



# ***Agenda Report***

## ***Fullerton City Council***

**MEETING DATE:** SEPTEMBER 18, 2018

**TO:** CITY COUNCIL / SUCCESSOR AGENCY

**SUBMITTED BY:** KENNETH A. DOMER, CITY MANAGER

**PREPARED BY:** DONALD K. HOPPE, DIRECTOR OF PUBLIC WORKS  
LINDA MANSFIELD, REAL PROPERTY AGENT

**SUBJECT:** AB18-02 SUMMARY VACATION ABANDONING A  
WATERLINE EASEMENT OVER A PORTION OF 4100  
NORTH HARBOR BOULEVARD AND 4030 NORTH  
HARBOR BOULEVARD

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### **SUMMARY**

This action will vacate an existing waterline easement over a portion of 4100 North Harbor Boulevard, Assessor's Parcel Number 296-201-10 and 4030 North Harbor Boulevard, Assessor's Parcel Number 296-201-12 as described in Exhibit "A" and shown on Exhibit "B" (Attachment 1).

### **RECOMMENDATION;**

Adopt Resolution No. 2018-XX.

RESOLUTION NO. 2018-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A SUMMARY VACATION TO ABANDON A CITY OF FULLERTON WATER LINE EASEMENT OVER A PORTION OF 4100 NORTH HARBOR BOULEVARD AND 4030 NORTH HARBOR BOULEVARD

### **PRIORITY POLICY STATEMENT**

This item matches the following Priority Policy Statement:

- Infrastructure and City Assets.

### **FISCAL IMPACT**

There will be no cost incurred by the City in association with abandonment of the easement.

## DISCUSSION

There is a commercial development underway at the northwest corner of Harbor Boulevard and Imperial Highway; more specifically 4100 North Harbor and 4030 North Harbor Boulevard. The City has two water line easements of varying widths, ranging from 10ft to 30ft, and associated facilities in place that are in conflict with the project. The first easement was recorded May 9, 1968 as Document 6161, Book 8597, Page 280 and the second easement was recorded April 6, 1989 as Document 89-181521 (Attachment 2). The developer has relocated the City's facilities and on August 21, 2018 recorded an easement, document number 2018000305444, in favor of the City for the area wherein the City's facilities were relocated.

Abandonment of the easement is appropriate as it is not being used for its intended purpose and will not have any future use. Pursuant to Chapter 8335 of the Streets and Highways Code, a summary abandonment vacating the subject portion of the easement for water line and incidental purposes may be processed as this abandonment has been superseded by relocation of public facilities and no other public facilities are located within said easement.

### Attachments:

- Attachment 1 – Draft Resolution No. 2018-XX
- Attachment 2 – Existing Easement Doc. #6161, Book 8597, Page 280 and Existing Easement Doc. #89-151521