

RESOLUTION NO. 2024 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE EXECUTION OF AN ORDER OF VACATION OF AN UNUSED SECTION OF PARADISE AVENUE EAST OF PLAZA BLVD.

WHEREAS, application was made requesting to vacate and close an unused section of Paradise Avenue east of Plaza Blvd., in the City of National City, County of San Diego, State of California; and

WHEREAS, on May 7, 2024, the City Council of the City of National City conducted a hearing and initiated said vacation and closure of an unused section of Paradise Avenue east of Plaza Blvd.; and

WHEREAS, on May 20, 2024, the Planning Commission of the City of National City considered the proposed vacation and closure, and found and determined that the vacation and closure of an unused section of Paradise Avenue east of Plaza Blvd. conforms with the City's adopted General Plan; and

WHEREAS, the City Council has considered the Planning Commission's report and recommendation, and the presentation of staff regarding the proposed vacation and closure; and

WHEREAS, the National City General Plan does not consider the portion of street as an arterial or collector street.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1: That the City Council hereby authorizes the street vacation as described on the plans attached to the Agenda Report is made pursuant to Chapter 4 of the California Streets and Highways Code and the City Council hereby determines the following:

1. That the right-of-way to be vacated is not needed for present or future public transportation uses, because the properties abutting the street under consideration will continue to have access public streets.
2. That the area to be vacated is not required as a non-motorized transportation facility for pedestrians, bicyclists, or equestrians.
3. That the vacation of the proposed segment of right-of-way is consistent with the City's General Plan and because the street is not identified as a road or street in the Circulation Element of the General Plan.

Section 2: That the City Council hereby approves the street vacation subject to the following conditions:

1. That this *Street Closure* authorizes the vacation of 60 feet by 330 feet of Paradise Avenue east of Plaza Blvd. Except as required by conditions of approval, all plans submitted for

permits associated with the project shall conform to Exhibit B as attached to the Agenda Report.

2. That within four (4) days of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, all necessary environmental filing fees for the San Diego County Clerk shall be paid.
3. That the entire roadway area being vacated and the adjacent lots shall be kept free of tall weeds and debris per National City Municipal Code section 9.12.020.
4. That the City receive a substitute easement in exchange for the vacated easement.

Section 3: That the Mayor and City Clerk are hereby authorized and directed to execute and attest an Order of Vacation of the above described portion of public right-of-way.

Section 4: That the City Clerk is hereby authorized and directed to cause a certified copy of subject Order to be recorded in the office of the County Recorder of San Diego County, pursuant Section 8336 of the California Streets and Highways Code once the Order of Vacation is executed.

Section 5: That from and after the date that the Order of Vacation is executed, the above-described portion of public right-of-way will no longer constitute a street, except as reserved and excepted herein.

Section 6: That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED and ADOPTED this 19th day of November, 2024.

Ron Morrison, Mayor

ATTEST:

Shelley Chapel, MMC, City Clerk

APPROVED AS TO FORM:

Barry J, Schultz, City Attorney

City of National City

Office of the City Clerk
1243 National City Blvd.
National City, CA 91950

Order of Vacation

ORDER OF VACATION

The City of National City, by authority of Resolution No. 2024-xx, duly adopted on November 19, 2024 by the City Council of the City of National City, hereby orders the vacation of an unused section of Paradise Avenue east of Plaza Blvd., more particularly described in Exhibits "A", attached hereto.

Executed this 19th day of November, 2024.

RON MORRISON, MAYOR

SHELLEY CHAPEL, MMC, CITY CLERK

Exhibit "A"