

RESOLUTION NUMBER 5628

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, TO DEDICATE RIGHT-OF-WAY AND VACATE A PORTION OF THE TERMINUS OF WASHINGTON AVENUE, WEST OF WEBSTER AVENUE TO RECONFIGURE AN EXISTING CUL-DE-SAC FOR IMPROVED CIRCULATION PURPOSES, SUBJECT TO THE FINDINGS NOTED HEREIN.

WHEREAS, the applicant submitted and initiated a Summary Vacation (*Street Vacation 17-05135*) to summarily vacate a 488 sq. ft. portion of the Washington Avenue terminus to reconfigure an existing cul-de-sac for improved circulation purposes, located at the Washington Avenue Terminus, west of Webster Avenue herein referred to as Street Vacation Exhibits “A” and “B”; and

WHEREAS, it has been determined there are no in-place public utilities or easements located in the unimproved section of Washington 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 the easement to be vacated 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 since the vacation is required to conform with the standard cul-de-sac design of Washington Avenue; and 3) this portion of Washington Avenue has been impassable as a public road and no public funds have been expended on its maintenance for the last five (5) 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, 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 determination 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.
4. The Summary Vacation is in compliance with the applicable zoning ordinances.
5. The proposed Summary Vacation is consistent with the existing land uses, and zoning designations in the area.
6. The proposed Summary Vacation has been found to be consistent with city standards, ordinances, and policies.
7. The proposed Summary Vacation is consistent with the General Plan and Perris Commerce Center Specific Plan
8. The Summary Vacation plan is safe, functional, and environmentally sensitive to surrounding properties.
9. 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 Washington 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 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 28th day of January 2020.

Mayor, Michael Vargas

ATTEST:

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 5628 was duly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 28th day of January 2020, by the following vote:

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

Nancy Salazar, City Clerk

EXHIBIT "A"
STREET VACATION 17-05135

LEGAL DESCRIPTION

THAT PORTION OF LOT "D" OF PARCEL MAP NO. 36678, IN THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 242, PAGES 64 THROUGH 68, INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A THE MOST NORTHERLY CORNER OF SAID LOT "D";

THENCE SOUTHERLY ALONG THE SOUTHERLY PROLONGATION OF THE WESTERLY LINE OF LOT 16, BLOCK "F" OF GOLDEN VALLEY FARM, AS PER MAP FILED IN BOOK 14, PAGE 78, OF MAPS, IN SAID COUNTY RECORDER'S OFFICE, SOUTH 00° 31' 43" WEST 15.72 FEET TO THE CENTERLINE OF WASHINGTON STREET AS SHOWN ON SAID PARCEL MAP NO. 36678;

THENCE EASTERLY ALONG SAID CENTERLINE OF WASHINGTON STREET, SOUTH 89° 38' 02" EAST 3.33 FEET TO THE BEGINNING OF A NON TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 48.00 FEET, A RADIAL LINE TO THE BEGINNING OF SAID NON-TANGENT CURVE BEARS NORTH 67° 36' 26" WEST;

THENCE SOUTHERLY ALONG SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 103° 52' 13", AN ARC LENGTH OF 87.02 FEET TO A POINT A CUSP, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 48.00 FEET, A RADIAL LINE TO THE BEGINNING OF SAID NON-TANGENT CURVE BEARS NORTH 07° 47' 25" WEST;

THENCE NORTHERLY ALONG SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 142° 47' 14", AN ARC LENGTH OF 119.62 FEET TO THE **POINT OF BEGINNING**.

CONTAINING: 989 SQUARE FEET OR 0.023 ACRES, MORE OR LESS.

SUBJECT TO: COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, EASEMENTS, AND RIGHTS-OF-WAY, IF ANY

PREPARED UNDER THE DIRECTION OF:



BRIAN L. THIENES
P.L.S. No. 5750
REG. EXP. 12/31/21

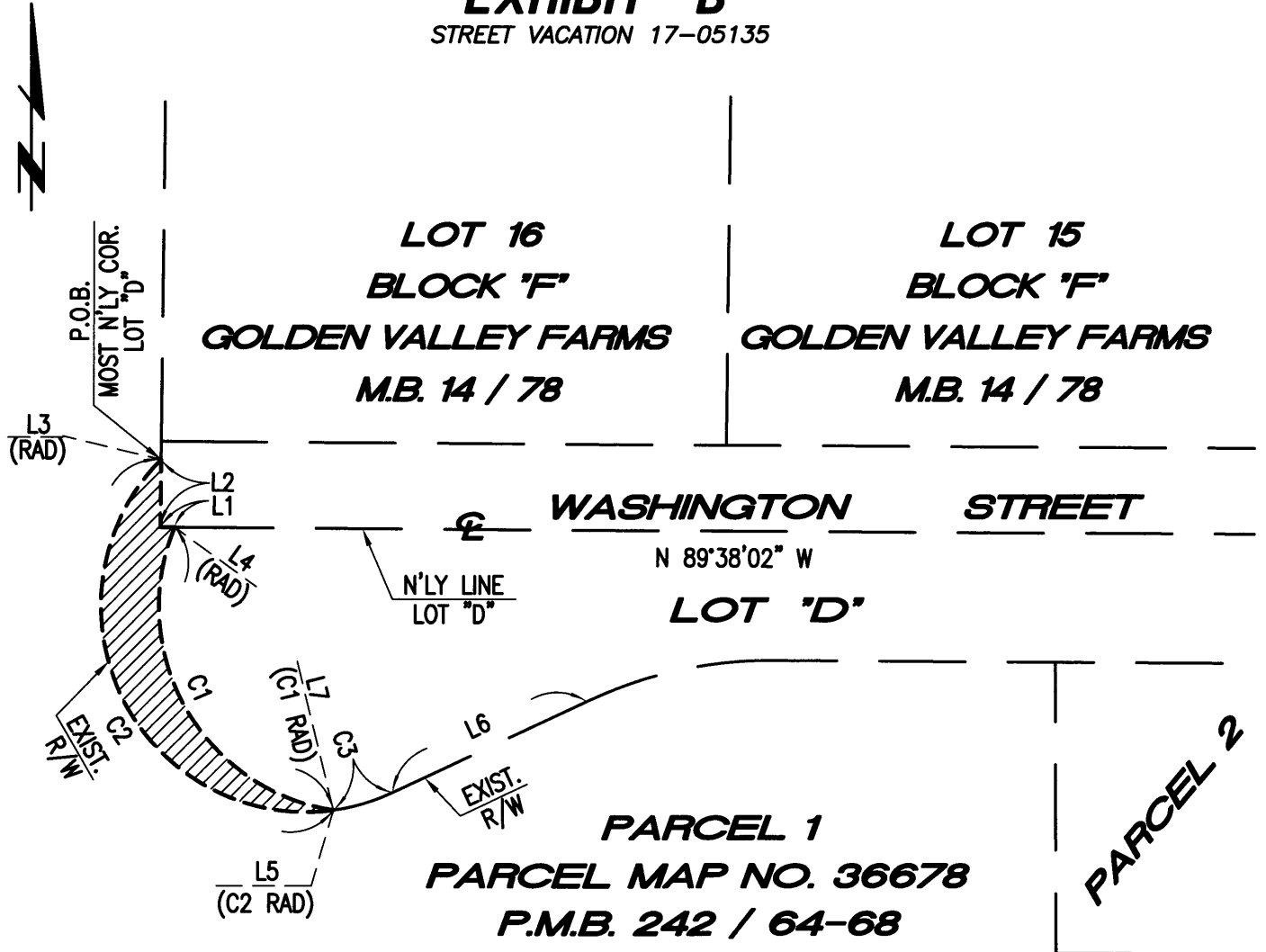
1/2/20
DATE



SCALE: 1" = 40'

EXHIBIT "B"
STREET VACATION 17-05135

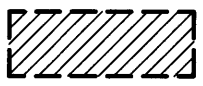
SHEET 1 OF 1



CURVE #	DELTA	RADIUS	LENGTH
C1	103°52'15"	48.00'	87.02'
C2	142°47'14"	48.00'	119.62'
C3	17°22'29"	48.00'	14.56'

LINE #	BEARING	LENGTH
L1	S 89°38'02" E	3.33'
L2	S 0°31'43" W	15.72'
L3	N 45°00'11" W	(RAD)
L4	N 67°36'26" W	(RAD)
L5	N 7°47'25" W	(RAD)
L6	N 64°50'06" E	50.00'
L7	N 8°31'21" E	(RAD)

LEGEND:



INDICATES PORTION OF WASHINGTON STREET VACATED HEREON.
CONTAINS: 989 SQ. FT.
0.023 AC. ±

SURVEYOR:

PREPARED UNDER THE DIRECTION OF:

[Signature]
BRIAN L. THIENES
P.L.S. NO. 5750
REG. EXP. DEC. 31, 2021

1/2/20
DATE



Last Update: 1/2/20
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