

**RESOLUTION NUMBER 6192**

***A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING THE CITY'S INTENT TO VACATE PUBLIC RIGHT-OF-WAY BEING A .28-ACRE SEGMENT OF OLD NUEVO ROAD LOCATED AT THE SOUTHEAST CORNER OF OLD NUEVO ROAD AND NUEVO ROAD, SUBJECT TO THE FINDINGS AND CONDITIONS NOTED HEREIN, AND FIXING THE TIME AND PLACE FOR PUBLIC HEARING THEREON.***

**WHEREAS**, the vacation of public easements and right-of-ways in California is governed by the provisions under Division 9, Part 3 of the California Streets and Highways Code commencing with section 8300; and

**WHEREAS**, Streets and Highways Code Section 8324 authorizes the City Council to impose conditions on the vacation of a street or highway, which conditions shall be satisfied before the resolution of vacation is recorded and effective; and

**WHEREAS**, the applicant John Pollock of Kimley-Horn, with the City of Perris as a co-applicant, submitted and initiated a Non-Summary Vacation (*Street Vacation 23-05092*) to vacate a 4,992 square foot section of right-of-way on Old Nuevo Road located at the southeast corner of Old Nuevo Road and Nuevo Road, herein legally described and depicted in Exhibit 1 (see attached Exhibits "A – Legal Description" and "B – Street Vacation") and to vacate a 7,392 square foot section of right-of-way on Old Nuevo Road also located at the southeast corner of Old Nuevo Road and Nuevo Road herein legally described and depicted in Exhibit 2 (see attached Exhibits "A – Legal Description" and "B – Street Vacation") and Nuevo Road (collectively the "Excess Right-of-Way"); and

**WHEREAS**, because there are in-place utilities that are in use, vacation of the Excess Right-of-Way is subject to a reservation of a public utility easement and right to construct, maintain, operate, replace, or remove public utility facilities, unless the City Council determines the public convenience and necessity require otherwise; and

**WHEREAS**, the City Council has determined, that the proposed vacation of the subject real property will not result in a direct or reasonably foreseeable indirect physical change in the environment and is not, therefore, subject to the California Environmental Quality Act ("CEQA") pursuant to Section 15061 (b) (3) Common Sense Exemption of the state CEQA Guidelines, and

**WHEREAS**, pursuant to Government Code Section 65402, prior to vacation of a street, the Planning Commission must find and determine that such proposed vacation is consistent with the City's adopted General Plan; and

**WHEREAS**, the City intends to initiate the process for vacating the Excess Right-of-Way, by setting a time and place for a public hearing on the vacation and directing the City Clerk to provide, publish, and post all required notices.

***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 (“CEQA”) finding the proposed vacation is Categorical Exempt from CEQA review pursuant to Section 15061 (b) (3) (Common Sense Exemption) and that City Council determinations reflect the independent judgment of the City Council.

***Section 3.*** The location of the Excess Right-of-Way subject to the vacation is legally described and depicted in Exhibit A and B to this Resolution and incorporated herein, and are summarized as those portions of right-of-way approximating 4,992 square feet and 7,392 square feet of Old Nuevo Road and located at the southeast corner of Old Nuevo Road and Nuevo Road.

***Section 4.*** The City Council hereby declares an intention to initiate the process for vacation of the Excess Right-of-Way pursuant to Section 8320 of the Streets and Highways Code, subject to those terms and conditions set forth in the vacation resolution.

***Section 5.*** The Planning Commission is requested to consider whether or not the proposed vacation of the Excess Right-of-Way is in conformance with the City's General Plan at its June 21, 2023 meeting, or as soon thereafter the matter may be heard.

***Section 6.*** The City Council hereby sets a public hearing on the proposed vacation of the Excess Right-of-Way for July 25, 2023 at 6:30 p.m., or as soon thereafter as the matter may be heard, in the Perris City Council Chambers located at 101 N. D Street, Perris CA 92570. At the conclusion of the public hearing, the City Council shall determine, from all evidence submitted, whether or not the Excess Right-of-Way proposed to be vacated is necessary for present or prospective public use.

***Section 7.*** The City Clerk is hereby directed to publish this resolution, providing notice of said hearing to the public, for at least two successive weeks prior to said hearing, as required by California Streets and Highways Code Section 8322. Notices of the proposed vacation shall additionally be posted along the line of the Excess Right-of-Way proposed to be vacated, pursuant to the requirements of Streets and Highways Code Section 8323.

***Section 8.*** 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 9.*** The Mayor shall sign this Resolution and the City Clerk shall certify to the adoption of this Resolution.

**ADOPTED, SIGNED** and **APPROVED** this 30th day of May 2023.

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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 6192 was duly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 30th day of May 2023, by the following vote:

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

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Nancy Salazar, City Clerk

Exhibits:

- A. Street Vacation for Northerly Old Nuevo Road section (City of Perris) – Exhibit A (Legal Description) and Exhibit B (Street Vacation Exhibit)
- B. Street Vacation for Southerly Old Nuevo Road section (99 Cent Only) – Exhibit A (Legal Description) and Exhibit B (Street Vacation Exhibit)

**EXHIBIT “A” – LEGAL DESCRIPTION  
STREET VACATION  
OLD NUEVO ROAD**

**PARCEL A**

THAT PORTION OF OLD NUEVO ROAD AND THAT PORTION OF LOT “B” IN BLOCK 22 OF FIGADOTA FARMS NO. 8, AS SHOWN BY MAP ON FILE, IN BOOK 16 OF MAPS, AT PAGES 88 THROUGH 89, INCLUSIVE, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHEAST CORNER OF LOT 2 OF METZ’S SUBDIVISION, AS SHOWN BY MAP ON FILE IN BOOK 14 OF MAPS, AT PAGE 691, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA. SAID NORTHEAST CORNER BEING ON THE SOUTHERLY 30.00 FOOT RIGHT OF WAY LINE OF OLD NUEVO ROAD (FORMERLY NUEVO ROAD) AS SHOWN ON SAID MAP;

THENCE NORTH 00° 34’ 36’’ EAST ALONG THE NORTHERLY PROLONGATION OF THE EAST LINE OF SAID LOT 2, A DISTANCE OF 28.82 FEET TO A POINT THAT INTERSECTS A CURVE WHICH IS 50.00 FEET SOUTHWESTERLY OF, MEASURED RADIAL TO AND CONCENTRIC WITH THE CONSTRUCTION CENTERLINE OF RE-ALIGNED NUEVO ROAD AS SHOWN ON CALTRANS MONUMENTATION MAP RIVERSIDE COUNTY SURVEYOR MAP FILE NO. 205-223, BEING THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 1050.00 FEET, AND TO WHICH A RADIAL LINE BEARS SOUTH 18° 41’ 30’’ WEST;

THENCE NORTHWESTERLY, ALONG SAID CONCENTRIC CURVE, THROUGH A CENTRAL ANGLE OF 00° 12’ 08’’, A DISTANCE OF 1.85 FEET TO A POINT ON THE CENTERLINE OF OLD NUEVO ROAD. SAID POINT BEING THE **POINT OF BEGINNING**;

THENCE NORTH 89° 43’ 59’’ WEST, ALONG THE CENTERLINE OF OLD NUEVO ROAD, A DISTANCE OF 218.38 FEET TO A POINT ON A CURVE WHICH IS 78.00 FEET SOUTHEASTERLY OF, MEASURED RADIAL TO AND CONCENTRIC WITH THE NORTHWESTERLY CURVE SHOWN ON OFFER OF DEDICATION RECORDED ON AUGUST 10, 2018 AS DOCUMENT NO. 2018-0321930, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, BEING THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 189.00 FEET, AND TO WHICH A RADIAL LINE BEARS SOUTH 37° 12’ 18’’ EAST;

THENCE NORTHEASTERLY, ALONG SAID CONCENTRIC CURVE, THROUGH A CENTRAL ANGLE OF 18° 36’ 28’’, A DISTANCE OF 61.38 FEET;

THENCE NORTH 84° 33’ 32’’ EAST A DISTANCE OF 18.19 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF RE-ALIGNED NUEVO ROAD RIGHT OF WAY AS SHOWN

**EXHIBIT “A” – LEGAL DESCRIPTION  
STREET VACATION  
OLD NUEVO ROAD**

ON CALTRANS MONUMENTATION MAP RIVERSIDE COUNTY SURVEYOR MAP FILE NO. 205-223;

THENCE SOUTH 68° 12' 28" EAST, ALONG SAID SOUTHWESTERLY LINE, A DISTANCE OF 17.28 FEET;

THENCE SOUTH 00° 16' 01" WEST, A DISTANCE OF 3.22 FEET;

THENCE SOUTH 68° 12' 28" EAST, A DISTANCE OF 45.72 FEET TO A POINT ON A LINE WHICH IS PARALLEL WITH, 20.00 FEET NORTHERLY OF, AT A RIGHT ANGLE TO THE CENTERLINE OF SAID OLD NUEVO ROAD;

THENCE SOUTH 89° 43' 59" EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 45.49 FEET TO IT'S INTERSECTION WITH A CURVE WHICH PASSES THROUGH THE POINT OF BEGINNING AND IS 50.00 FEET SOUTHWESTERLY OF, MEASURED RADIAL TO AND CONCENTRIC WITH THE CONSTRUCTION CENTERLINE OF RE-ALIGNED NUEVO ROAD AS SHOWN ON CALTRANS MONUMENTATION MAP RIVERSIDE COUNTY SURVEYOR MAP FILE NO. 205-223, BEING THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 1050.00 FEET, AND TO WHICH A RADIAL LINE BEARS SOUTH 22° 03' 13" WEST;

THENCE SOUTHEASTERLY, ALONG SAID CONCENTRIC CURVE, THROUGH A CENTRAL ANGLE OF 03° 09' 36", A DISTANCE OF 57.91 FEET TO **THE POINT OF BEGINNING.**

SAID PARCEL CONTAINS 4,992 SQUARE FEET MORE OR LESS.

THE BEARINGS AND DISTANCES USED HEREON ARE BASED UPON THE CALIFORNIA COORDINATE SYSTEM OF 1927, ZONE 6. MULTIPLY DISTANCES SHOWN BY 1.0000843 TO OBTAIN GROUND LEVEL DISTANCES.

SEE EXHIBIT “B” ATTACHED HERETO AND BY THIS REFERENCE IS MADE A PART HEREOF.

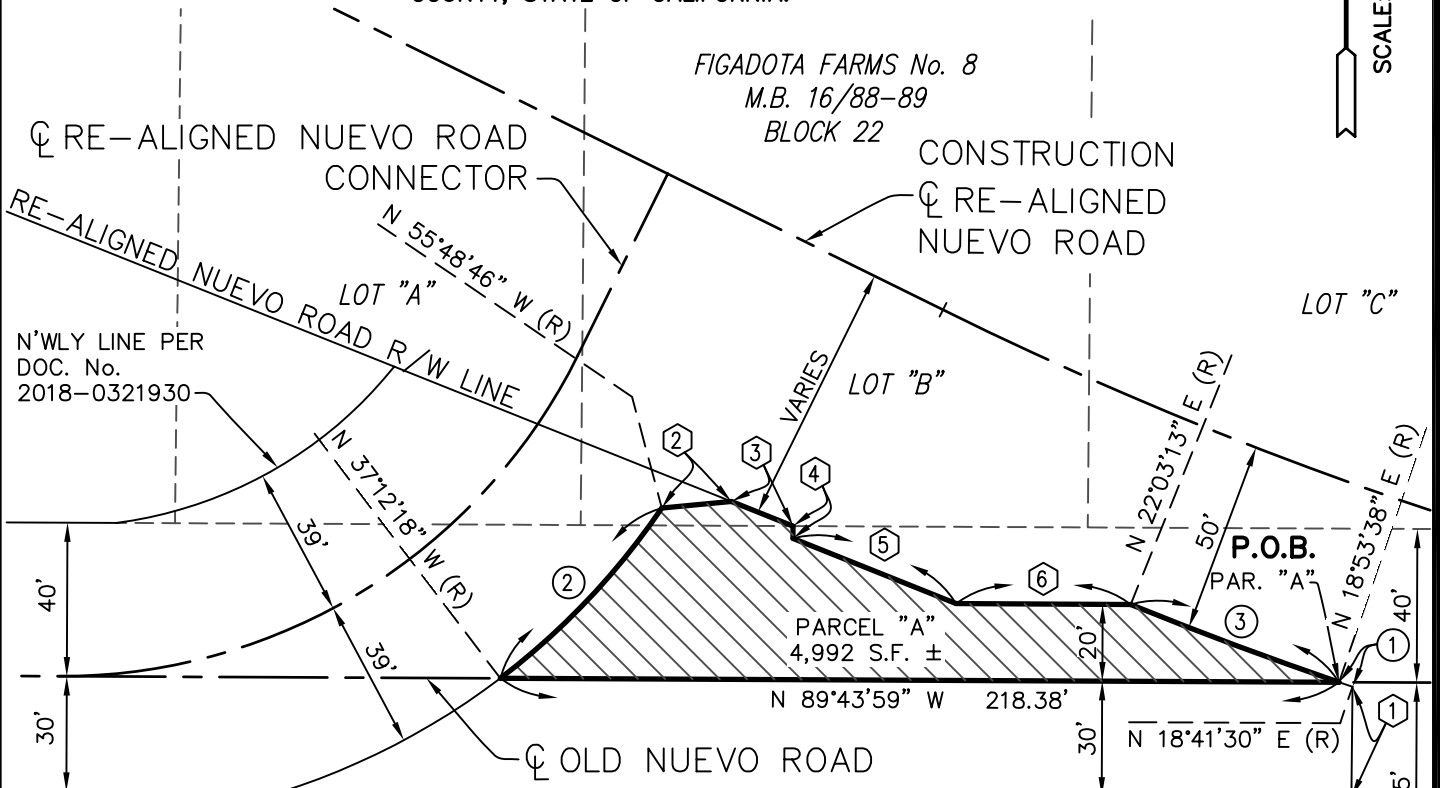
PREPARED UNDER THE SUPERVISION OF:

02-08-2023  
DATE

GABRIEL D. YBARRA  
LAND SURVEYOR NO. 4343  
REGISTRATION EXPIRES 06-30-2024

# EXHIBIT "B" STREET VACATION

SHOWING THE VACATION OF A PORTION OF OLD NUEVO ROAD OF FIGADOTA FARMS No. 8, AS SHOWN BY MAP ON FILE IN BOOK 16 OF MAPS, AT PAGES 88 AND 89, RECORDS OF RIVERSIDE COUNTY, STATE OF CALIFORNIA.



### LINE DATA

(N)	BEARING	DISTANCE
①	N 00°34'36" E	28.82'
②	N 84°33'32" E	18.19'
③	S 68°12'28" E	17.28'
④	S 00°16'01" W	3.22'
⑤	S 68°12'28" E	45.72'
⑥	S 89°43'59" E	45.49'

### LEGEND

AREA TO BE VACATED

### CURVE DATA

(N)	DELTA	RADIUS	LENGTH	TANGENT
①	0°12'08"	1050.00'	3.70'	1.85'
②	18°36'28"	189.00'	61.38'	30.96'
③	3°09'36"	1050.00'	57.91'	28.96'

### BASIS OF BEARINGS

BASIS OF BEARINGS ARE TAKEN FROM THE CENTERLINE OF OLD NUEVO ROAD AS SHOWN ON CALTRANS MONUMENTATION MAP RIVERSIDE COUNTY MAP FILE No. 205-223.



PREPARED UNDER THE SUPERVISION OF:

2/8/2023

GABRIEL D. YBARRA L.S. 4343      DATE

SEC19-T4S-R3W

W.O. 22-88

**EXHIBIT “A” – LEGAL DESCRIPTION  
STREET VACATION  
OLD NUEVO ROAD**

**PARCEL A**

THAT PORTION OF OLD NUEVO ROAD WHICH HAS FRONTAGE ALONG LOT 2 OF METZ’S SUBDIVISION, AS SHOWN BY MAP ON FILE, IN BOOK 14 OF MAPS, AT PAGE 691, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE NORTHEAST CORNER OF LOT 2 OF METZ’S SUBDIVISION, AS SHOWN BY MAP ON FILE IN BOOK 14 OF MAPS, AT PAGE 691, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA. SAID NORTHEAST CORNER BEING ON THE SOUTHERLY 30.00 FOOT RIGHT OF WAY LINE OF OLD NUEVO ROAD (FORMERLY NUEVO ROAD) AS SHOWN ON SAID MAP;

THENCE NORTH 00° 34’ 36’’ EAST ALONG THE NORTHERLY PROLONGATION OF THE EAST LINE OF SAID LOT 2, A DISTANCE OF 28.82 FEET TO A POINT THAT INTERSECTS A CURVE WHICH IS 50.00 FEET SOUTHWESTERLY OF, MEASURED RADIAL TO AND CONCENTRIC WITH THE CONSTRUCTION CENTERLINE OF RE-ALIGNED NUEVO ROAD AS SHOWN ON CALTRANS MONUMENTATION MAP RIVERSIDE COUNTY SURVEYOR MAP FILE NO. 205-223, BEING THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 1050.00 FEET, AND TO WHICH A RADIAL LINE BEARS SOUTH 18° 41’ 30’’ WEST;

THENCE NORTHWESTERLY, ALONG SAID CONCENTRIC CURVE, THROUGH A CENTRAL ANGLE OF 00° 12’ 08’’, A DISTANCE OF 1.85 FEET TO A POINT ON THE CENTERLINE OF OLD NUEVO ROAD;

THENCE NORTH 89° 43’ 59’’ WEST, ALONG THE CENTERLINE OF OLD NUEVO ROAD, A DISTANCE OF 218.38 FEET TO A POINT ON A CURVE WHICH IS 78.00 FEET SOUTHEASTERLY OF, MEASURED RADIAL TO AND CONCENTRIC WITH THE NORTHWESTERLY CURVE SHOWN BY OFFER OF DEDICATION RECORDED ON AUGUST 10, 2018 AS DOCUMENT NO. 2018-0321930, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, BEING THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 189.00 FEET, AND TO WHICH A RADIAL LINE BEARS SOUTH 37° 12’ 18’’ EAST;

THENCE SOUTHWESTERLY, ALONG SAID CONCENTRIC CURVE, THROUGH A CENTRAL ANGLE OF 19° 43’ 09’’, A DISTANCE OF 65.05 FEET TO IT’S INTERSECTION WITH THE NORTH LINE OF SAID LOT 2;

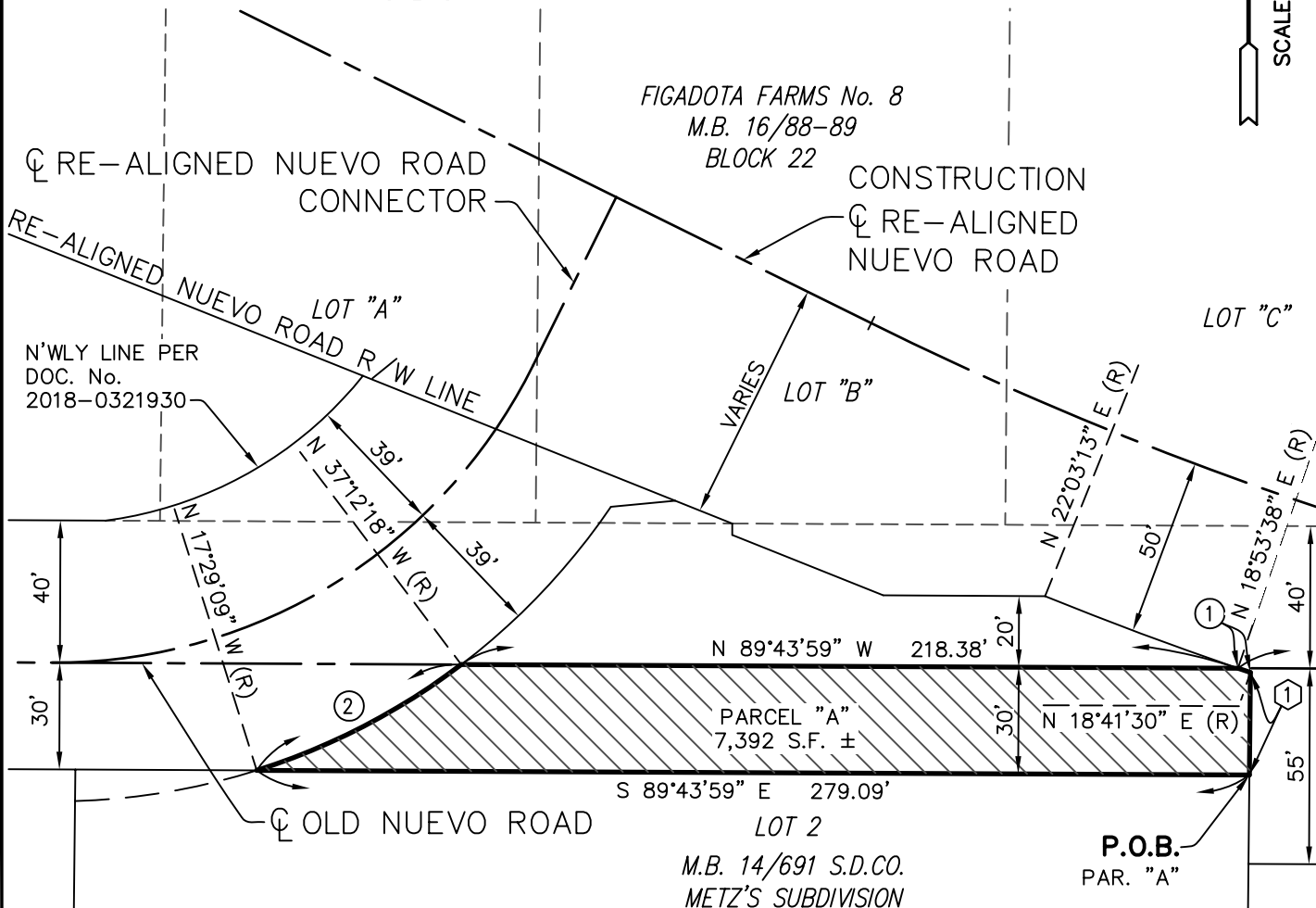
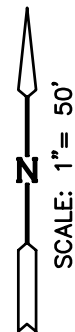
THENCE SOUTH 89° 43’ 59’’ EAST, A DISTANCE OF 279.09 FEET TO **THE POINT OF BEGINNING;**





# EXHIBIT "B" STREET VACATION

SHOWING THE VACATION OF A PORTION OF OLD NUEVO ROAD OF METZ SUBDIVISION, AS SHOWN BY MAP ON FILE IN BOOK 14 OF MAPS, AT PAGE 691, RECORDS OF SAN DIEGO COUNTY, STATE OF CALIFORNIA.



### LINE DATA

Symbol	BEARING	DISTANCE
(N)		
(1)	N 00°34'36" E	28.82'

### LEGEND

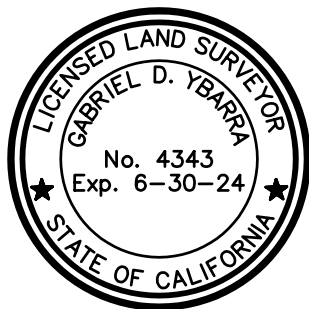
AREA TO BE VACATED

### CURVE DATA

(N)	DELTA	RADIUS	LENGTH	TANGENT
(1)	0°12'08"	1050.00'	3.70'	1.85'
(2)	19°43'09"	189.00'	65.05'	32.85'

### BASIS OF BEARINGS

BASIS OF BEARINGS ARE TAKEN FROM THE CENTERLINE OF OLD NUEVO ROAD AS SHOWN ON CALTRANS MONUMENTATION MAP RIVERSIDE COUNTY MAP FILE No. 205-223.



PREPARED UNDER THE SUPERVISION OF:

2/8/2023  
GABRIEL D. YBARRA L.S. 4343      DATE

SEC19-T4S-R3W

W.O. 22-88