



CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 07/18/06
AGENDA ITEM 5
WORK SESSION ITEM _____

TO: Mayor and City Council
FROM: Director of Public Works
SUBJECT: Summary Vacation of a Portion of Barn Rock Drive

RECOMMENDATION:

It is recommended that the City Council adopt the attached resolution pertaining to the summary vacation of a portion of Barn Rock Drive.

DISCUSSION:

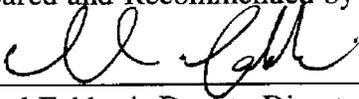
On May 12, 2005, the Planning Commission approved an extension of time for Tentative Parcel Map 7890 located at 28750 Hayward Boulevard (see Exhibit A). The northerly boundary of this parcel map abuts Barn Rock Drive. The Conditions of Approval indicated that prior to the recordation of the parcel map, the vacation of the portion of Barn Rock Drive right of way shall be completed.

Barn Rock Drive was created and dedicated to the public by Tract 4007 (Prominence Development). The portion in question was never constructed as part of the street, and it appears to be part of the property at 28750 Hayward Boulevard. The right of way to be vacated varies, but generally is approximately 45 feet long and 20 feet wide for an overall area of approximately 806 square feet (see Exhibit B). The vacation of this parcel will eliminate the City's responsibility for maintenance of this area outside the traveled portion of the normal street section.

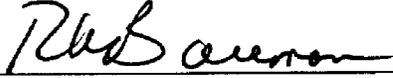
This action qualifies as a summary vacation as defined in the California Streets and Highways Code. A summary vacation is appropriate based on the fact that the portion of Barn Rock Drive to be vacated is not currently used for street purposes and will not be used for street purposes in the future and is, therefore, excess right of way. There are currently no sewer, water, or public utilities within areas of the street to be vacated, and no easements need to be retained for those purposes.

Under the California Environmental Quality Act Guidelines (CEQA), Section 15305, Class 5, Minor Alterations of Land Use Limitations and City Guidelines, the vacation of excess right-of-way is exempt from the Application of CEQA.

Prepared and Recommended by:



Morad Fakhrai, Deputy Director of Public Works



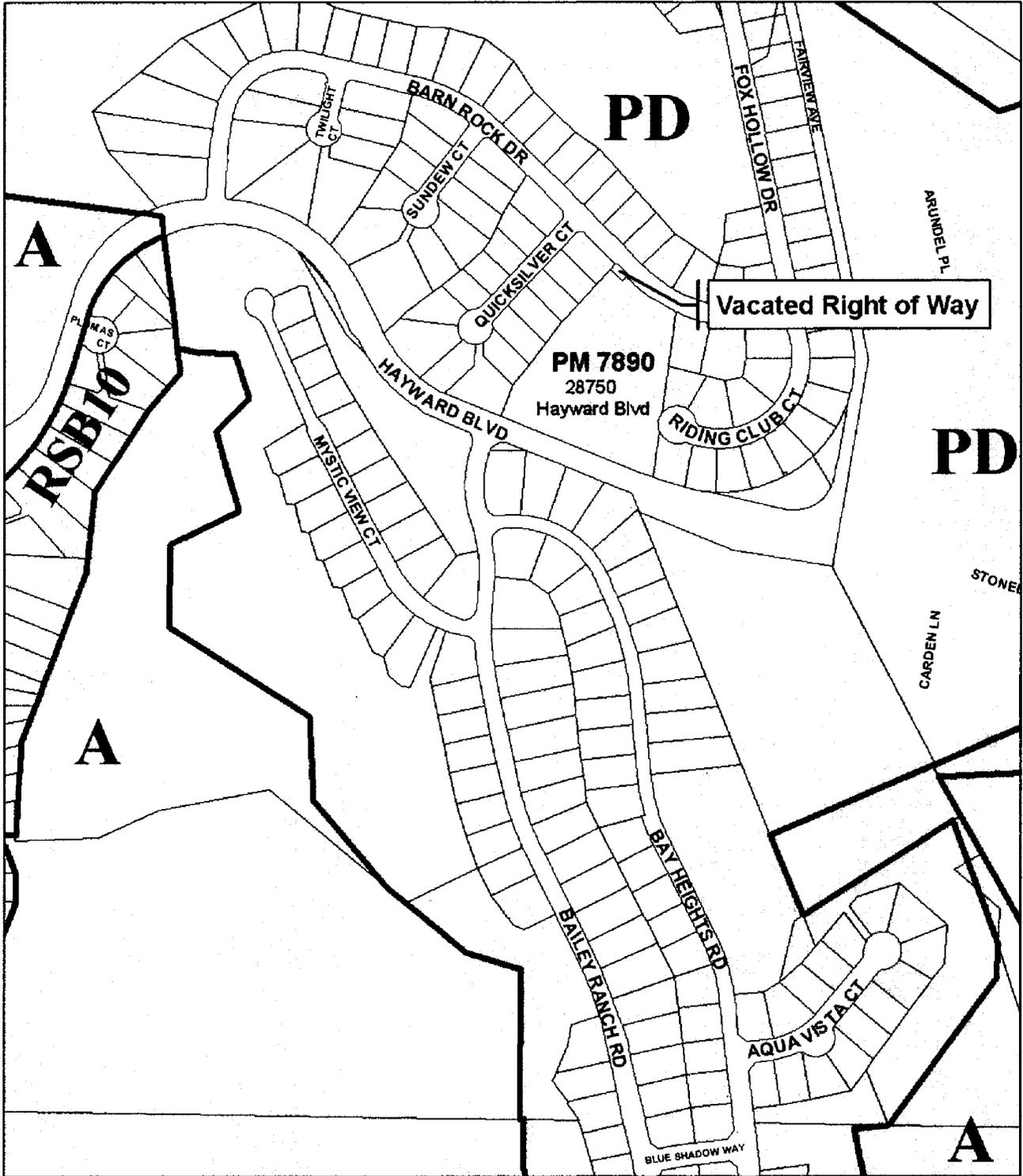
Robert A. Bauman, Director of Public Works

Approved by:



Jesús Armas, City Manager

Attachments: Exhibit A: Location of Parcel Map 7890
Exhibit B: Plat of Vacation



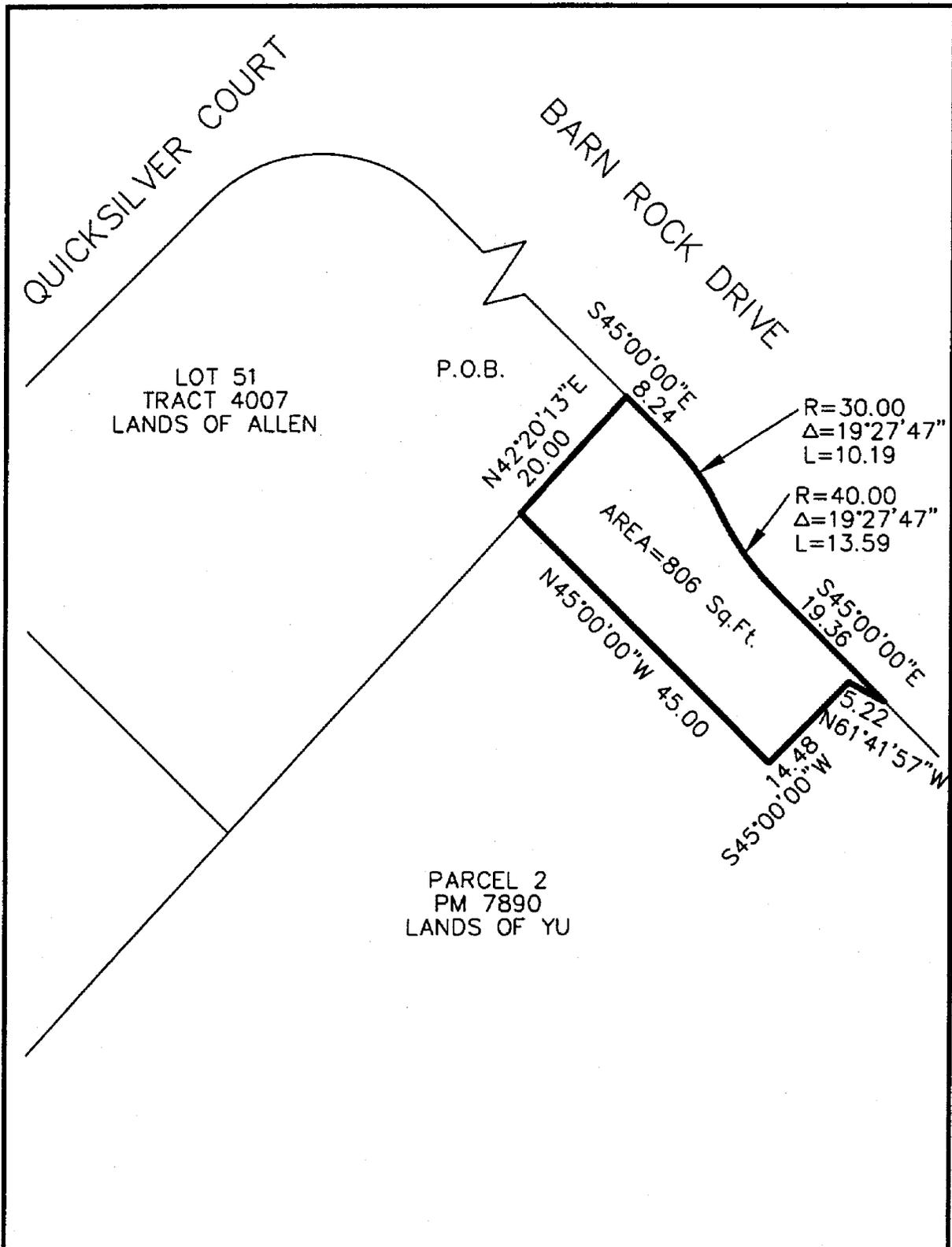
Area & Zoning Map

PL-2002-0374 SPR
 Address: 28750 Hayward Boulevard
 Applicant: Holly Hartman
 Owner: Kong Yu



A - Agricultural-ABSA, AB10A, AB100A, AB180A
 PD - Planned Development

Exhibit A



			CITY OF HAYWARD ENGINEERING DIVISION		VACATION PORTION OF BARN ROCK DRIVE		DWC. NO. 06009		
			DRAWN BY: JNP	DATE: 7-06-06			FILED		
			CHECKED BY: JNP	SCALE: 1"=200'			SHT. 1 of 1		
			APPD. BY:	APPROVED:					
REV	DATE	BY	CITY ENGINEER	DIR. PUBLIC WORKS					

Exhibit B

DRAFT



HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

**RESOLUTION RELATING TO A SUMMARY VACATION OF
A PORTION OF BARN ROCK DRIVE**

WHEREAS, the Director of Public Works has advised that a portion of Barn Rock Drive, created by the development of Tract 4007, as more particularly described in the attached Exhibits "A" and "B," was never constructed as a public street and is no longer needed for public street purposes; and

WHEREAS, there are currently no sewer, water or public utilities within areas of the street to be vacated, and no easements need to be retained for those purposes, and the property is, therefore, excess right of way; and

WHEREAS, the vacation of excess right-of-way is categorically exempt from the requirements of CEQA.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that, pursuant to California Streets and Highways Code section 8334(a), it is hereby ordered that the portion of Barn Rock Drive as more described in Exhibits "A" and "B" attached hereto and made a part hereof, is hereby vacated and the City Clerk is authorized and directed to cause a certified copy of this resolution to be recorded in the office of the County Recorder of Alameda.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2006

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward