

1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE,
3 CALIFORNIA, PROVIDING FOR THE SUMMARY VACATION (CASE NO. P19-
4 0004) OF AN APPROXIMATELY 42-FOOT WIDE AND 330-FOOT LONG PORTION
5 OF AN UNACCEPTED OFFER OF RIGHT-OF-WAY, TOTALING
6 APPROXIMATELY 13,860-SQUARE FEET, LOCATED ON THE NORTH SIDE OF
7 MAGNOLIA AVENUE BETWEEN BEL AIR STREET AND MONROE STREET,
8 RIVERSIDE, CALIFORNIA.

9 WHEREAS, the City of Riverside proposes to vacate an approximately 42-foot wide by
10 330-foot long portion of an unaccepted offer of right-of-way dedication, totaling approximately
11 13,860 square feet, located on the north side of Magnolia Avenue between Bel Air Street and
12 Monroe Street, in the City of Riverside, California, as described and depicted in Exhibit "A,"
13 attached hereto and incorporated herein by reference ("the Property"); and

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

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

18 WHEREAS, the Property has been closed and impassable for vehicular travel as a public
19 road and no public funds have been expended on the maintenance of the right-of-way for street
20 purposes within the last five (5) years; and

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

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

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

28 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 excess right-of-way and is not required for street or highway
2 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 (5) 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 an approximately 42-
13 foot wide by 330-foot long portion of an unaccepted offer of right-of-way dedication, totaling
14 approximately 13,860 square feet, located on the north side of Magnolia Avenue between Bel Air
15 Street and Monroe Street, as more 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 construct,
19 maintain, operate, inspect, replace, remove, renew, repair and enlarge lines of pipe, conduits,
20 cables, wires, poles, vaults, manholes, markers, equipment, fixtures and other convenient and
21 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
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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1 ADOPTED by the City Council and this ____ day of _____, 2019.

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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 _____, 2019, 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 _____, 2019.

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COLLEEN J. NICOL
City Clerk of the City of Riverside

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