

# STAFF REPORT



ITEM NO. 18  
CITY OF OCEANSIDE

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DATE: April 2, 2008  
TO: Honorable Mayor and City Councilmembers  
FROM: Development Services Department  
SUBJECT: **ADOPTION OF A RESOLUTION SUMMARILY VACATING PORTIONS OF OLD GROVE ROAD BETWEEN OCEAN RANCH BOULEVARD AND COLLEGE BOULEVARD**

## **SYNOPSIS**

Staff recommends that the City Council adopt a resolution summarily vacating portions of Old Grove Road located between Ocean Ranch Boulevard and College Boulevard, and authorize the City Clerk to file a certified copy of the resolution with the San Diego County Recorder.

## **BACKGROUND**

The City has received a request from AMB DFS Pacific Coast, LLC, owners, proposing the vacation of portions of Old Grove Road located between Ocean Ranch Boulevard and College Boulevard, adjacent to Pacific Coast Business Park, containing 7,632 square feet.

The proposed vacation of portions of Old Grove Road is in conjunction with the Pacific Coast Business Park development of thirty industrial lots. The development of the Industrial Park required the realignment of Old Grove Road per Parcel Map No. 20306. The realignment created three excess parcels with a total area of 7,632 square feet, located between the old and new right-of-way lines. There are no other public facilities located in the area to be vacated and the public right-of-way to be vacated is considered to be excess and is not needed for present or future public use.

## **ANALYSIS**

The California Streets and Highway Code, section §8334 (a), authorizes the summary vacation of a street right-of-way that has been determined to be excess and not required for street or highway purposes by the right-of-way holder, and there are no other public facilities located within the right-of-way.

**FISCAL IMPACT**

There is no fiscal impact. The applicant has paid the required fees for the processing of this action.

**COMMISSION OR COMMITTEE REPORT**

Does not apply.

**CITY ATTORNEY'S ANALYSIS**

The resolution of vacation has been reviewed by the City Attorney and approved as to form.

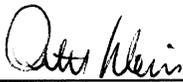
**RECOMMENDATION**

Staff recommends that the City Council adopt a resolution summarily vacating portions of Old Grove Road located between Ocean Ranch Boulevard and College Boulevard, and authorize the City Clerk to file a certified copy of the resolution with the San Diego County Recorder.

PREPARED BY:

  
\_\_\_\_\_  
Maryam Wagner  
Senior Engineering Assistant

SUBMITTED BY:

  
\_\_\_\_\_  
Peter A. Weiss  
City Manager

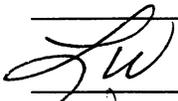
REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager

Lauren Wasserman, Interim Development Services Director

Scott O. Smith, City Engineer

Teri Ferro, Financial Services Director

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
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Attachments:

- Resolution
- Exhibit A
- Exhibit B
- Exhibit C
- Exhibit D
- Exhibit E
- Exhibit F

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**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
OCEANSIDE CALIFORNIA SUMMARILY VACATING  
PORTIONS OF OLD GROVE ROAD LOCATED BETWEEN  
OCEAN RANCH BOULEVARD AND COLLEGE  
BOULEVARD**

WHEREAS, the California Streets and Highway Code, Section §8330 et seq., authorizes the City Council of the City of Oceanside to summarily vacate a public street;

WHEREAS, the 7,632 square foot portion of Old Grove Road right-of-way is located between College Boulevard and Ocean Ranch Boulevard adjacent to Parcel Map No. 20306 and are more particularly described in and shown on Exhibit “A” through Exhibit “F”, all attached hereto and made a part hereof by reference;

WHEREAS, California Streets and Highway Code, section §8334 (a), authorizes the summary vacation of a street right-of-way that has been determined to be excess and not required for street or highway purposes by the right-of-way holder, and there are no other public facilities located within the right-of-way;

WHEREAS, there are no public facilities located within the area to be vacated that would be affected by the vacation; and

WHEREAS, after consideration of all evidence submitted, the City Council finds and determines that the public right-of-way described in and shown on said Exhibits “A” through Exhibit “F” has been determined to be excess and is not needed for present or future prospective public use.

NOW, THEREFORE, the City Council of the City of Oceanside DOES RESOLVE and order as follows:

Section 1. The public street right-of-way described in and shown on Exhibits “A” through Exhibit “F”, shall be and hereby is summarily vacated.

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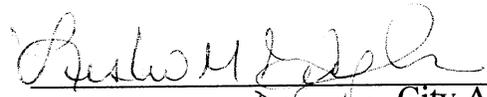
1 Section 2. The City Clerk shall cause a certified copy of this resolution to be  
2 recorded in the Office of the County Recorder of the County of San Diego in  
3 accordance with the provisions of Section §8336 of the Streets and Highways Code.  
4 Upon such recordation, the vacation is complete.

5 PASSED AND ADOPTED by the City Council of the City of Oceanside,  
6 California this \_\_\_\_\_ day of \_\_\_\_\_, 2008, by  
7 the following vote:

- 8 AYES:  
9 NAYS:  
10 ABSENT:  
11 ABSTAIN:

12 \_\_\_\_\_  
13 Mayor of the City of Oceanside

14 APPROVED AS TO FORM:  
15 OFFICE OF THE CITY ATTORNEY

16   
17 \_\_\_\_\_  
18 Deputy City Attorney

18 ATTEST:

19 \_\_\_\_\_  
20 City Clerk

21  
22  
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27  
28 **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE  
CALIFORNIA SUMMARILY VACATING PORTIONS OF OLD GROVE ROAD  
LOCATED BETWEEN OCEAN RANCH BOULEVARD AND COLLEGE  
BOULEVARD**

**EXHIBIT "A"**  
**STREET VACATION**

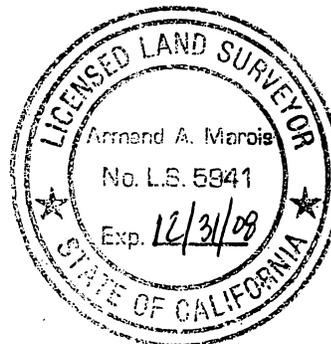
BEING A PORTION OF OLD GROVE ROAD AS SHOWN ON RANCHO DEL ORO-MASTER SUBDIVISION MAP EAST, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP 11409, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON DECEMBER 27, 1985 AS FILE NO. 85-490777, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT MOST NORTHERLY CORNER OF LOT "A" OF SAID MAP 11409, THENCE ALONG THE NORTHEASTERLY LINE OF SAID LOT "A", BEING ALSO THE SOUTHWESTERLY SIDELINE OF OLD GROVE ROAD PER SAID MAP 11409, THE FOLLOWING COURSES: SOUTH 53°20'50" EAST 325.38 FEET (RECORD PER MAP 11409 SOUTH 53°21'06" EAST) TO A TANGENT 950.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY, THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 17°57'50", AN ARC DISTANCE OF 297.85 FEET; THENCE SOUTH 35°23'00" EAST, 139.03 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE CONTINUING ALONG SAID SIDELINE, SOUTH 35°23'00" WEST, 42.99 FEET TO THE BEGINNING OF A TANGENT 1050.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY, THENCE CONTINUING SOUTHEASTERLY AND EASTERLY ALONG SAID CURVE AND SIDELINE, THROUGH A CENTRAL ANGLE OF 46°31'39", AN ARC DISTANCE OF 852.66 FEET; THENCE SOUTH 81°54'39" EAST, 42.99 FEET TO A POINT OF CUSP OF A NON-TANGENT 1150.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY, A RADIAL LINE TO SAID POINT BEARS SOUTH 08°05'21" WEST; THENCE LEAVING SAID SIDELINE OF OLD GROVE ROAD, WESTERLY AND NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 46°31'39", AN ARC DISTANCE OF 933.87 FEET TO THE TRUE POINT OF BEGINNING.

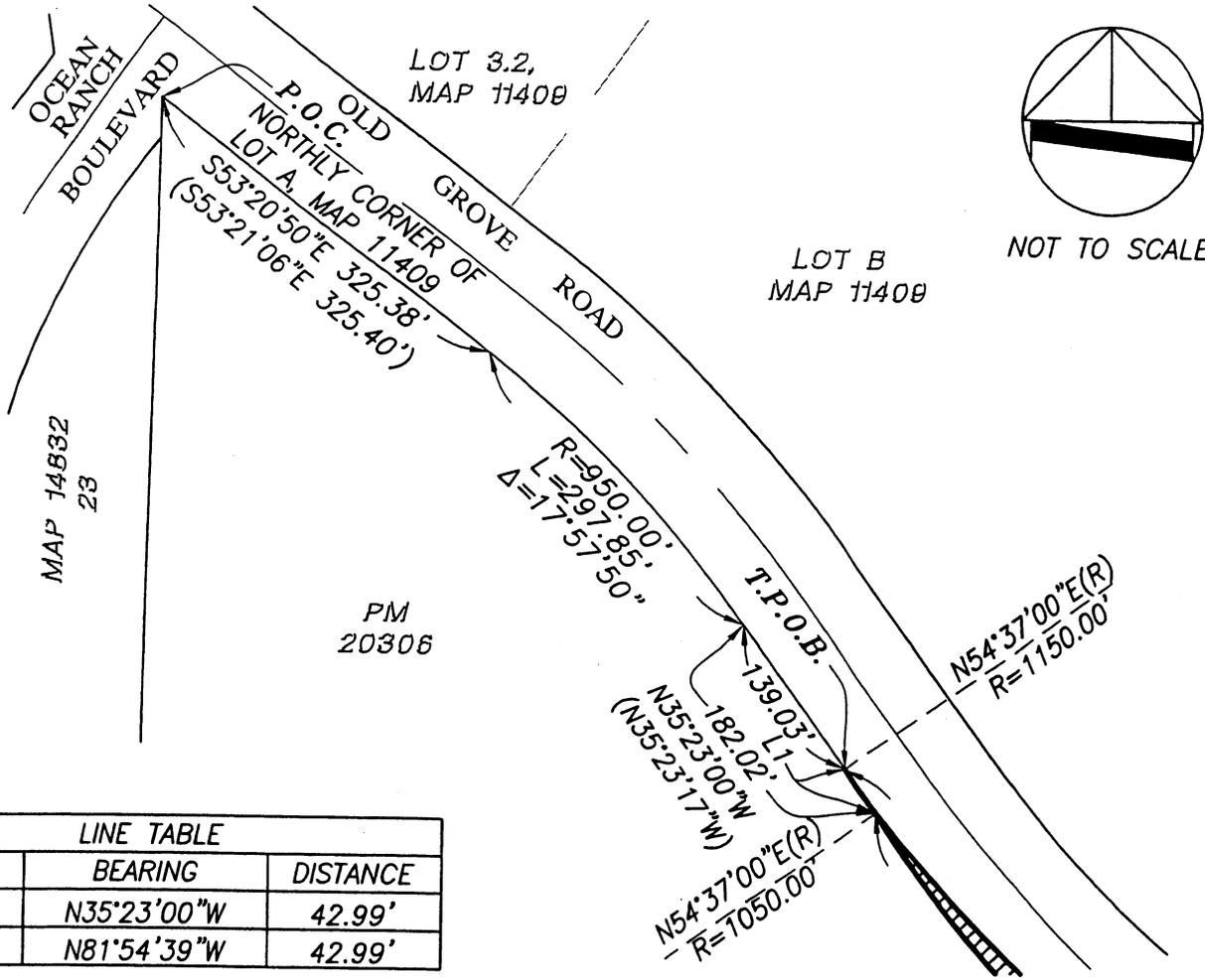
CONTAINING 0.120 ACRES OF LAND, MORE OR LESS.

THIS LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION

  
ARMAND A. MAROIS      2/4/08  
PLS 5941                      DATE



# EXHIBIT B



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N35°23'00"W	42.99'
L2	N81°54'39"W	42.99'

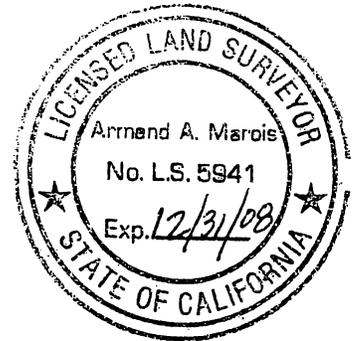
## LEGEND

 INDICATES 0.12 ACRES A PORTION OF OLD GROVE ROAD TO BE VACATED

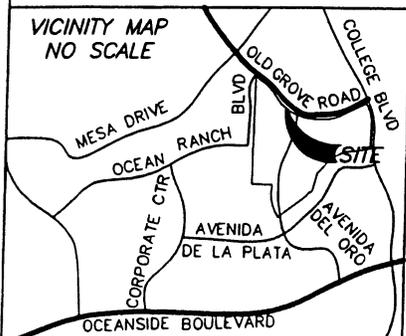
( ) INDICATES RIGHT OF WAY RECORD DATA PER MAP 11409

T.P.O.C. INDICATES TRUE POINT OF BEGINNING

P.O.C. INDICATES POINT OF COMMENCEMENT



*Armand A. Marois*  
 ARMAND A. MAROIS P.L.S. 5941  
 2-4-08



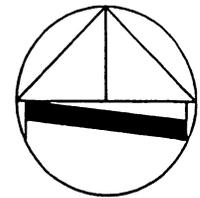
**bHA, Inc.**

land planning, civil engineering, surveying  
 5115 Avenida Encinas  
 Suite L  
 Carlsbad, California 92008-4387  
 (760) 931-8700

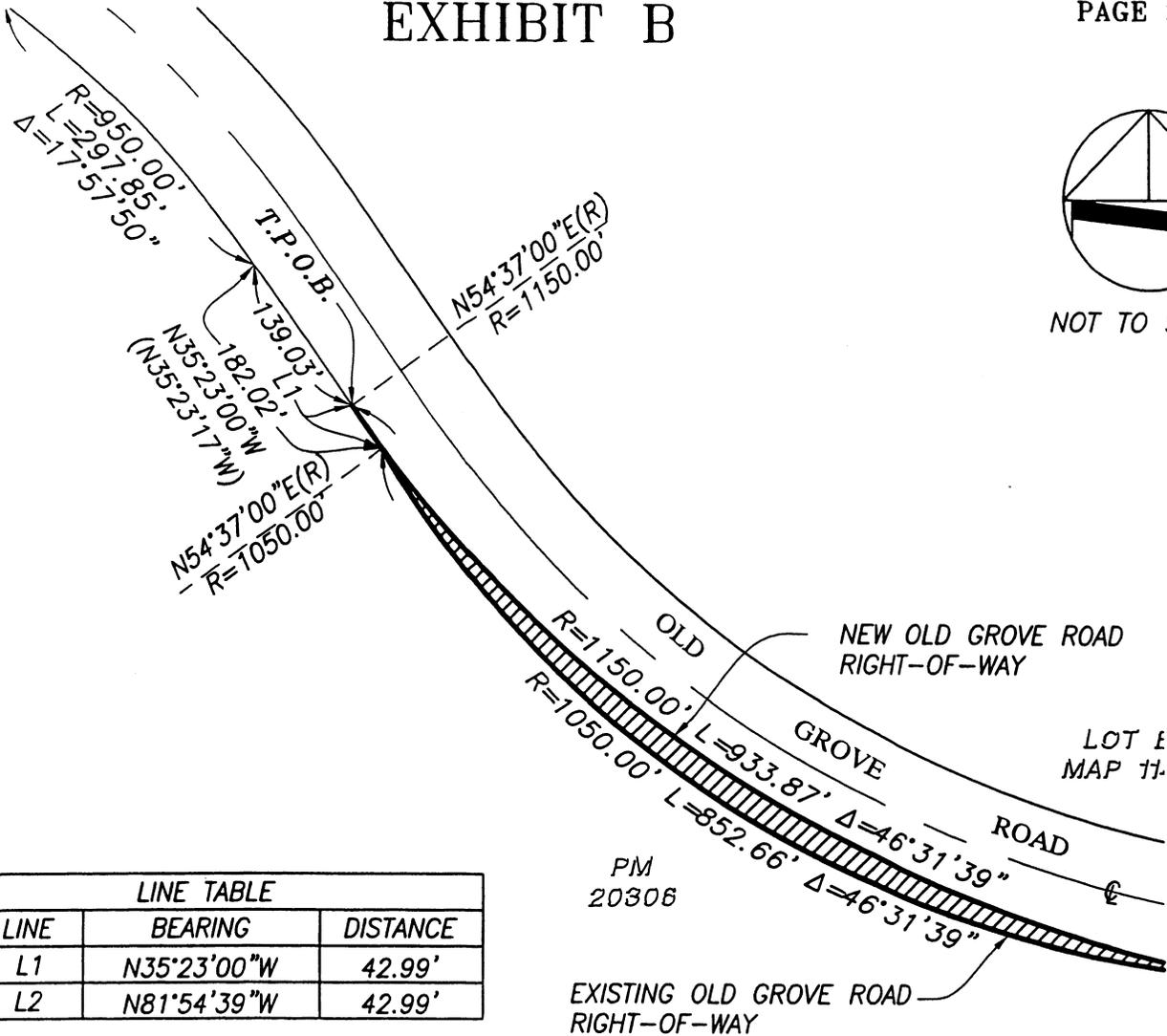
STREET VACATION  
 PORTION OF OLD GROVE ROAD

CITY OF OCEANSIDE  
 TO  
 AMB DFS PACIFIC COAST, LLC

# EXHIBIT B

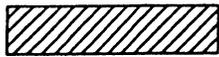


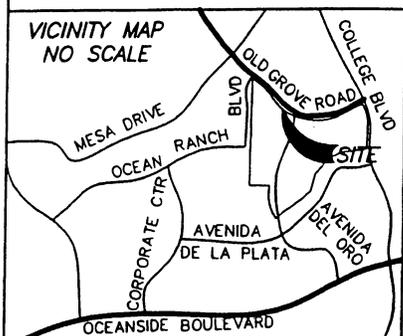
NOT TO SCALE



LINE TABLE		
LINE	BEARING	DISTANCE
L1	$N35^{\circ}23'00''W$	42.99'
L2	$N81^{\circ}54'39''W$	42.99'

## LEGEND

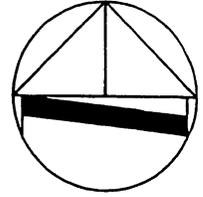
-  INDICATES 0.12 ACRES A PORTION OF OLD GROVE ROAD TO BE VACATED
- $( )$  INDICATES RIGHT OF WAY RECORD DATA PER MAP 11409
- T.P.O.C. INDICATES TRUE POINT OF BEGINNING
- P.O.C. INDICATES POINT OF COMMENCEMENT



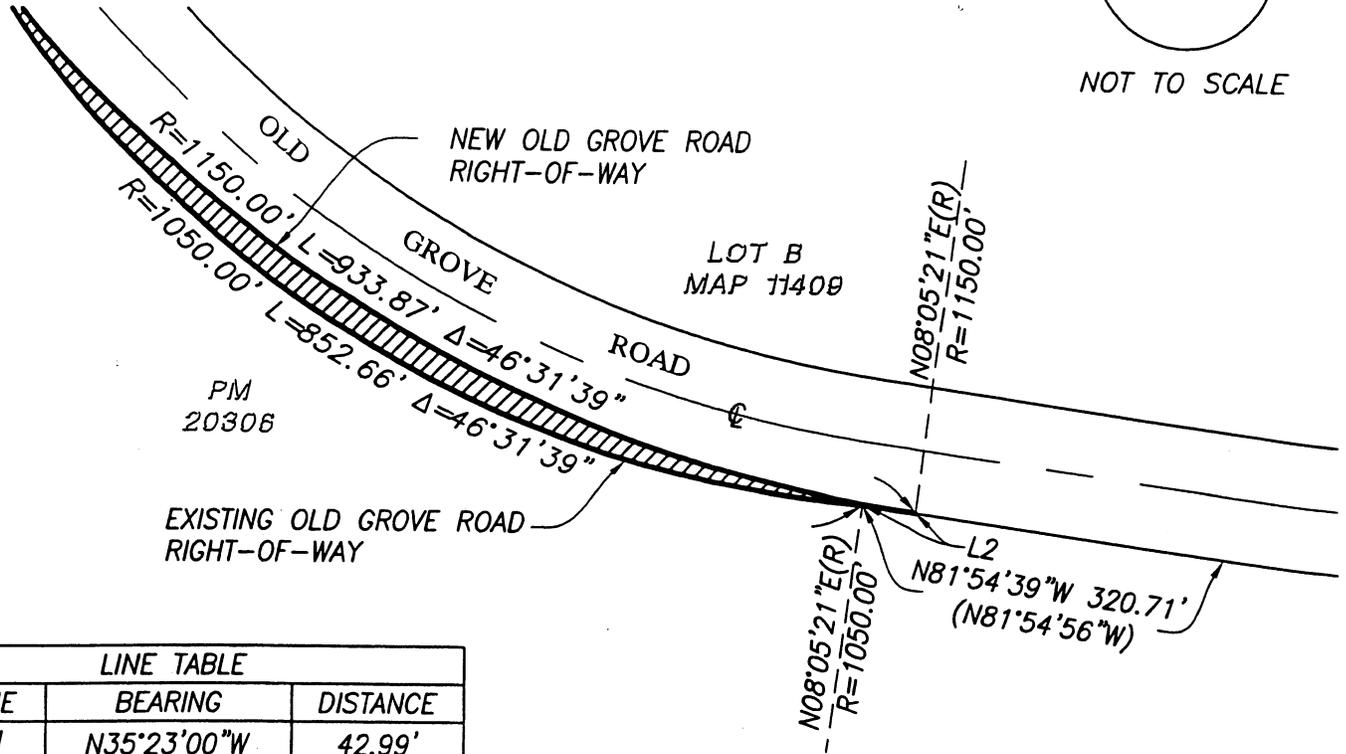
**bHA, Inc.**  
 land planning, civil engineering, surveying  
 5115 Avenida Encinas  
 Suite L  
 Carlsbad, California 92008-4387  
 (760) 931-8700

STREET VACATION  
 PORTION OF OLD GROVE ROAD

CITY OF OCEANSIDE  
 TO  
 AMB DFS PACIFIC COAST, LLC

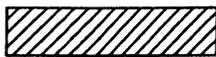


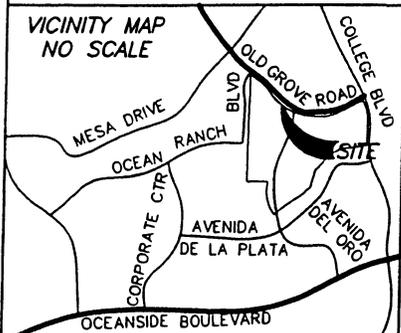
NOT TO SCALE



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N35°23'00"W	42.99'
L2	N81°54'39"W	42.99'

## LEGEND

-  INDICATES 0.12 ACRES A PORTION OF OLD GROVE ROAD TO BE VACATED
- ( ) INDICATES RIGHT OF WAY RECORD DATA PER MAP 11409
- T.P.O.C. INDICATES TRUE POINT OF BEGINNING
- P.O.C. INDICATES POINT OF COMMENCEMENT



**bHA, Inc.**

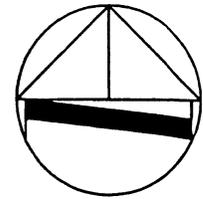
land planning, civil engineering, surveying  
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STREET VACATION  
PORTION OF OLD GROVE ROAD

CITY OF OCEANSIDE  
TO  
AMB DFS PACIFIC COAST, LLC



# EXHIBIT D



NOT TO SCALE

MAP 14832  
21

OCEAN RANCH & BOULEVARD

23

PM 20306

LOT 3.2,  
MAP 11409

P.O.C.

T.P.O.B.

(N53°21'06"W 361.27')  
(N53°20'50"W 361.23')  
OLD GROVE ROAD

N36°39'10"E(R)  
R=1050.00'

NEW OLD GROVE ROAD  
RIGHT-OF-WAY

PORTION OF OLD  
GROVE ROAD  
TO BE VACATED HEREON

N36°39'10"E(R)  
R=1150.00'

EXISTING OLD GROVE ROAD  
RIGHT-OF-WAY

R=1050.00' L=329.20'  
R=1150.00' L=360.56'  
Δ=17°57'50"

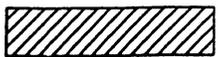
N54°37'00"E(R)  
R=1050.00'

(N35°23'17"W)  
(N35°23'00"W)  
182.02'  
R=1150.00'

LOT B  
MAP 11409

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N36°39'10"E	50.00'
L2	N53°20'50"W	15.81'
L3	N35°23'00"W	15.81'

## LEGEND



INDICATES 0.01 ACRES  
A PORTION OF OLD GROVE ROAD  
TO BE VACATED



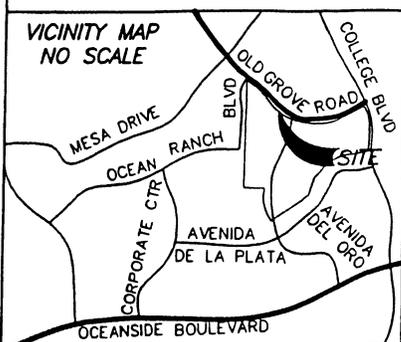
INDICATES RIGHT OF WAY  
RECORD DATA PER MAP 11409

T.P.O.C. INDICATES TRUE POINT OF BEGINNING

P.O.C. INDICATES POINT OF COMMENCEMENT



*Armand A. Marois*  
ARMAND A. MAROIS P.L.S. 5941  
2/4/08



**bHA, Inc.**

land planning, civil engineering, surveying  
5115 Avenida Encinas  
Suite L  
Carlsbad, California 92008-4387  
(760) 931-8700

STREET VACATION  
PORTION OF OLD GROVE ROAD

CITY OF OCEANSIDE  
TO  
RPRN LAND COMPANY, LLC

**EXHIBIT "E"**  
**STREET VACATION**

BEING A PORTION OF OLD GROVE ROAD AS SHOWN ON RANCHO DEL ORO-MASTER SUBDIVISION MAP EAST, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP 11409, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON DECEMBER 27, 1985 AS FILE NO. 85-490777, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF OLD GROVE ROAD AND COLLEGE BOULEVARD AS SHOWN ON SAID MAP 11409, THENCE ALONG SAID CENTERLINE OF OLD GROVE ROAD, SOUTH 63°30'37" WEST, 693.30 FEET (RECORD PER MAP 11409 SOUTH 63°30'20" WEST); THENCE LEAVING SAID CENTERLINE, SOUTH 26°29'23" EAST, 50.00 FEET TO A POINT ON THE SOUTHERLY SIDELINE OF SAID OLD GROVE ROAD, BEING THE TRUE POINT OF BEGINNING; THENCE ALONG SAID SIDELINE, SOUTH 63°30'37" WEST, 31.13 FEET TO THE BEGINNING OF A TANGENT 1050.00 FOOT RADIUS CURVE CONCAVE NORTHERLY, THENCE CONTINUING SOUTHWESTERLY AND WESTERLY ALONG SAID CURVE AND SIDELINE, THROUGH A CENTRAL ANGLE OF 34°34'44", AN ARC DISTANCE OF 633.69 FEET; THENCE NORTH 81°54'39" WEST, 31.13 FEET TO A POINT OF CUSP OF A NON-TANGENT 1150.00 FOOT RADIUS CURVE CONCAVE NORTHERLY, A RADIAL LINE TO SAID POINT BEARS SOUTH 08°05'21" WEST; THENCE LEAVING SAID SIDELINE OF OLD GROVE ROAD, EASTERLY AND NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 34°34'44", AN ARC DISTANCE OF 694.04 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 0.048 ACRES OF LAND, MORE OR LESS.

THIS LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION

  
ARMAND A. MARCIS  
FLS 5941

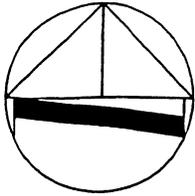
2/4/08  
DATE



WO: 707-0957-600

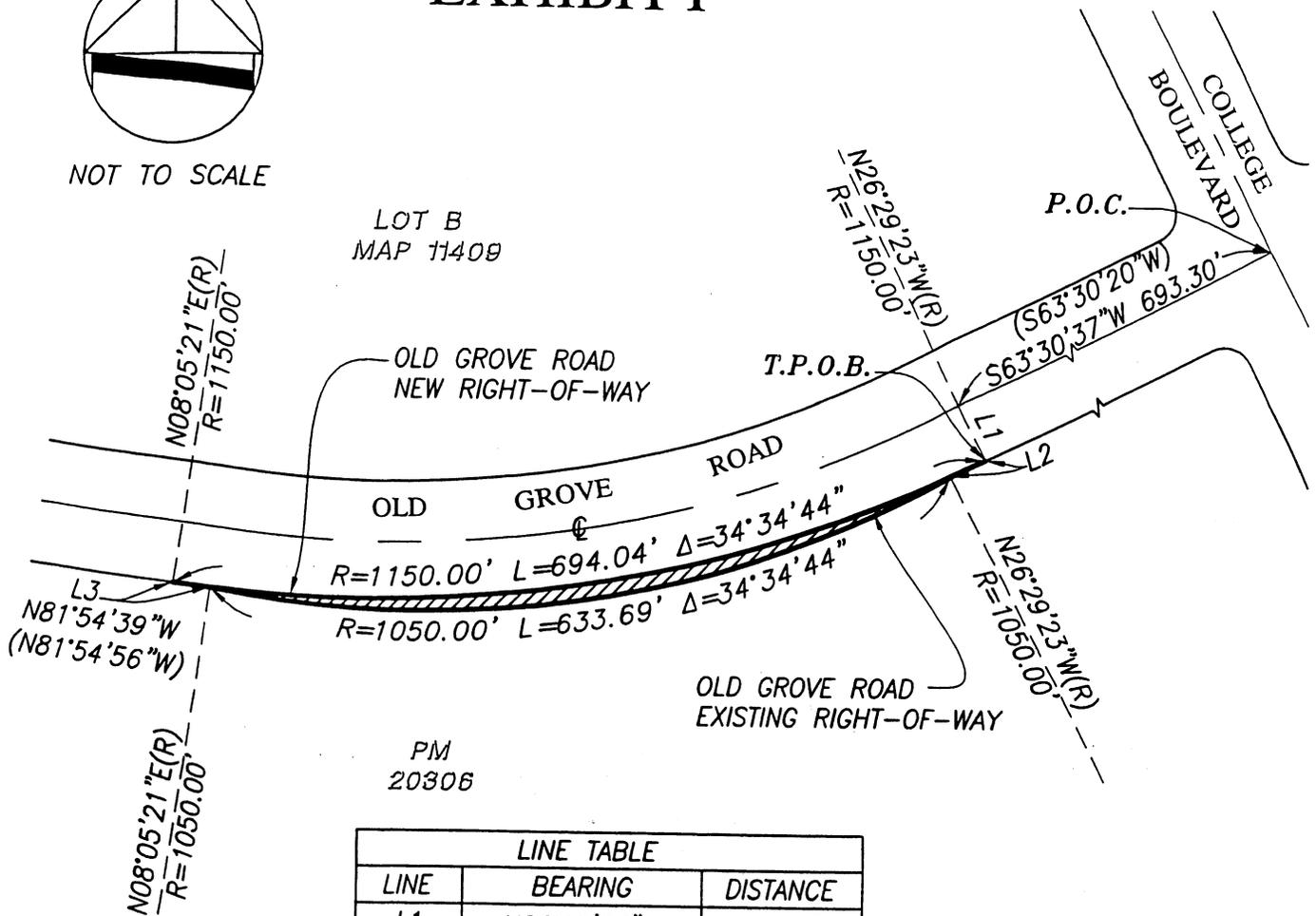
Page 1 of 1

# EXHIBIT F



NOT TO SCALE

LOT B  
MAP 11409



PM  
20306

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N26°29'23"W	50.00'
L2	S63°30'37"W	31.13'
L3	N81°54'39"W	31.13'

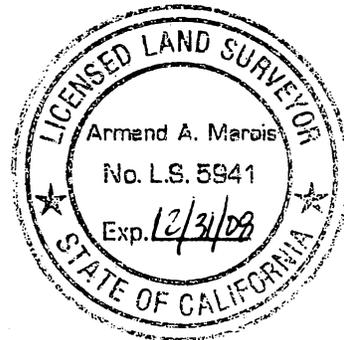
## LEGEND

INDICATES 0.04 ACRES  
A PORTION OF OLD GROVE ROAD  
TO BE VACATED

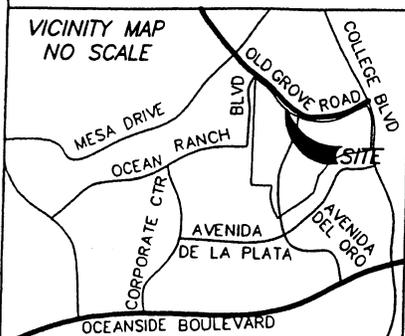
( ) INDICATES RIGHT OF WAY  
RECORD DATA PER MAP 11409

T.P.O.C. INDICATES TRUE POINT OF BEGINNING

P.O.C. INDICATES POINT OF COMMENCEMENT



*Armand A. Marois*  
 ARMAND A. MAROIS P.L.S. 5941  
 2/4/08



**bHA, Inc.**

land planning, civil engineering, surveying  
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 Carlsbad, California 92008-4387  
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STREET VACATION  
 PORTION OF OLD GROVE ROAD

CITY OF OCEANSIDE  
 TO  
 AMB DFS PACIFIC COAST, LLC