

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF RIVERSIDE, CALIFORNIA, MAKING ITS FINDINGS AND DETERMINATIONS IN THE MATTER OF RESOLUTION OF INTENTION NO. 23916; AND MAKING ITS ORDER VACATING APPROXIMATELY 16,696 SQUARE FEET OF AGUILAR STREET.

WHEREAS, on October 25, 2022, the City Council of the City of Riverside in Planning Case No. PR-2021-000975 adopted Resolution No. 23916 declaring its intention to set a public hearing in the vacation of approximately 16,696 square feet of Aguilar Street consisting of approximately 360 feet in length and 50 feet in width, located west of Gibson Street, between Aralia Drive and Douglas Drive, within the City of Riverside, California, and fixing the time and place of hearing all persons interested in the proposed vacation pursuant to the provisions of the Public Streets, Highways and Service Easements Vacation Law, being Sections 8300 et seq. of Part 3, Division 9 of the Streets and Highways Code of the State of California; and

WHEREAS, notice of hearing before the City Council on said resolution of intention was duly given as provided by said Public Streets, Highways, and Services Easements Vacation Law; and

WHEREAS, said proposed vacation had been previously submitted to and considered by the Planning Commission of the City of Riverside at a duly noticed public hearing held on September 15, 2022; and

WHEREAS, following the close of the public hearing before the Planning Commission, the Planning Commission determined that the proposed vacation should be approved; and

WHEREAS, the recommendations of the Planning Commission and the findings were submitted to the City Council for consideration together with the testimony, whether oral or in writing, presented at the public hearing before said City Council; and

WHEREAS, the City Council heard and found and determined from all of the evidence submitted to said Council on the day fixed for the hearing, on October 25, 2022, that the vacation of approximately 16,696 square feet of Aguilar Street consisting of approximately 360 feet in length and 50 feet in width, located west of Gibson Street, between Aralia Drive and Douglas

1 Drive, within the City of Riverside, proposed for vacation is unnecessary for present or
2 prospective public use.

3 NOW, THEREFORE, IT IS RESOLVED, by the City Council of the City of Riverside,
4 California, as follows:

5 Section 1: That the vacation of approximately 16,696 square feet of Aguilar Street
6 consisting of approximately 360 feet in length and 50 feet in width, located west of Gibson
7 Street, between Aralia Drive and Douglas Drive, in Planning Case PR-2021-000975 is
8 undertaken pursuant to the provisions of and in accordance with the procedures set forth in the
9 Public Streets, Highways, and Services Easements Vacation Law being Sections 8300 et seq. of
10 the Streets and Highway Code, and all notices required thereby have been duly given.

11 Section 2: That from all evidence submitted to the City Council at the October 25, 2022,
12 public hearing before it on Planning Case PR-2021-000975, whether such evidence was oral or
13 in writing, together with the recommendations and findings from the Planning Commission, and
14 contained in this Resolution and accompanying staff report, that an approximately 16,696 square
15 feet of Aguilar Street consisting of approximately 360 feet in length and 50 feet in width, located
16 west of Gibson Street, between Aralia Drive and Douglas Drive, within the City of Riverside,
17 California, as hereinafter described and ordered vacated is unnecessary for present or prospective
18 public use as a public street. The proposed vacation will 1) no longer be needed for street
19 purposes or for access to adjacent properties, as the developer for the multi-family project will be
20 constructing private driveways for the two residences located at 9315 Aguilar Street and 3210
21 Gibson Street; 2) will not be necessary for present or future public use or vehicular traffic, as the
22 remaining unimproved portion of Aguilar Street right-of-way will be incorporated into the
23 project site; 3) Gibson Street will serve as the primary access to the two residences located at
24 9315 Aguilar Street and 3210 Gibson Street and the proposed multi-family development; 4) will
25 not impact access to any other parcels than the two existing residences that will maintain access
26 via private driveways constructed by the developer of the proposed multiple family development;
27 and 5) will not be materially detrimental to the health, safety and general welfare of the public or
28 otherwise injurious to the environment or to the property or improvements within the area.

1 Section 3: That the vacation of approximately 16,696 square feet of Aguilar Street
2 consisting of approximately 360 feet in length and 50 feet in width, located west of Gibson
3 Street, between Aralia Drive and Douglas Drive, within the City of Riverside, California, and
4 described and depicted in attached Exhibit “A”, and by this reference made a part hereof, be and
5 the same is hereby ordered vacated.

6 Section 4: That the public convenience and necessity requires the exception of the
7 following easements and rights-of-way from the vacation hereinabove ordered: an easement for
8 electrical energy, underground facilities including water pipelines, gas lines, storm drains,
9 sanitary sewers, electrical energy, telephone, telegraph and communications structures, and the
10 right of ingress and egress to construct, place, inspect, operate, maintain, repair, replace and
11 remove such underground facilities unless said facilities are satisfactorily relocated and/or
12 abandoned, further, that the public convenience and necessity require the exception and
13 reservation from the vacation of those easements and rights-of-way in, under, across, upon, over
14 and along that portion of the public streets ordered to be vacated necessary to maintain, operate,
15 remove or renew any in-place public utility facilities that are in use and not otherwise excepted
16 and reserved hereinabove

17 Section 5: That the vacation, termination and abandonment of approximately 16,696
18 square feet of Aguilar Street consisting of approximately 360 feet in length and 50 feet in width,
19 located west of Gibson Street, between Aralia Drive and Douglas Drive, described and depicted
20 in Exhibit “A” shall occur only after the applicable conditions contained in the Planning
21 Department’s report to the City Council and on file with the City Clerk, as approved or amended
22 by the City Council, have been satisfied, and the City Clerk is hereby directed not to record this
23 resolution of vacation until the applicable conditions have been satisfied.

24 Section 6: That the City Clerk of the City of Riverside shall cause a certified copy of this
25 resolution to be recorded in the Office of the County Recorder of the County of Riverside,
26 California, upon the satisfaction of the applicable conditions, and approximately 16,696 square
27 feet of Aguilar Street consisting of approximately 360 feet in length and 50 feet in width, located
28 west of Gibson Street, between Aralia Drive and Douglas Drive, within the City of Riverside,

1 California, and described and depicted in Exhibit "A" shall no longer constitute a public street
2 from and after the date of recordation.

3 ADOPTED by the City Council this _____ day of _____, 2022.
4

5 _____
6 PATRICIA LOCK DAWSON
Mayor of the City of Riverside

7 _____
8 DONESIA GAUSE
City Clerk of the City of Riverside

9 I, Donesia Gause, City Clerk of the City of Riverside, California, hereby certify that the
10 foregoing resolution was duly and regularly adopted at a meeting of the City Council of said City
11 at its meeting held on the _____ day of _____, 2022, by the following vote, to
12 wit:

13 Ayes:

14 Noes:

15 Absent:

16 Abstain:

17 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of
18 the City of Riverside, California, this _____ day of _____, 2022.

19 _____
20 DONESIA GAUSE
City Clerk of the City of Riverside
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