

**RESOLUTION NUMBER 5452**

***A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING STREET VACATION 18-05245 TO VACATE A TWO-FOOT WIDE STRIP OF UNIMPROVED STREET LOCATED ON THE WEST SIDE OF REDLANDS AVENUE, SOUTH OF PERRY STREET AND APPROXIMATELY 635 FEET NORTH OF RAMONA EXPRESSWAY, SUBJECT TO THE FINDINGS NOTED HEREIN.***

**WHEREAS**, on September 4, 2018, the applicant submitted and initiated a Summary Vacation (*Street Vacation 18-05245*) to vacate a two-foot wide strip of unimproved street located on the west side of Redlands Avenue, south of Perry Street and approximately 635 feet north of Ramona Expressway, herein referred to as Exhibits “A” and “B” (see attached Exhibits “A – Legal Description” and “B – Street Vacation”); and

**WHEREAS**, it has been determined there are no in-place public utilities or easements located in the unimproved section of Redlands Avenue that would be adversely affected by the vacation; and

**WHEREAS**, the City Council has determined that the requested Summary Vacation is in the public interest and convenience as the portion of Redlands Avenue to be vacated is unimproved and has never been used as a public road; and

**WHEREAS**, the City Council has determined that the Summary Vacation is in accordance with California Streets and Highway Code Section 8330 in that the following findings of fact can be made: 1) The property is excess right-of-way and is not required for street purposes; 2) access to adjoining properties will not be affected; and 3) this portion of Redlands Avenue has been impassable as a public road and no public funds have been expended on its maintenance for the last five years; and

**WHEREAS**, the City Council has determined that the Summary Vacation would be exempt from CEQA under Section 15061 (b) (3) in that it can be seen with certainty that there is no possibility that the vacation can have an impact on the environment for the reasons noted above; and

**WHEREAS**, a portion of Redlands Avenue included 13 feet of right-of-way for a total of 43 feet from monument centerline per order of condemnation per instrument document no. 2013-0115938; and

**WHEREAS**, a Redlands Avenue has been modified to forty-one (41) feet from monument centerline to preserve existing power poles along the western portion of Redlands Avenue; and

**WHEREAS**, Section 66451 of the California Government Code (*Subdivision Map Act*) vests in the legislative bodies of local agencies the regulation and control of the design of Summary Street Vacation; and

**WHEREAS**, Title 18 of the City of Perris Municipal Code (*Subdivisions*) implements the state Subdivision Map Act and authorizes the Council to take action on a Summary Street Vacation; and

**WHEREAS**, Chapter 19.54 of the City of Perris Municipal Code (*Zoning Code, Authority and Review Procedures*) authorizes the City to approve, conditionally approve, or deny requests for Summary Vacation; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Perris, as follows:

**Section 1.** The above recitals are all true and correct.

**Section 2.** The City Council finds and determines that the City has complied with the California Environmental Quality Act and that City Council determinations reflect the independent judgment of the City Council.

**Section 3.** Based upon the information contained within the City Council submittal and the accompanying attachments, with respect to the Summary Vacation, the City Council hereby finds the following:

1. The Summary Vacation will not affect health, safety, and welfare.
2. The proposed Summary Vacation is in compliance with the Subdivision Map Act.
3. The proposed Summary Vacation is exempt from CEQA under Section 15061 (b) (3).
4. The proposed Summary Vacation is consistent with the General Plan.
5. The Summary Vacation is in accordance with California Streets and Highway Code Section 8330 in that the following finding of facts can be made a) the property is excess right-of-way and is not required for street purposes; b) access to adjoining properties will not be affected; and c) this portion of Redlands Avenue has been impassable as a public road and no public funds have been expended on its maintenance for the last five years.

**Section 4.** The City Council hereby directs that a Notice of Exemption (NOE) be filed with the County Clerk pursuant to Section 15062 of CEQA.

**Section 5.** All actions heretofore taken by the officers of the City with respect to such street vacations are hereby approved, confirmed and ratified, and the Mayor and City staff are hereby authorized and directed to take any and all actions which they or the City Attorney may

deem necessary or advisable in order to effectuate the purpose and intent of this Resolution (including, without limitation, confirmation of satisfaction of any of the conditions to the effectiveness of the street vacation).

**Section 6.** The City Council declares that should any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this Resolution shall remain in full force and effect.

**Section 7.** The Mayor shall sign this Resolution and the City Clerk shall certify to the adoption of this Resolution.

**ADOPTED, SIGNED and APPROVED** this 12<sup>th</sup> day of March 2019.

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Mayor, Michael M. Vargas

ATTEST:

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City Clerk, Nancy Salazar

STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE ) §  
CITY OF PERRIS )

I, **Nancy Salazar**, duly elected CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 5452 was duly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 12<sup>th</sup> day of March 2019, by the following vote:

AYES: MAGAÑA, CORONA, RABB, ROGERS, VARGAS  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE

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Nancy Salazar, City Clerk

**EXHIBIT "A"**  
**STREET VACATION 18-05245**

A PORTION OF THAT CERTAIN DEFAULT JUDGEMENT AND FINAL ORDER IN CONDEMNATION , RECORDED MARCH 8, 2013, AS DOCUMENT NO. 2013-0115938, OF OFFICIAL RECORDS, IN THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, LYING WITHIN SECTION 5, TOWNSHIP 4 SOUTH, RANGE 3 WEST, S.B.M.;

**COMMENCING** AT THE CENTERLINE INTERSECTION OF PERRY STREET (30.00 FEET IN SOUTHERLY HALF WIDTH), WITH THE CENTERLINE OF REDLANDS AVENUE (30.00 FEET IN WESTERLY HALF WIDTH), AS SHOWN BY RECORD OF SURVEY ON FILE IN BOOK 144 OF RECORDS OF SURVEY AT PAGE 80 THEREOF, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA:

**THENCE** NORTH 89°31'10" WEST ALONG SAID CENTERLINE OF PERRY STREET, A DISTANCE OF 63.00 FEET TO A POINT THEREON;

**THENCE** SOUTH 00°28'50" EAST, A DISTANCE OF 30.00 FEET TO THE **TRUE POINT OF BEGINNING**, SAID POINT BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF SAID PERRY STREET AND THE MOST WESTERLY CORNER OF SAID CERTAIN DEFAULT JUDGEMENT AND FINAL ORDER IN CONDEMNATION;

**THENCE** THE FOLLOWING (3) THREE COURSES ALONG THE WESTERLY LINE OF SAID CERTAIN DEFAULT JUDGEMENT AND FINAL ORDER IN CONDEMNATION:

1) SOUTH 00°28'20" WEST, A DISTANCE OF 3.00 FEET;

2) SOUTH 33°08'10" EAST, A DISTANCE OF 35.93 FEET;

3) SOUTH 00°34'31" WEST, A DISTANCE OF 597.02 FEET TO THE SOUTHERLY LINE OF SAID DEFAULT JUDGEMENT AND FINAL ORDER IN CONDEMNATION;

**THENCE** SOUTH 89°31'15" EAST ALONG SAID SOUTHERLY LINE, A DISTANCE OF 2.00 FEET TO A POINT ON A LINE PARALLEL WITH AND DISTANT 2.00 FEET EASTERLY, MEASURED AT A RIGHT ANGLE WITH, SAID WESTERLY LINE;

**THENCE** NORTH 00°34'31" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 604.96 FEET;

**EXHIBIT "A"**  
**STREET VACATION 18-05245**

**THENCE NORTH 40°45'40" WEST, A DISTANCE OF 33.23 FEET TO THE  
TRUE POINT OF BEGINNING.**

CONTAINING 1,344 SQUARE FEET, MORE OR LESS.

SEE PLAT ATTACHED HERETO AS EXHIBIT "B" AND MADE A PART HEREOF.  
PREPARED UNDER MY SUPERVISION

  
\_\_\_\_\_  
MICHAEL E. JOHNSON, L.S. 7673

2/15/19  
\_\_\_\_\_  
Date

Prepared By: AL  
Checked By: my

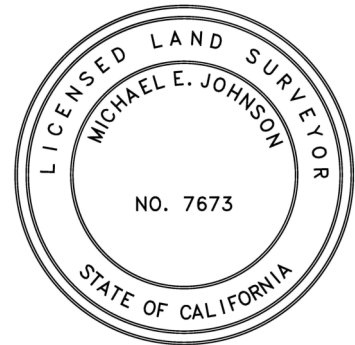


EXHIBIT "B"

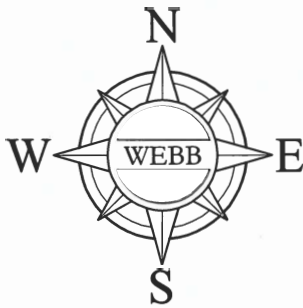
STREET VACATION 18-05245

A PORTION OF THAT CERTAIN DEFAULT JUDGEMENT AND FINAL ORDER IN CONDEMNATION, RECORDED MARCH 8, 2013, AS DOCUMENT NO. 2013-0115938, OF OFFICIAL RECORDS, IN THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

BLOCK 7 OF THE RIVERSIDE TRACT SDMB 14/668

LOT 8

PM 36469 PM 237/17-19



1" = 100'



LOT 1

BLOCK 12 OF THE RIVERSIDE TRACT SDMB 14/668

STREET VACATION 1,344 SQ. FT.

CENTERLINE EASEMENT TO CALIFORNIA POWER AND HEIRS NO WIDTH GIVEN. PER BOOK 1082 PAGE 330 O.R. REC JUNE 7, 1949

RIGHT OF WAY TO CITY OF PERRIS, PER ORDER OF CONDEMNATION PER DOCUMENT 2013-0115938

(N89°31'37"W)  
S89°31'15"E  
2.00'

(N0°34'34"W 597.08')  
S0°34'31"W 597.02'  
N0°34'31"E 604.96'

N40°45'40"W  
33.23'

C/L REDLANDS AVENUE

RS 129/85-93



2/15/19

1. ( ) INDICATES RECORD OR CALCULATED DATA PER DEFAULT JUDGEMENT AND FINAL ORDER IN CONDEMNATION RECORDED ON 03/08/2013, DOC. # 2013-0115938 OR, UNLESS OTHERWISE NOTED

SEC. 5, T4S, R3W, SBM

ALBERT A. WEBB ASSOCIATES

CITY OF PERRIS

G:\2016\16-0160\Drawings\Mapping\Legals & Plats\VACATION\16-0160 VACATION.DWG 2/14/2019 10:51 AM

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) IN THE ATTACHED DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DOCUMENT.

SHEET 1 OF 1

W.O. 16-0160

SCALE: 1"=100'

DRWN BY ALR  
CHKD BY MJ

DATE 8-7-18  
DATE 8-7-18

SUBJECT: STREET VACATION 18-05245