

RESOLUTION 2016-027

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA, VACATING PORTIONS OF FIR AND WASHINGTON STREETS RIGHTS-OF-WAY (SV 2015-1)

WHEREAS, the City of Calistoga desires to vacate a section of Fir Street located on the property at 611 Washington Street (APN 011-260-027) and a small portion of Washington Street that fronts the property in order to facilitate its development; and

WHEREAS, these proceedings are pursuant to and in accordance with Section 8300, et seq., of the California Streets and Highway Code; and

WHEREAS, on March 22, 2016, three notices stating the time and place of the public hearing were posted along the area of the proposed vacation and realignment as required by California Streets and Highways Code Section 8323; and

WHEREAS, on March 18, 2016, and March 25, 2016, notices of the public hearing were published in the Calistoga Tribune as required by California Streets and Highways Code Section 8322; and

WHEREAS, after a public meeting on January 13, 2016, the Calistoga Planning Commission found that:

1. A sliver of surplus right-of-way fronting the project site was created by the realignment of Washington Street a number of years ago and is not required for public purposes.
2. A 30-foot wide section of Fir Street along the property's northwestern boundary is a "paper" street that was created by the T.W. Morgan Street Map in the 19th century and is not needed for the city's street network.
3. The construction and use of Fir Street and the sliver of Washington Street along the project frontage are not included in the modifications and improvements to Calistoga's street network called for by the General Plan's Circulation Element.
4. Circulation Element Action A1.1-2 calls for the City to eliminate unnecessary "paper streets;" and

WHEREAS, at a public meeting on April 5, 2016, the City Council considered the public record on this matter, including the written and oral staff reports, and testimony presented during the meeting; and

WHEREAS, this action is not subject to the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility that the proposed vacations may have a significant effect on the environment.

NOW, THEREFORE BE IT RESOLVED AS FOLLOWS:

SECTION 1. The City Council of the City of Calistoga hereby finds that all of the findings contained in the staff report dated April 5, 2016, are true and correct and are

hereby incorporated by reference.

SECTION 2. The City Council hereby finds and determines that no portions of Fir and Washington Streets as described in Exhibits A and B attached to this resolution are useful for non-motorized transportation facilities or need to be reserved for public utility purposes.

SECTION 3. The City Council orders the vacations of the rights-of-way described in the legal descriptions set forth in Exhibit A and depicted in Exhibit B that are attached hereto and incorporated by reference.

SECTION 4. These vacations are completed in accordance with the provisions of the California Streets and Highways Code, Part 3, "Public Street, Highways and Service Easements Vacation Law", Chapter 3, "General Vacation Procedure" and Sections 12.32 and 16.16.220 of the Calistoga Municipal Code.

SECTION 5. Pursuant to California Streets and Highways Code Section 8325, the City Clerk shall cause a certified copy of this Resolution, attested by the Clerk under seal, to be recorded in the office of the County Recorder of the County of Napa. Upon such recordation, the vacation shall be complete.

PASSED AND ADOPTED by the City Council of the City of Calistoga at a regular meeting held this **5th day of April 2016**, by the following vote:

AYES: Vice Mayor Dunsford, Councilmembers Kraus, Barnes and Lopez-Ortega and Mayor Canning
NOES: None
ABSTAIN: None
ABSENT: None



CHRIS CANNING, Mayor

ATTEST:



KATHY FLAMSON, City Clerk

Exhibit A

NEW ALBION SURVEYS, INC.

CONSULTING LAND SURVEYORS

1113 Hunt Avenue St. Helena, CA 94574
(707) 963-1217 ♦ FAX (707) 963-1829
E-Mail: Rbell@Albionsurveys.com

3702-00
March 1, 2016

Portion of Washington Street
to be Vacated

Real property situated in the City of Calistoga, County of Napa, State of California, being a portion of Washington Street as shown on the Map entitled "Map of Calistoga, Showing its Extensions, Surroundings and the Hot Sulphur Springs, Napa County, Cal." filed March 1, 1871 in the Office of the Recorder of the County of Napa, said portion being more particularly described as follows:

COMMENCING at the Easterly corner of Lot 14 in that Block K that is bounded on the Northeast by Washington Street and on the Southeast by Fir Street as said Lot and Block and Streets are shown on said Map;

thence along the Southeasterly extension of the Northeasterly line of said Lot, said Northeasterly line being the Southwesterly line of Washington Street, 60.1 feet, more or less to the Northeasterly extension of the Southeasterly line of Fir Street, 60 feet wide, as shown on said Map, and the TRUE POINT OF BEGINNING of this description;

thence continuing Southeasterly along the said line extended 120.3 feet, more or less to the Northeasterly extension of the line common to Lots 14 and 15 in Block J as said Lots and Block are shown on said Map;

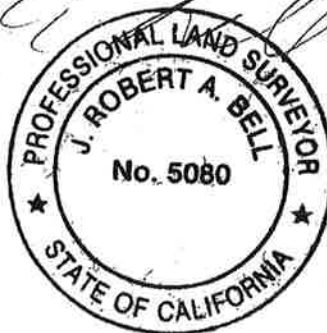
thence Southwesterly along said line extended Southwesterly 12.6 feet, more or less to the Easterly corner of said Lot 15, being a point on the Southwesterly line of Washington Street as shown on said Map;

thence Northwesterly along said Southwesterly line of Washington Street 120 feet to the Northerly corner of said Block J, being a point on the Southeasterly line of Fir Street;

thence Northeasterly along said line extended 4.2 feet, more or less to the TRUE POINT OF BEGINNING of this description.

Prepared entirely from record data shown on said Map filed in 1871 and not from any field survey by the undersigned on behalf of New Albion Surveys, Inc. at the request of the City of Calistoga.

J. Robert A. Bell
J. Robert A. Bell
Licensed Land Surveyor No. 5080
Certificate renewal date: June 30, 2017



March 1, 2016

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March 1, 2016

Portion of Fir Street to be Vacated

Real property situated in the City of Calistoga, County of Napa, State of California, being a portion of Fir Street., 60 feet wide, as shown on the Map entitled "Map of Calistoga, Showing its Extensions, Surroundings and the Hot Sulphur Springs, Napa County, Cal." filed March 1, 1871 in the Office of the Recorder of the County of Napa, said portion being more particularly described as follows:

COMMENCING at the Easterly corner of Lot 14 in that Block K that is bounded on the Northeast by Washington Street and on the Southeast by Fir Street as said Lot and Block and Streets are shown on said Map;

thence along the Southeasterly extension of the Northeasterly line of said Lot, said Northeasterly line being the Southwesterly line of Washington Street, 60.1 feet, more or less to the Northeasterly extension of the Southeasterly line of Fir Street as shown on said Map, and the TRUE POINT OF BEGINNING of this description;

thence Southwesterly along said line extended 4.2 feet, more or less to the Northerly corner of Block J as shown on said Map;


thence Southwesterly along the Northwesterly line of said Block J, being the Southeasterly line of Fir Street 270 feet, more or less to the center of the Northeastern branch of the Napa River as shown on said Map;

thence Northwesterly up said branch of the Napa River 31 feet, more or less to the center of Fir Street;

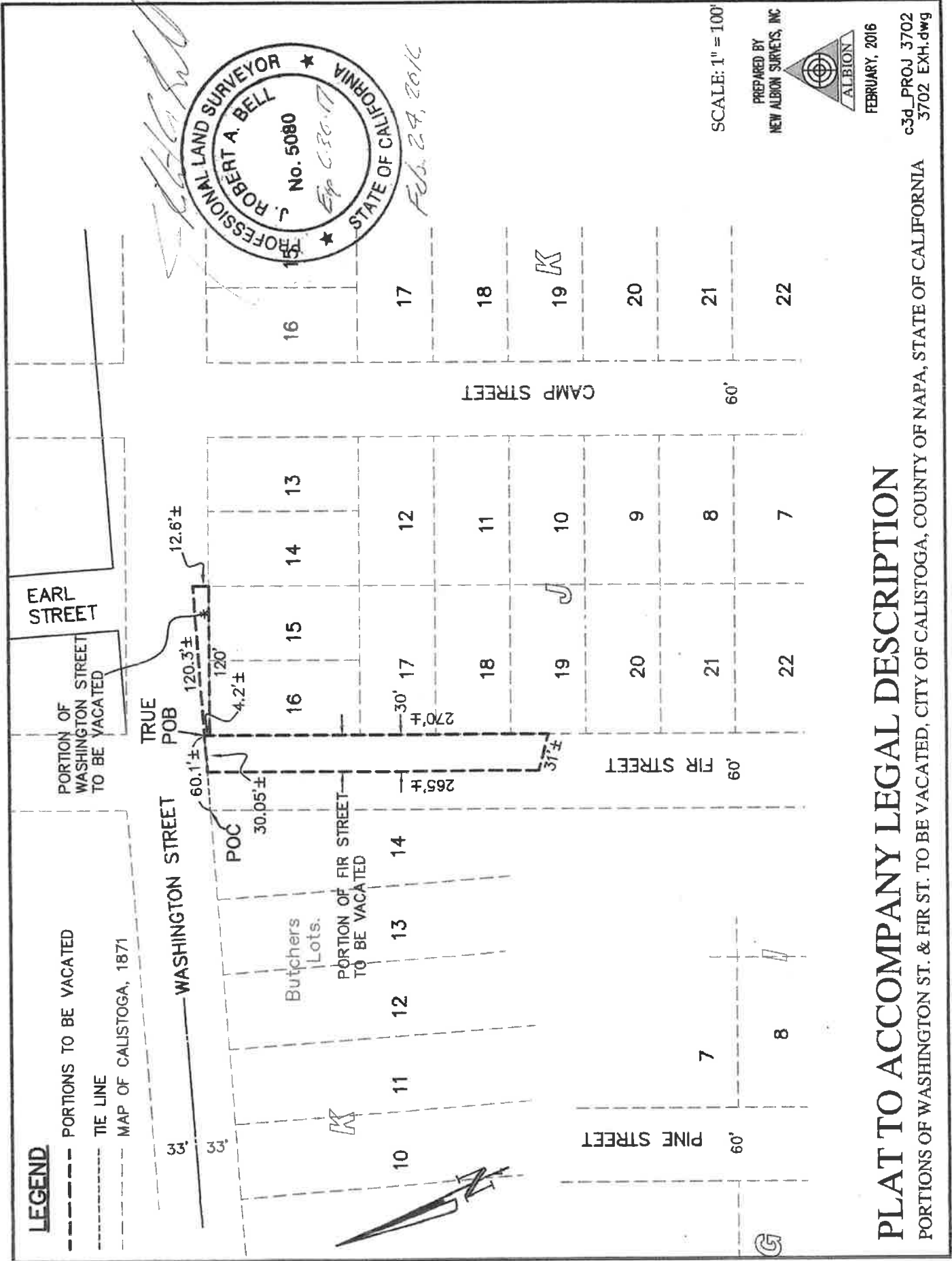
thence Northeasterly along said center of Fir Street 265 feet, more or less to said Northeasterly line of said Lot 14 of said Block K extended;

thence Southeasterly along said line extended 30.05 feet, more or less to the TRUE POINT OF BEGINNING of this description.

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J. Robert A. Bell
Licensed Land Surveyor No. 5080
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PLAT TO ACCOMPANY LEGAL DESCRIPTION

PORTIONS OF WASHINGTON ST. & FIR ST. TO BE VACATED, CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA

