

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 P17-0632) OF APPROXIMATELY 351 SQUARE FEET OF EXCESS RIGHT-
5 OF-WAY LOCATED AT THE SOUTHEAST CORNER OF INDIANA AND
6 ARLINGTON AVENUES, IN THE CITY OF RIVERSIDE, CALIFORNIA.

7 WHEREAS, the City of Riverside proposes to vacate an approximately 351 square foot
8 portion of the excess right-of-way located at the southeast corner of Indiana and Arlington
9 Avenues, in the City of Riverside, California, as described and depicted in Exhibit "A," attached
10 hereto and incorporated by reference (hereinafter "the Property"); and

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

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

15 WHEREAS, the area to be vacated has been utilized for vehicle parking since 2013 and is
16 impassable as a public road. No public funds have been expended on the maintenance of the
17 right-of-way for street purposes within the last five (5) years; and

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

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

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

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

28 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 to adjoining
4 properties 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 351
13 square feet of excess right-of-way located at the southeast corner of Indiana and Arlington
14 Avenues, as more particularly described and depicted in Exhibit "A," attached hereto and
15 incorporated herein by this reference, subject to the Recommended Conditions contained in the
16 Council Report, and further, reserving and excepting in place easements and rights-of-way, if the
17 same exist, from the vacation herein above ordered; and the right to construct, maintain, operate,
18 inspect, replace, remove, renew, repair and enlarge lines of pipe, conduits, cables, wires, poles,
19 vaults, manholes, markers, equipment, fixtures and other convenient and appurtenant structures,
20 for the distribution and/or transmission of electrical energy, underground facilities including
21 water pipelines, gas lines, storm drains, sanitary sewers, telephone, telegraph, cable television
22 and other communication facilities, as they currently exist.

23 Section 5: The City Clerk of the City of Riverside shall assign a deed number hereto and
24 cause a certified copy of this resolution to be recorded in the Office of the County Recorder of
25 Riverside County, California, of the right-of-way described and depicted in Exhibit "A" shall be
26 and is hereby terminated as of the date of said recordation and shall no longer constitute a public
27 right-of-way from and after said date of recordation.
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ADOPTED by the City Council and this ____ day of _____, 2018.

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 _____, 2018, 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 _____, 2018.

COLLEEN J. NICOL
City Clerk of the City of Riverside

EXHIBIT “A”
LEGAL DESCRIPTION

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