

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF RIVERSIDE, CALIFORNIA, MAKING ITS FINDINGS AND DETERMINATIONS IN THE MATTER OF RESOLUTION OF INTENTION NO. 23671; AND MAKING ITS ORDER VACATING AN APPROXIMATELY 7,268-SQUARE FOOT PUBLIC RIGHT-OF-WAY CONSISTING OF A SEGMENT OF SEVENTH STREET AND AN APPROXIMATELY 3,150 SQUARE FOOT AREA CONSISTING OF AN UNIMPROVED PUBLIC ALLEY LOCATED ON THE WEST SIDE OF FRANKLIN AVENUE BETWEEN SEVENTH STREET AND UNIVERSITY AVENUE.

WHEREAS, on February 2, 2021, the City Council of the City of Riverside in Planning Case No. P20-0134 adopted Resolution No. 23671 declaring its intention to set a public hearing in the vacation of an approximately 7,268-square foot public right-of-way consisting of a segment of Seventh Street, approximately 105 feet in length and 80 feet in width and an approximately 3,150 square foot area consisting of an unimproved public alley, approximately 105 feet in length and 30 feet in width, located on the west side of Franklin Avenue between Seventh Street and University Avenue, both segments totaling approximately 0.24 acres, within the City of Riverside, California, and fixing the time and place of hearing all persons interested in the proposed vacation pursuant to the provisions of the Public Streets, Highways and Service Easements Vacation Law, being Sections 8300 et seq. of Part 3, Division 9 of the Streets and Highways Code of the State of California; and

WHEREAS, notice of hearing before the City Council on said resolution of intention was duly given as provided by said Public Streets, Highways, and Services Easements Vacation Law; and

WHEREAS, said proposed vacation had been previously submitted to and considered by the Planning Commission of the City of Riverside at a duly noticed public hearing held on December 10, 2020; and

WHEREAS, following the close of the public hearing before the Planning Commission, the Planning Commission determined that the proposed vacation should be approved; and

WHEREAS, the recommendations of the Planning Commission and the findings were submitted to the City Council for consideration together with the testimony, whether oral or in

1 writing, presented at the in-person and/or virtual public hearing before said City Council; and

2 WHEREAS, the City Council heard and found and determined from all of the evidence
3 submitted to said Council on the day fixed for the in-person and/or virtual public hearing, on
4 February 2, 2021, that the vacation of an approximately 7,268-square foot public right-of-way
5 consisting of a segment of Seventh Street, approximately 105 feet in length and 80 feet in width
6 and an approximately 3,150 square foot area consisting of an unimproved public alley,
7 approximately 105 feet in length and 30 feet in width, located on the west side of Franklin
8 Avenue between Seventh Street and University Avenue, both segments totaling approximately
9 0.24 acres, within the City of Riverside, proposed for vacation is unnecessary for present or
10 prospective public use.

11 NOW, THEREFORE, IT IS RESOLVED, by the City Council of the City of Riverside,
12 California, as follows:

13 Section 1: That the vacation of the an approximately 7,268-square foot public right-of-
14 way consisting of a segment of Seventh Street, approximately 105 feet in length and 80 feet in
15 width and an approximately 3,150 square foot area consisting of an unimproved public alley,
16 approximately 105 feet in length and 30 feet in width, located on the west side of Franklin
17 Avenue between Seventh Street and University Avenue, both segments totaling approximately
18 0.24 acres, in Planning Case P20-0134 is undertaken pursuant to the provisions of and in
19 accordance with the procedures set forth in the Public Streets, Highways, and Services
20 Easements Vacation Law being Sections 8300 et seq. of the Streets and Highway Code, and all
21 notices required thereby have been duly given.

22 Section 2: That from all evidence submitted to the City Council at the February 2, 2021,
23 public hearing before it on Planning Case P20-0134, whether such evidence was oral or in
24 writing, together with the recommendations and findings from the Planning Commission and this
25 resolution and staff report, that an approximately 7,268-square foot public right-of-way
26 consisting of a segment of Seventh Street, approximately 105 feet in length and 80 feet in width
27 and an approximately 3,150 square foot area consisting of an unimproved public alley,
28 approximately 105 feet in length and 30 feet in width, located on the west side of Franklin

1 Avenue between Seventh Street and University Avenue, both segments totaling approximately
2 0.24 acres, within the City of Riverside, California, as hereinafter described and ordered vacated
3 is unnecessary for present or prospective public use as a public street. Specifically, the parcels
4 are owned by the Riverside Unified School District ("RUSD") as part of the expansion of
5 Longfellow Elementary School and access will not be impacted. RUSD is coordinating with the
6 Public Works Department Traffic Division to reconfigure the intersection of Seventh Street and
7 Franklin Street with a traffic circle to provide safe circulation into the school. The segment of
8 Seventh street and the alley provided access to the two residences that have since been acquired
9 by the RUSD to facilitate the expansion of Longfellow Elementary School. There are no other
10 uses, residences or businesses that require access from this segment of Seventh Street and the
11 alley. The segment of Seventh Street and the alley do not currently connect to any other street
12 and terminate at the school property. Vehicular traffic to the existing parking lot and the
13 residences on the east side of Franklin Avenue will continue to be accessed from Franklin
14 Avenue. Franklin Avenue will continue to serve as the primary access to the future expansion of
15 Longfellow Elementary School and will continue to provide access to the existing parking lot
16 and residences located on the east side of Franklin Avenue. RUSD is coordinating with Public
17 Work Department Traffic Division to reconfigure the intersection of Seventh Street and Franklin
18 Avenue with a traffic circle to provide convenient and safe access to the surrounding
19 neighborhood and to the school. The area to be vacated will not be necessary for access. The
20 proposed vacation will not impact access to any other parcels, as the adjacent parcels to the
21 north, south and west are all owned by the RUSD.

22 Section 3: That the vacation of the approximately 7,268-square foot public right-of-way
23 consisting of a segment of Seventh Street, approximately 105 feet in length and 80 feet in width
24 and an approximately 3,150 square foot area consisting of an unimproved public alley,
25 approximately 105 feet in length and 30 feet in width, located on the west side of Franklin
26 Avenue between Seventh Street and University Avenue, within the City of Riverside, California,
27 and described and depicted in Exhibit "A" and by this reference made a part hereof, be and the
28 same is hereby ordered vacated.

1 Section 4: That the public convenience and necessity requires the exception of the
2 following easements and rights-of-way from the vacation hereinabove ordered: an easement for
3 electrical energy, underground facilities including water pipelines, gas lines, storm drains,
4 sanitary sewers, electrical energy, telephone, telegraph and communications structures, and the
5 right of ingress and egress to construct, place, inspect, operate, maintain, repair, replace and
6 remove such underground facilities unless said facilities are satisfactorily relocated and/or
7 abandoned, further, that the public convenience and necessity require the exception and
8 reservation from the vacation of those easements and rights-of-way in, under, across, upon, over
9 and along that portion of the public streets ordered to be vacated necessary to maintain, operate,
10 remove or renew any in-place public utility facilities that are in use and not otherwise excepted
11 and reserved hereinabove.

12 Section 5: That the vacation, termination and abandonment of the approximately 7,268-
13 square foot public right-of-way consisting of a segment of Seventh Street, approximately 105
14 feet in length and 80 feet in width and an approximately 3,150 square foot area consisting of an
15 unimproved public alley, approximately 105 feet in length and 30 feet in width, located on the
16 west side of Franklin Avenue between Seventh Street and University Avenue, described and
17 depicted in Exhibit "A" shall occur only after the applicable conditions contained in the Planning
18 Department's report to the City Council and on file with the City Clerk, as approved or amended
19 by the City Council, have been satisfied, and the City Clerk is hereby directed not to record this
20 resolution of vacation until the applicable conditions have been satisfied.

21 Section 6: That the City Clerk of the City of Riverside shall cause a certified copy of this
22 resolution to be recorded in the Office of the County Recorder of the County of Riverside,
23 California, upon the satisfaction of the applicable conditions, and the approximately 7,268-
24 square foot public right-of-way consisting of a segment of Seventh Street, approximately 105
25 feet in length and 80 feet in width and an approximately 3,150 square foot area consisting of an
26 unimproved public alley, approximately 105 feet in length and 30 feet in width, located on the
27 west side of Franklin Avenue between Seventh Street and University Avenue, within the City of
28

1 Riverside, California, and described and depicted in Exhibit "A" shall no longer constitute a
2 public street from and after the date of recordation.

3 ADOPTED by the City Council this _____ day of _____, 2021.
4

5 _____
6 PATRICIA LOCK DAWSON
Mayor of the City of Riverside

7 _____
8 EVA ARSEO
Interim City Clerk of the City of Riverside

9 I, Eva Arseo, Interim City Clerk of the City of Riverside, California, hereby certify that
10 the foregoing resolution was duly and regularly adopted at a meeting of the City Council of said
11 City at its meeting held on the _____ day of _____, 2021, by the following vote,
12 to wit:

13 Ayes:

14 Noes:

15 Absent:

16 Abstain:

17 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of
18 the City of Riverside, California, this _____ day of _____, 2020.
19

20 _____
21 EVA ARSEO
Interim City Clerk of the City of Riverside
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