

RESOLUTION NUMBER 3484

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING A DRAINAGE EASEMENT VACATION ON LOT 123 OF TRACT MAP 30662-2 AND MAKING FINDINGS IN SUPPORT THEREOF

WHEREAS, a proposal to partially vacate a drainage easement on Lot 123 of the subdivision map known as Tract Map 30662-2 was submitted; and

WHEREAS, the proposed vacation will not increase or decrease Lot 123 of the subdivision map known as Tract Map 30662-2; and

WHEREAS, there are no underground utilities in the drainage easement that would be adversely affected by the vacation; and

WHEREAS, this Street Vacation has been duly noticed; and

WHEREAS, the City Council has determined that the requested vacation of drainage easement on Lot 123 is in the public interest; and

WHEREAS, all legal prerequisites for the adoption of this resolution have occurred;

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

Section 1. The City Council has considered and hereby adopts the findings of fact set forth in the above recitals.

Section 2. The City Council has reviewed and considered the environmental information included in the staff report and accompanying attachments prior to taking action on the application for the proposed project, and finds that Street Vacation No. 05-0111 is exempt pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines (Title 14 of the California Code of Regulations) in that it can be seen with certainty that there is no possibility that the street vacation could have a significant effect on the environment.

Section 3. Based upon the information contained within the staff report and the accompanying attachments, with respect to the Street Vacation (1 foot drainage easement vacation), the City Council hereby finds the following:

- A. The proposed project is consistent with the General Plan.

- B. The existing underground utilities will not be negatively impacted by the proposed street vacation.
- C. The project will not affect health, safety, and welfare.
- D. The proposed project is exempt from California Environmental Quality Act.
- E. The proposed project has been found to be consistent with city standards, ordinances, and policies.

Section 4. The City Council declares that, should any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any final court action in a 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 5. The Mayor shall sign this resolution and the City Clerk shall certify to the passage and adoption of this Resolution.

Attachment: Conditions of Approval

ADOPTED, SIGNED and **APPROVED** this 30th day of August, 2005.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Margaret Rey

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

I, Margaret Rey, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 3484 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 30th day of August, 2005, and that it was so adopted by the following called vote:

AYES: Rogers, Yarbrough, Landers, Motte, Busch
NOES:
ABSENT:
ABSTAIN:

City Clerk, Margaret Rey

ATTACHMENT
(RESOLUTION NUMBER 3484)

CITY OF PERRIS
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

CONDITIONS OF APPROVAL

STREET VACATION NO. 05-0111

August 30, 2005

PROJECT: To vacate a one (1) foot of a six (6) foot drainage easement on lot 123 of tract map 30662-2 to allow plotting of a single family home located at southwest corner of Ethanac Road and Goetz Road. Applicant: Albert A. Webb Associates.

A. General Requirements

1. Street Vacation No. 05-0111 shall conform to Tentative Tract Map 30662 (TM 02-0184) and Final Tract Map 30662-F (TM 04-0304).
2. Street Vacation No. 05-0111 shall conform to the Subdivision Map Act and Title 19 of the Perris Municipal Code.
3. Street Vacation No. 05-0111 shall conform to Administrative Development Plan Review (ADPR 05-0157).
4. The developer/applicant shall indemnify, protect, defend, and hold harmless, the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City, or any agency or instrumentality thereof, or any of its officers, employees and agents, to attack, set aside, void, annul, or seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voters of the City, concerning Planning Application No. P05-0111 (Street and Drainage Easement Vacation). City shall promptly notify the developer/applicant of any claim, action, or proceeding for which indemnification is sought and shall further cooperate fully in the defense of the action.
5. All outstanding fees due to the Department of Community Development for the processing of Street Vacation No. 05-0111 shall be brought current prior to review of the case by City Council.

6. Prior to recordation, the developer shall obtain clearance from the Department of Community Development verifying that all pertinent conditions of approval have been met.
7. If applicable, the applicant shall conform to the requirements of affected utility companies regarding the granting of easements for the operation and maintenance of said utilities. The applicant shall provide a letter to the Planning Department stating that Street Vacation No.

05-0111 will not have an impact on existing underground utilities.

APPROVAL DATE

PROJECT PLANNER