

1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE,
3 CALIFORNIA, PROVIDING FOR THE SUMMARY VACATION
4 (CASE NO. P17-0471) OF AN APPROXIMATELY 2,424-SQUARE FOOT PORTION
5 OF EXCESS RIGHT-OF-WAY, LOCATED AT 3575-3661 MERRILL AVENUE.

6 WHEREAS, the City of Riverside proposes to vacate an approximately 2,424-square foot
7 portion of excess right-of-way on the north side of Merrill Avenue from approximately 214 feet
8 easterly of De Anza Avenue to 553 feet westerly of Riverside Avenue, in the City of Riverside,
9 California, as described and depicted in Exhibit "A," attached hereto and incorporated by reference
(hereinafter "the Property"); and

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

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

14 WHEREAS, the Property has been superseded by relocation and will no longer be
15 improved with any public sidewalk, parkway, curb, gutter or roadway; and

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

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

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

23 Section 1: The vacation of the Property is undertaken pursuant to the provisions of Chapter
24 4 (commencing with Section 8330) of Part 3 of the Streets and Highways Code of the State of
California.

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

26 (a) The Property is excess right-of-way and is not required for street or highway
27 purposes.
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1 (b) The vacation of the Property will not cut off all access to adjoining
2 properties and will not affect any public service easement.

3 (c) The Property has been superseded by relocation and will no longer be
4 improved with any public sidewalk, parkway, curb, gutter or roadway.

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

10 Section 4: The City Council hereby orders the Summary Vacation of an approximately
11 2,424-square foot portion of excess right-of-way on the north side of Merrill Avenue from
12 approximately 214 feet easterly of De Anza Avenue to 553 feet westerly of Riverside Avenue, as
13 more particularly described and depicted in Exhibit "A," attached hereto and incorporated herein
14 by this reference, subject to the Recommended Conditions contained in the Council Report, and
15 further, reserving and excepting in place easements and rights-of-way, if the same exist, from the
16 vacation herein above ordered; and the right to construct, maintain, operate, inspect, replace,
17 remove, renew, repair and enlarge lines of pipe, conduits, cables, wires, poles, vaults, manholes,
18 markers, equipment, fixtures and other convenient and appurtenant structures, for the distribution
19 and/or transmission of electrical energy, underground facilities including water pipelines, gas
20 lines, storm drains, sanitary sewers, telephone, telegraph, cable television and other
communication facilities, as they currently exist.

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