

1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE,
3 CALIFORNIA, PROVIDING FOR THE SUMMARY VACATION (CASE NO.
4 P15-0023) OF APPROXIMATELY 5,287 SQUARE FOOT PORTION OF LA
5 CADENA DRIVE, LYING BETWEEN THE WEST END OF E. LA CADENA
6 DRIVE, WEST OF KANSAS AVENUE IN THE CITY OF RIVERSIDE,
7 CALIFORNIA.

8 WHEREAS, the City of Riverside proposes to vacate approximately 5,287 square foot
9 portion of La Cadena Drive, lying between the west end of E. La Cadena Drive, west of Kansas
10 Avenue, and up to the California State Route 91 right-of-way, in the City of Riverside,
11 California, as described and depicted in Exhibit "A", attached hereto and incorporated by
12 reference ("Property"); and

13 WHEREAS, the Property is excess right-of-way and is no longer required for street or
14 highway purposes; and

15 WHEREAS, the adjoining properties and public service easements will not be affected by
16 the vacation of the Property; and

17 WHEREAS, the Property has been closed and impassable for vehicular travel as a public
18 road, and no funds have been expended on its maintenance for the last five years; and

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

22 WHEREAS, the City Council wishes to proceed under the provisions of Section 8330, et
23 seq. of the Street and Highways Code to summarily vacate the Property; and

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

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

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

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

3 (b) The vacation of the Property will not cut off all access of any parcel of
4 property and will not affect any public service easement.

5 (c) The Property has been closed and impassable for vehicular travel, and no
6 public funds have been expended on its maintenance as such for the last five years.

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

12 Section 4: The City Council hereby orders the Summary Vacation of approximately
13 5,287 square foot portion of La Cadena Drive, lying between the west end of E. La Cadena
14 Drive, west of Kansas Avenue, and up to the California State Route 91 right-of-way, as
15 particularly described and depicted in Exhibit "A", attached hereto and incorporated herein by
16 this reference, subject to the Recommended Conditions contained in the Council Report, and
17 further, reserving and excepting in place easements and rights-of-way, if the same exist, from the
18 vacation herein above ordered: an easement for, and right to construct, maintain, operate, inspect,
19 replace, remove, renew, repair and enlarge lines of pipe, conduits, cables, wires, poles, vaults,
20 manholes, markers, equipment, fixtures and other convenient and appurtenant structures, for the
21 distribution and/or transmission of electrical energy, water pipelines, gas lines, storm drains,
22 sanitary sewers, telephone, telegraph, cable television and other communication facilities, as may
23 from time to time be required and including said sanitary sewer easement reserved in Exhibit
24 "A".

25 Section 5: The vacation shall occur only after the applicable conditions contained in the
26 Community & Economic Development Department's Planning Division's report to the City
27 Council and on file with the City Clerk, as approved or amended by the City Council, have been
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1 satisfied, and the City Clerk is hereby directed not to record this resolution of vacation until the
2 applicable conditions have been satisfied.

3 Section 6: The City Clerk of the City of Riverside shall assign a deed number hereto and
4 cause a certified copy of this resolution to be recorded in the Office of the County Recorder of
5 Riverside County, California, of the public street described and depicted in Exhibit "A" shall be
6 and is hereby terminated as of the date of said recordation and shall no longer constitute a public
7 street or right-of-way from and after said date of recordation.

8 ADOPTED by the City Council this ____ day of _____, 2015.

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10 _____
11 WILLIAM R. BAILEY, III
12 Mayor of the City of Riverside

13 Attest:

14 _____
15 COLLEEN J. NICOL
16 City Clerk of the City of Riverside
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1 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the
2 foregoing resolution was duly and regularly adopted at a meeting of the City Council on the
3 ____ day of _____, 2015, by the following vote, to wit:

4 Ayes:

5 Noes:

6 Absent:

7 Abstain:

8 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of
9 the City of Riverside, California, this ____ day of _____, 2015.

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12 _____
13 COLLEEN J. NICOL
14 City Clerk of the City of Riverside
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