

**RESOLUTION NUMBER 3072**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, RIVERSIDE COUNTY, STATE OF CALIFORNIA ORDERING THE VACATION OF LETTERED LOTS THAT ARE INTERMITTENTLY LOCATED BETWEEN THE STREET RIGHT-OF-WAY AND THE SINGLE-FAMILY BOUNDARIES AND AT DESIGNATED STREET INTERSECTIONS; CITY OF PERRIS**

**WHEREAS**, an offer to dedicate certain real property to public use for landscape purposes was previously made in conjunction with the approval and recordation of a subdivision map known as Tract 22831, for Lettered Lots A, E, H and I of tract 22831 as recorded on document # 206026 on the 1<sup>st</sup> day of June 1993 in the County of Riverside in book 244, pages 77-89; and

**WHEREAS**, an offer to dedicate certain real property to public use for landscape purposes was previously made in conjunction with the approval and recordation of a subdivision map known as Tract 22832, for Lettered Lots A and B of tract 22832 as recorded on document # 2000-361836 on the 14<sup>th</sup> day of September 2000 in the County of Riverside in book 296, pages 44-50; and

**WHEREAS**, an offer to dedicate certain real property to public use for landscape purposes was previously made in conjunction with the approval and recordation of a subdivision map known as Tract 22833, for Lettered Lots A and J of tract 22833 as recorded on document # 2000-361837 on the 14<sup>th</sup> day of September 2000 in the County of Riverside in book 296, pages 44-50; and

**WHEREAS**, an offer to dedicate certain real property to public use for landscape purposes was previously made in conjunction with the approval and recordation of a subdivision map known as Tract 22834, for Lettered Lot A of tract 22834 as recorded on document # 2000-200649 on the 26<sup>th</sup> day of May 2000 in the County of Riverside in book 292, pages 35-37; and

**WHEREAS**, an offer to dedicate certain real property to public use for landscape purposes was previously made in conjunction with the approval and recordation of a subdivision map known as Tract 22835, for Lettered Lots G, H and I of tract 22835 as recorded on document # 2000-200650 on the 26<sup>th</sup> day of May 2000 in the County of Riverside in book 292, pages 38-43; and

**WHEREAS**, an offer to dedicate certain real property to public use for landscape purposes was previously made in conjunction with the approval and recordation of a subdivision map known as Tract 22836, for Lettered Lots F, G, and H inclusive of tract 22836 as recorded on document # 239323 on the 23<sup>rd</sup> day of June 1993 in the County of Riverside in book 245, pages 5-9; and

**WHEREAS**, an offer to dedicate certain real property to public use for landscape purposes was previously made in conjunction with the approval and recordation of a subdivision map known as Tract 22837, for Lettered Lots A and B of tract 22837 as recorded on document # 2000-200651 on the 26<sup>th</sup> day of May 2000 in the County of Riverside in book 292, pages 44-48; and

**WHEREAS**, an offer to dedicate certain real property to public use for landscape purposes was previously made in conjunction with the approval and recordation of a subdivision map known as Tract 22838, for Lettered Lots H and I inclusive of tract 22838 as recorded on document # 2000-180980 on the 12<sup>th</sup> day of May 2000 in the County of Riverside in book #291; and

**WHEREAS**, an offer to dedicate certain real property to public use for landscape purposes was previously made in conjunction with the approval and recordation of a subdivision map known as Tract 22841, for Lettered Lots F, G, H and I, inclusive of amended tract 22841 as recorded on document # 461739 on the 21<sup>st</sup> day of August 2002 in the County of Riverside in book 322, pages 68-73; and

**WHEREAS**, an offer to dedicate certain real property to public use for landscape purposes was previously made in conjunction with the approval and recordation of a subdivision map known as Tract 22842, for Lettered Lot A of tract 22842 as recorded on document # 2000-190055 on the 18<sup>th</sup> day of May 2000 in the County of Riverside in book 291, pages 96-101; and

**WHEREAS**, an offer to dedicate certain real property to public use for landscape purposes was previously made in conjunction with the approval and recordation of a subdivision map known as Tract 22843, for Lettered Lot A of tract 22843 as recorded on document # 2000-183126 on the 15<sup>th</sup> day of May 2000 in the County of Riverside in book 291, pages 59-68; and

**WHEREAS**, an offer to dedicate certain real property to public use for landscape purposes was previously made in conjunction with the approval and recordation of a subdivision map known as Tract 22844, for Lettered Lots A and B of tract 22844 as recorded on document # 2000-183127 on the 15<sup>th</sup> day of May 2000 in the County of Riverside in book 291, pages 64-67; and

**WHEREAS**, an offer to dedicate certain real property to public use for landscape purposes was previously made in conjunction with the approval and recordation of a subdivision map known as Tract 22845, for Lettered Lots A, B and C of tract 22845 as recorded on document # 2000-183128 on the 15<sup>th</sup> day of May 2002 in the County of Riverside in book 291, pages 68-72; and

**WHEREAS**, those portions of the aforementioned maps affected by the offers of dedication as described above are collectively referred to herein as the "Lettered Lots," said Lettered Lots are more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference; and

**WHEREAS**, there are no in-place public utility facilities that are in use in the Lettered Lots that would be adversely affected by the vacation; and

**WHEREAS**, easements are provided in the CC&R's to authorized utility companies for to enter upon the property for installation and maintenance of utilities and governmental agencies to enter upon the property for carrying out their official duties; and

**WHEREAS**, the City Council has determined that the requested vacation of Lettered Lots is in the public interest and convenience in that the Lettered lots are for landscapes purposes which will be maintained by an HOA; and

**WHEREAS**, the City Council has determined that (a) the lettered lot adjacent to Ramona Expressway is not viable for the proposed 184-foot right-of-way (160-foot currently designated by Perris) recommended by the County General Plan and the Riverside County Transportation Commission (RCTC) as part of the Community and Environmental Transportation Acceptability Process (CETAP), because there is a 20-foot wide Eastern Municipal Water District (EMWD) waterline easement in the Lettered Lot adjacent to the street right-of-way and (b) only Ramona Expressway between Camlann Way and Bradley Road has this lettered , and Ramona Expressway east of Bradley Road does not have land to be dedicated for street widening; and

**WHEREAS**, in conjunction with this vacation, the City will quitclaim any right, title and interest the City may have in the Lettered Lots to the property owner; and

**WHEREAS**, the City Council has determined that the vacation is exempt from review under the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the 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 vacation could have a significant effect on the environment. This determination is based on the findings of fact set forth above, namely: 1) that the Lettered Lots to be vacated are for landscapes purposes and will be maintained by an HOA, 2) that the Lettered Lot adjacent to Ramona Expressway are not viable for the City's present or prospective public transportation needs because of the 20-foot wide EMWD waterline easement, and 3) that there are no in place public utilities that would be adversely affected by the vacation. For all of these reasons, it is clear that the vacation will not have any physical effect on the environment.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Perris 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 hereby directs that a Notice of Exemption be filed with the County Clerk pursuant to Section 15062 of CEQA.

**Section 3.** The City Council hereby directs the City Clerk to transmit to the County Recorder a certified copy of this Resolution so that this Resolution may be recorded immediately following the satisfaction of the conditions specified in Section 2 above.

**Section 4.** The City Council hereby directs the City Attorney to prepare and record a quitclaim deed releasing any right, title and interest the City may have in the Street Areas to the property owner.

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

**ADOPTED, SIGNED** and **APPROVED** this 11<sup>th</sup> day of February, 2003.

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Mayor, Daryl R. Busch

ATTEST:

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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 3072 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 11<sup>th</sup> day of February, 2003, and that it was so adopted by the following called vote:

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

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City Clerk, Margaret Rey

**EXHIBIT "A"**  
**(RESOLUTION NUMBER 3072)**

**Depiction of Street Areas**

**EXHIBIT "B"**  
**(RESOLUTION NUMBER 3072)**

**Site Plan**