIBIT "B"

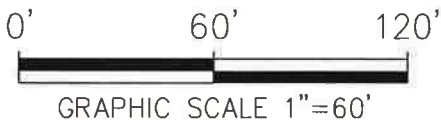
20' OF 11TH ST VACATED BY THE BOARD OF SUPERVISORS OF SAN DIEGO COUNTY APRIL 12, 1926

## 11TH STREET



## 10TH STREET

20' OF 10TH ST VACATED BY THE BOARD OF SUPERVISORS OF SAN DIEGO COUNTY APRIL 12, 1926



*Daniel J. McCroskey* 9/3/2015  
 DANIEL J. McCROSKEY, PLS 7098 DATE  
 TOWILL, INC.



**TOWILL** | Surveying, Mapping and GIS Services  
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ALLEY VACATION  
 A PORTION OF BLOCK 26 OF MAP 368  
 APN 300-093-02 & APN 300-093-03  
 City of Del Mar  
 County of San Diego State of California

Date: 08/31/2015
Drawn: AMB
Checked: D.J.M.
J.N.: 14616
Sheet 1 of 1