

RESOLUTION NO. 6467(22)

**A Resolution of the City Council of the City of Lompoc,
County of Santa Barbara, State of California,
Vacating Right-of-Way for Public Access but Maintaining the Easement for
Public Utilities (0.30 Acres) Located Within Arbor Square Apartments
Between Pine Avenue, Oak Avenue, G Street, and F Street**

WHEREAS, LIH Arbor Square, LP, a California limited partnership (Property Owner) requested on January 10, 2020, that public access through the alleys as shown on Exhibit "A" attached hereto, be vacated per Streets and Highways Code Section 8320 et seq. to allow the installation of private access gates for the residential development; and

WHEREAS, on October 13, 2021, the Planning Commission of the City of Lompoc adopted Resolution No. 957 (21) to report on the conformity with the City's 2030 General Plan pursuant to Government Code Section 64502(a) regarding the non-summary vacation of right-of-way for public access located within a 0.30 acre portion of the alleys located within the Arbor Square Apartments, as shown on Exhibit "A" (the Property); and

WHEREAS, the Planning Commission reported the City's 2030 General Plan designation for the Property is consistent with the non-summary vacation of right-of-way for public access of the property; and

WHEREAS, the alley right-of-way easement is unnecessary for present or prospective public access use, and the vacation of the alley right-of-way easement will end the City's responsibility to maintain the alley pavement; and

WHEREAS, the alley easement shall be reserved for public utilities; and

WHEREAS, the Owner is responsible for payment of all actual costs to process the proposed non-summary vacation of the public access easement, resulting in no cost to the City.

NOW, THEREFORE, THE CITY OF LOMPOC, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1: After hearing testimony, considering the evidence presented, conducting a public hearing, and due deliberation of the matters presented, the City Council finds that, based on evidence in the staff reports and the public testimony and other evidence received, the Right-of-Way for Public Access described and shown in Exhibit "A" attached to this Resolution, incorporated herein by this reference ("the Easement"), is unnecessary for present or prospective public access uses.

SECTION 2: Based upon the foregoing, the City Council hereby vacates the public access easement but maintains the easement for public utilities described in Exhibit "A".

SECTION 3: The City Clerk is directed to record a Certified Copy of this Resolution with the Santa Barbara County Recorder.

SECTION 4: This Resolution is effective on the day of its adoption.

The foregoing Resolution was proposed by Council Member _____, seconded by Council Member ____, and was duly passed and adopted by the Council of the City of Lompoc at its regular meeting on January 18, 2022, by the following vote:

AYES: Council Member(s):

NOES: Council Member(s):

ABSENT: Council Member(s):

Jenelle Osborne, Mayor
City of Lompoc

ATTEST:

Stacey Haddon, City Clerk
City of Lompoc

Attachment: Exhibit A: Map