

1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE,  
3 CALIFORNIA, PROVIDING FOR THE SUMMARY VACATION (CASE NO. SD-  
4 2022-00005) OF APPROXIMATELY 6,279-SQUARE-FOOT EXCESS RIGHT-OF-  
5 WAY SEGMENT LOCATED ADJACENT TO 1459 AND 1535 WEST LA CADENA  
6 DRIVE, ON THE WEST SIDE OF WEST LA CADENA DRIVE BETWEEN KNOLL  
7 WAY AND SPRING GARDEN STREET, RIVERSIDE, CALIFORNIA.

8 WHEREAS, the City of Riverside received a proposal by Andrew Walcker of Overland  
9 Development Company to summarily vacate a segment consisting of approximately 6,279 square  
10 feet (0.14 acres) of excess right-of-way, approximately 8.80 feet in width and 528.14 feet in length,  
11 located adjacent to 1459 and 1535 West La Cadena Drive, on the west side of West La Cadena  
12 Drive between Knoll Way and Spring Garden Street, in the City of Riverside, California, as  
13 described and depicted in Exhibit "A," attached hereto and incorporated herein by reference ("the  
14 Property"); and

15 WHEREAS, on February 1, 2007, the Property was relinquished by Caltrans to the City of  
16 Riverside; and

17 WHEREAS, the Property is excess right-of-way and is not required for street or highway  
18 purposes; and

19 WHEREAS, the access to the adjoining properties and public service easements will not  
20 be affected by the vacation of the Property; and

21 WHEREAS, the Property is not utilized nor improved as a public right-of-way and no  
22 public funds have been expended on the maintenance of the right-of-way for street purposes within  
23 the last five (5) years; and

24 WHEREAS, Section 8334 of the Streets and Highways Code provides that the legislative  
25 body of a local agency may summarily vacate the Property that is excess right-of-way and not  
26 required for street or highway purposes; and

27 WHEREAS, the City Council wishes to proceed under the provisions of Section 8330, *et*  
28 *seq.*, of the Street and Highways Code to summarily vacate the Property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riverside,  
California, as follows:

1           Section 1: The vacation of the Property is undertaken pursuant to the provisions of Chapter  
2 4 (commencing with Section 8330) of Part 3 of the Streets and Highways Code of the State of  
3 California.

4           Section 2: The City Council finds and determines as follows:

5                   (a)     The Property is excess right-of-way and is not required for street or highway  
6 purposes.

7                   (b)     The vacation of the Property will not cut off all access to adjoining  
8 properties and will not affect any public service easement.

9                   (c)     The Property is not utilized nor improved as a public right-of-way, and no  
10 public funds have been expended on its maintenance as such for the last five (5) years.

11           Section 3: The proposed summary street vacation project is exempt from the provisions of  
12 the California Environmental Quality Act pursuant to Section 15061 (b) (3) of the Guidelines for  
13 Implementation of the California Environmental Quality Act (Title 15, California Code of  
14 Regulations, commencing with Section 15000) as it can be seen with certainty that there is no  
15 possibility that the activity will have a significant effect on the environment.

16           Section 4: The City Council hereby orders the Summary Vacation of a segment consisting  
17 of approximately 6,279 square feet (0.14 acres) of excess right-of-way, approximately 8.80 feet in  
18 width and 528.14 feet in length, located on the west side of West La Cadena Drive between Knoll  
19 Way and Spring Garden Street, as more particularly described and depicted in Exhibit "A,"  
20 attached hereto and incorporated herein by this reference, subject to the Recommended Conditions  
21 contained in the Council Report, and further, reserving and excepting in place easements and  
22 rights-of-way, if the same exist, from the vacation herein above ordered; and the right to construct,  
23 maintain, operate, inspect, replace, remove, renew, repair and enlarge lines of pipe, conduits,  
24 cables, wires, poles, vaults, manholes, markers, equipment, fixtures and other convenient and  
25 appurtenant structures, for the distribution and/or transmission of electrical energy, underground  
26 facilities including water pipelines, gas lines, storm drains, sanitary sewers, telephone, telegraph,  
27 cable television and other communication facilities, as they currently exist.  
28

Section 5: The City Clerk of the City of Riverside shall assign a deed number hereto and cause a certified copy of this resolution to be recorded in the Office of the County Recorder of Riverside County, California, of the right-of-way described and depicted in Exhibit “A” shall be and is hereby terminated as of the date of said recordation and shall no longer constitute a public right-of-way from and after said date of recordation.

ADOPTED by the City Council and this \_\_\_\_ day of \_\_\_\_\_, 2022.

PATRICIA LOCK DAWSON  
Mayor of the City of Riverside

DONESIA GAUSE  
City Clerk of the City of Riverside

I, Donesia Gause, City Clerk of the City of Riverside, California, hereby certify that the foregoing resolution was duly and regularly adopted at a meeting of the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2022, by the following vote, to wit:

*Ayes:*

Noes:

Abstain:

Absent:

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

DONESIA GAUSE  
City Clerk of the City of Riverside