

1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE,
3 CALIFORNIA, PROVIDING FOR THE SUMMARY VACATION (CASE NO. P18-
4 0960) OF AN APPROXIMATELY 49-FOOT WIDE AND 170-FOOT IN DEPTH
5 PORTION, TOTALING APPROXIMATELY 8,070-SQUARE FEET, OF AN
UNIMPROVED SEGMENT OF COTTONWOOD AVENUE WEST OF OLD 215
FRONTAGE ROAD, RIVERSIDE, CALIFORNIA.

6 WHEREAS, the City of Riverside received a proposal by Bob McMath of REF&C Data
7 Correlation Management Services, LLC to summarily vacate an irregularly-shaped portion of
8 right-of-way, approximately 49-foot wide by 174-foot in depth, totaling approximately 8,070
9 square feet, located on an unimproved segment of Cottonwood Avenue west of Old 215 Frontage
10 Road, in the City of Riverside, California, as described and depicted in Exhibit "A," attached
11 hereto and incorporated herein by reference ("the Property"); and

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

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

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

19 WHEREAS, Section 8334 of the Streets and Highways Code provides that the legislative
20 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

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 Chapter
26 4 (commencing with Section 8330) of Part 3 of the Streets and Highways Code of the State of
27 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 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 irregularly-shaped
13 portion of right-of-way, approximately 49-foot wide by 174-foot in depth, totaling approximately
14 8,070 square feet, located on an unimproved segment of Cottonwood Avenue west of Old 215
15 Frontage Road, as more particularly described and depicted in Exhibit "A," attached hereto and
16 incorporated herein by this reference, subject to the Recommended Conditions contained in the
17 Council Report, and further, reserving and excepting in place easements and rights-of-way, if the
18 same exist, from the vacation herein above ordered; and the right to construct, maintain, operate,
19 inspect, replace, remove, renew, repair and enlarge lines of pipe, conduits, cables, wires, poles,
20 vaults, manholes, markers, equipment, fixtures and other convenient and appurtenant structures,
21 for the distribution and/or transmission of electrical energy, underground facilities including water
22 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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