

RESOLUTION NUMBER 6218

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING CERTAIN REAL PROPERTY CONSISTING OF LESS THAN 5,000 SQUARE FEET PREVIOUSLY SUBJECT TO A RIGHT-OF-WAY WHICH HAS BEEN VACATED AND UPON VACATION OF SAME THE CITY MAY OWN THE LAND IN FEE, IS EXEMPT SURPLUS LAND TO BE SOLD TO THE ADJACENT PROPERTY OWNER AND MAKING FINDINGS RELATED THERETO AND APPROVAL OF SALE OF SAME TO THE ADJACENT PROPERTY OWNER

WHEREAS, under the Surplus Land Act, Government Code section 54220 *et seq.* (“Act” or “SLA”), surplus real property is defined as “land owned by any agency of the state or any local agency, that is determined to be no longer necessary for the agency’s use, except property being held by the agency for the purpose of exchange”;

WHEREAS, where a local agency determines that a property is exempt, it must support such determination with written findings and shall provide a copy of the findings to the California Department of Housing and Community Development (“HCD”) at least 30 days prior to the disposition; and

WHEREAS, the Act designates certain surplus property as “exempt” from the provisions of the Act. The exemptions include (i) surplus land which is less than 5,000 square feet and sold to an owner of contiguous land (SLA Section 54221(f)(1)(B)(i), SLA Guidelines Section 103(b)(3)(B)(i)), and (ii) surplus land which is a former street or right-of-way and is conveyed to the owner of an adjacent property (SLA Section 54221(f)(1)(E), SLA Guidelines Section 103(b)(3)(E)) (jointly hereinafter the “SLA Exemptions”); and

WHEREAS, pursuant to Resolution Number 6226, the City vacated that certain portion of Old Nuevo Road which is legally described in Exhibit “A” and depicted on Exhibit “B” attached to this Resolution consisting of approximately 4,992 square feet (“Vacation Area”) and located immediately adjacent to APN 311-050-002; and

WHEREAS, the Vacation Area is less than 5,000 square feet and immediately adjacent to the real property identified by APN 311-050-002 (“Adjacent Property”) which is owned by NES Investments, LLC. (“Adjacent Property Owner”); and

WHEREAS, assuming that the City owns the fee interest in the Vacation Area, City declares that the Vacation Area is exempt surplus property under both SLA Exemptions and elects to sell the Vacation Area to Adjacent Property Owner; and

WHEREAS, the City now desires to declare the Vacation Area exempt surplus land and authorize the transfer of the Vacation Area to the Adjacent Property Owner upon payment of the purchase price identified in the purchase and sale agreement to City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The City Council finds the above recitals are true and correct and incorporated herein by this reference.

Section 2. Findings. The City Council makes the following findings:

- (a) The Vacation Area is surplus land and is not necessary for the City's use pursuant to the Act.
- (b) The Vacation Area is less than 5,000 square feet.
- (c) Pursuant to the Vacation Resolution, the Vacation Area which may have been subject to the right-of-way, was previously a public street.
- (d) The Vacation Area is immediately adjacent to the Adjacent Property.

Section 3. Exempt Surplus Land. Based on the foregoing recitals and assuming that the Vacation Area may now be owned by City in fee, the City finds and declares that

(a) the Vacation Area is surplus land pursuant to the Act and, further, is exempt surplus as follows;

(i) the Vacation Area is less than 5,000 square feet and is being sold and is therefore exempt surplus land pursuant to SLA Section 54221(f)(1)(B)(i) and SLA Guidelines Section 103(b)(3)(B)(i));

(ii) the Vacation Area is a vacated street and being sold to the Adjacent Property Owner and is therefore exempt pursuant to (SLA Section 54221(f)(1)(E) and SLA Guidelines Section 103(b)(3)(E)); and

(b) based upon the forgoing, the other related provisions of the Act are not applicable pursuant to Government Code Section 54222.3..

Section 4. Environmental Analysis. The disposal of the Vacation Area is found to be exempt from the California Environmental Quality Act pursuant to California Code of Regulation, Title 14, section 15312 ("CEQA").

Section 5. Official Actions. The officers of the City are hereby authorized and directed, for and in the name and on behalf of the City, to do any and all things and take any and all actions which they, or any of them, may deem necessary or advisable in order to consummate the purposes of this Resolution which includes, but is not limited to, (i) submission of this Resolution to the HCD pursuant to Section 400(e) of SLA Guidelines; (ii) execution of a quitclaim or grant deed transferring the Vacation Area to Adjacent Property Owner, and (iii) taking all actions necessary to consummate the transaction for the disposition of the Vacation Area.

Section 6. Severability. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The City Council declares that the City Council would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

Section 7. Effective Date. This resolution shall be effective on upon its adoption. The City Clerk shall certify the adoption of this Resolution.

ADOPTED, SIGNED and APPROVED this 25th day of July, 2023.

Mayor, Michael M. Vargas

ATTEST:

City Clerk, Nancy Salazar

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

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 6218 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 25th day of July, 2023, and that it was so adopted by the following called vote:

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

City Clerk, Nancy Salazar

**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.

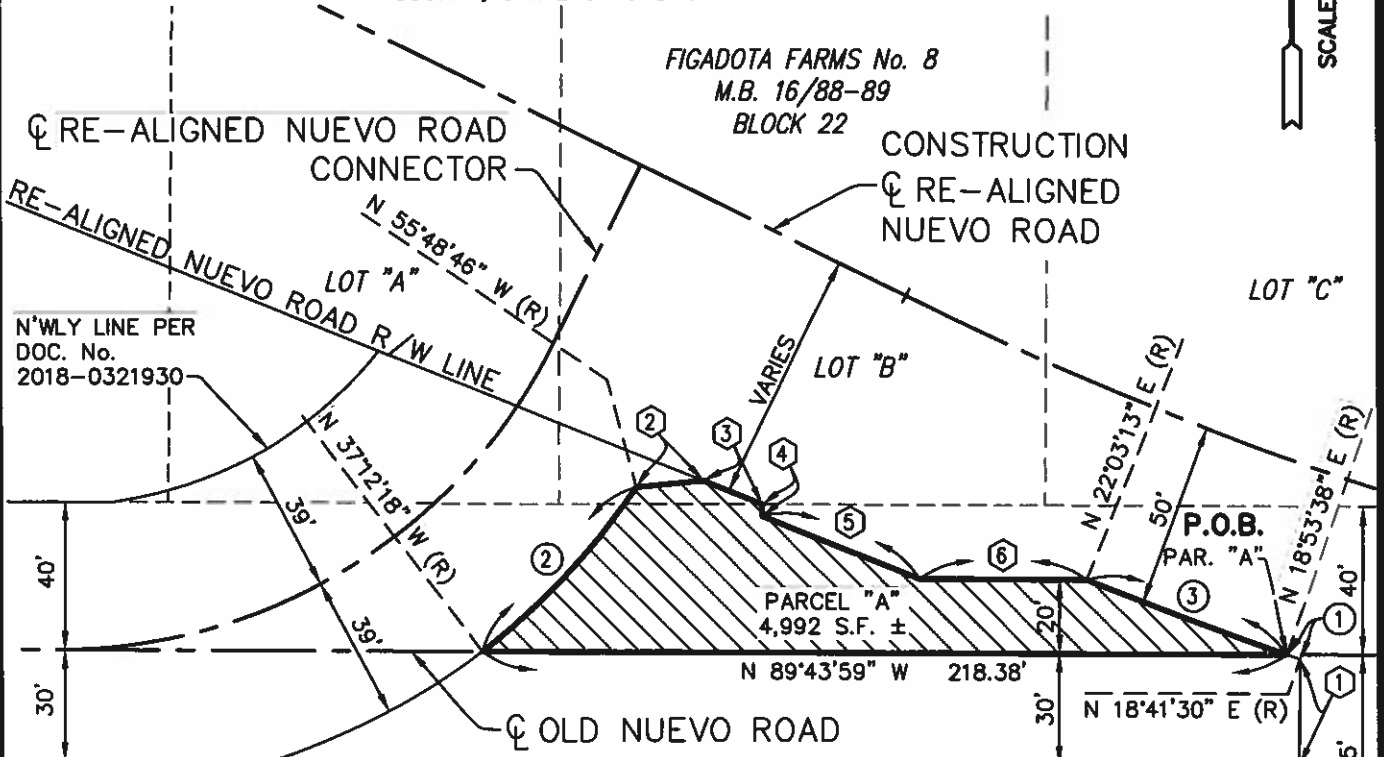
SEE EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE IS MADE A PART HEREOF.

PREPARED UNDER THE SUPERVISION OF:

	02-08-2023
GABRIEL D. YBARRA	DATE
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