

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 P17-0423) OF APPROXIMATELY 2,044 SQUARE FEET OF ALLEY  
5 LOCATED MID-BLOCK BETWEEN MARKET STREET AND THE MAIN  
6 STREET PEDESTRIAN MALL, IN THE CITY OF RIVERSIDE,  
7 CALIFORNIA.

8 WHEREAS, the City of Riverside proposes to vacate an approximately 2,044 square foot  
9 portion of the alley that connects Mission Inn Avenue and Sixth Street, between Market Street  
10 and the Main Street Pedestrian Mall, in the City of Riverside, California, as described and  
11 depicted in Exhibit "A", attached hereto and incorporated by reference (hereinafter "the  
12 Property"); and

13 WHEREAS, the Property is excess right-of-way and is not required for street or highway  
14 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 used for private parking stalls since 1998, does not  
18 provide access to any parcels and no funds have been expended by the City over the last five (5)  
19 years; and

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

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

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

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

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

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

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

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

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

13           Section 4: The City Council hereby orders the Summary Vacation of approximately  
14 2,044 square feet of alley located adjacent to Mission Inn Avenue, between Market Street and  
15 the Main Street Pedestrian Mall, as particularly described and depicted in Exhibit "A", attached  
16 hereto and incorporated herein by this reference, subject to the Recommended Conditions  
17 contained in the Council Report, and further, reserving and excepting in place easements and  
18 rights-of-way, if the same exist, from the vacation herein above ordered; and the right to  
19 construct, maintain, operate, inspect, replace, remove, renew, repair and enlarge lines of pipe,  
20 conduits, cables, wires, poles, vaults, manholes, markers, equipment, fixtures and other  
21 convenient and appurtenant structures, for the distribution and/or transmission of electrical  
22 energy, underground facilities including water pipelines, gas lines, storm drains, sanitary sewers,  
23 telephone, telegraph, cable television and other communication facilities, as they currently exist.

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

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ADOPTED by the City Council and this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
WILLIAM R. BAILEY, III  
Mayor of the City of Riverside

\_\_\_\_\_  
COLLEEN J. NICOL  
City Clerk of the City of Riverside

I, Colleen J. Nicol, 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 \_\_\_\_\_ 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 \_\_\_\_\_.

\_\_\_\_\_  
COLLEEN J. NICOL  
City Clerk of the City of Riverside

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