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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, PROVIDING FOR THE SUMMARY VACATION (CASE NO. P18-0179) OF APPROXIMATELY 0.154 ACRES OF A PORTION OF AN UNIMPROVED SEGMENT OF AN OFFER OF DEDICATION, SITUATED SOUTH OF MAGNOLIA AVENUE AND EAST OF ADAMS STREET, IN THE CITY OF RIVERSIDE, CALIFORNIA.

WHEREAS, the City of Riverside proposes to vacate a portion of an unimproved segment of Magnolia Avenue that is approximately 42 feet in width and 153 feet in length, totaling approximately 0.154 acres that was offered for dedication, but never accepted, situated south of Magnolia Avenue and east of Adams Street, in the City of Riverside, California, as described and depicted in Exhibit "A," attached hereto and incorporated by reference ("Property"); and

WHEREAS, the Property is right-of-way that has never been accepted and is not required for street or highway purposes; and

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

WHEREAS, the area to be vacated is impassable as a public road and no public funds have been expended on the maintenance of the right-of-way for street purposes within the last five (5) years; and

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

WHEREAS, the City Council wishes to proceed under the provisions of Section 8330, *et 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:

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

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

1 (a) The Property is right-of-way that has never been accepted and is not required
2 for street or highway purposes.

3 (b) The vacation of the Property will not cut off all access to adjoining properties
4 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 of
8 the California Environmental Quality Act pursuant to Section 15061 (b) (3) of the Guidelines for
9 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 a portion of an
13 unimproved segment of Magnolia Avenue that is approximately 42 feet in width and 153 feet in
14 length, totaling approximately 0.154 acres, situated south of Magnolia Avenue and east of Adams
15 Street, in the City of Riverside, California, as more particularly described and depicted in Exhibit
16 "A," attached hereto and incorporated herein by this reference, subject to the Recommended
17 Conditions contained in the Council Report, and further, reserving and excepting in place easements
18 and 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 convenient
21 and appurtenant structures, for the distribution and/or transmission of electrical energy, underground
22 facilities including water pipelines, gas lines, storm drains, sanitary sewers, telephone, telegraph,
cable television 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 and
26 is hereby terminated as of the date of said recordation and shall no longer constitute a public right-
27 of-way from and after said date of recordation.
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1 ADOPTED by the City Council and this ____ day of _____, 2018.

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

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COLLEEN J. NICOL
City Clerk of the City of Riverside

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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:

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Ayes:

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Noes:

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Abstain:

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Absent:

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IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the
City of Riverside, California, this ____ day of _____, 2018.

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COLLEEN J. NICOL
City Clerk of the City of Riverside

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18-0395 KJS 03/21/18

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