

ORDINANCE No. 12304 _____ C.M.S.

ORDINANCE ABANDONING **A FIVE-FOOT WIDE SIDE SEWER EASEMENT LOCATED NORTH OF MORCOM PLACE RUNNING PERPENDICULAR TO THE WESTERN BOUNDARY OF THE PORTION OF LOT 18, BLOCK "L" OF THE MELROSE ACRES TRACT MORE COMMONLY KNOWN AS 38 MORCOM PLACE**

WHEREAS, a certain five(5') foot wide side sewer easement was dedicated to the City of Oakland by the recordation of that certain indenture recorded May 22, 1948 in Book 5205 at Page 422, instrument No. AC/41254, Official Records of Alameda County; and

WHEREAS, said easement is more particularly described as follows:

See Exhibits "A" and "B" attached

WHEREAS, said side sewer easement is not now needed for the purpose for which it was acquired, and the abandonment thereof will be in the public interest; and

WHEREAS, said abandonment complies with Chapter 4 (Summary Vacation), Part 3 of Division 9, Section 8333 (a) of the Streets and Highways Codes; and

WHEREAS, the requirements of the California Environmental Quality Act (CEQA), of 1970, the guidelines as prescribed by the Secretary of Resources, and the provisions of the Statement of Objectives, Criteria and Procedures for implementation of the California Environmental Quality Act; City of Oakland, as amended, have been satisfied, in that the proposed abandonment has been found to be categorically exempt under the California Environmental Quality Act, Section 15303; now, therefore,

COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

- Section 1. This ordinance complies with the requirements of the California Environmental Quality Act.
- Section 2. This Council hereby orders the abandonment of the hereinabove described side sewer easement.
- Section 3. The City Clerk and Clerk of this Council is hereby directed to have a certified copy of this ordinance recorded in the Office of the Recorder of Alameda County, California, immediately upon its final passage.

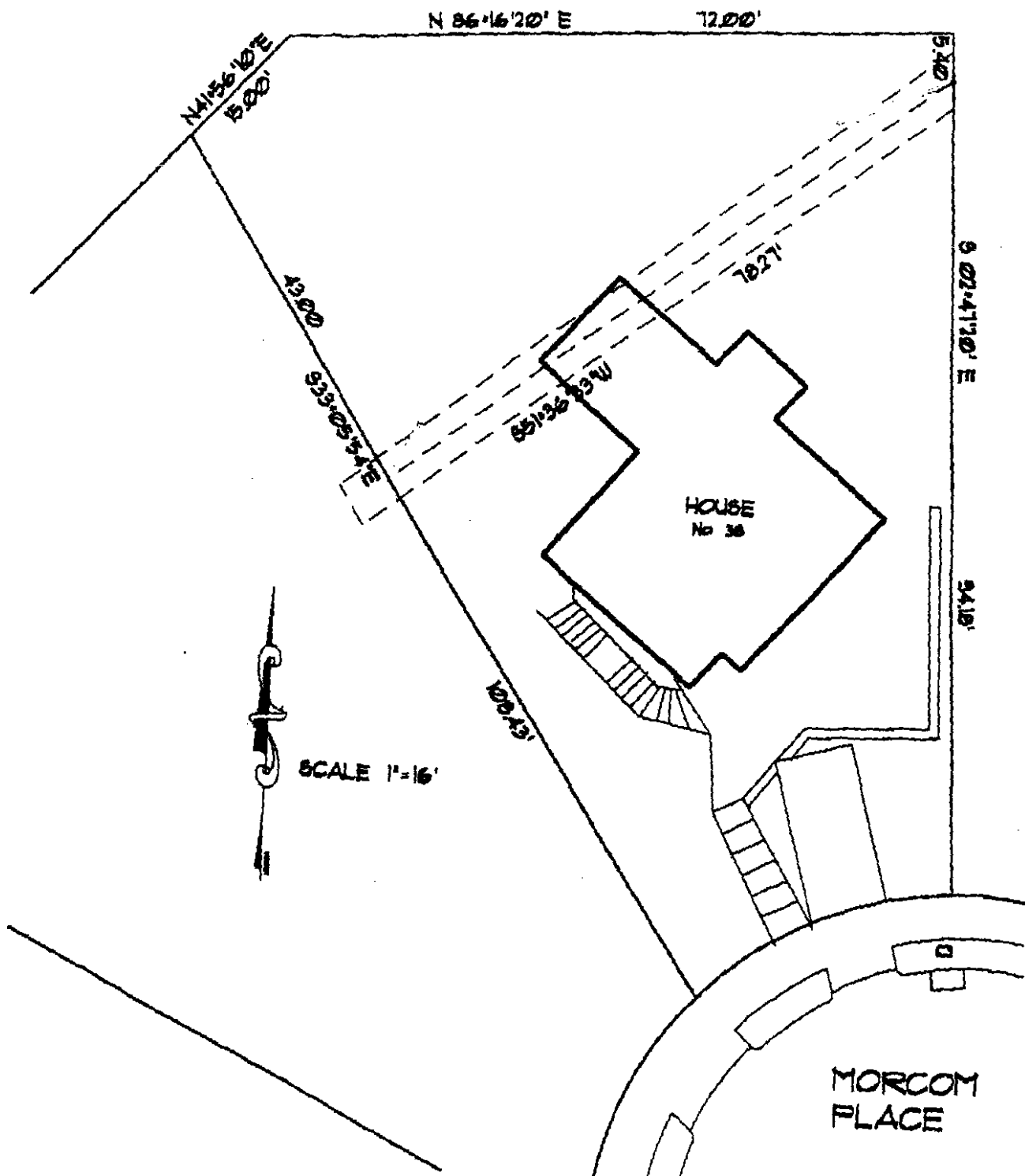
I certify that the foregoing is a full, true and correct copy of a ~~Resolution~~ ^{Ordinance} passed by the City Council of the City of Oakland, Calif., on January 9, 2001
Contha Middleton
City Clerk.

EXHIBIT "A"

A portion of Lot 18 in Block "L", as said lot and block are shown on the Map of "Melrose Acres, Oakland, Alameda County, California", filed November 4, 1920 in Book 6 of Maps, at page 46, in the office of the County Recorder of Alameda County, bounded as follows:

Beginning at a point on the Eastern boundary line of said Lot 18, distant thereon South $2^{\circ} 47' 20''$ East 2.32 feet from the most Northern corner of said Lot 18; running thence along the said Eastern boundary line South $2^{\circ} 47' 20''$ East 6.15 feet; thence South $51^{\circ} 36' 33''$ West 78.27 feet; thence North $33^{\circ} 06'$ West 5.02 feet; thence North $51^{\circ} 36' 33''$ East 81.39 feet to the point of beginning.

EXHIBIT "B"



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