

RESOLUTION NUMBER 3165

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING STREET VACATION 03-0124 FOR THE RELINQUISHMENT OF A FORMER CALTRANS REMNANT ADJACENT TO THE NEVADA AVENUE RIGHT-OF-WAY, CITY OF PERRIS (VAL VERDE UNIFIED SCHOOL DISTRICT)

WHEREAS, Street Vacation 03-0124 filed by the Val Verde Unified School District to acquire from the City of Perris a section of Old Nevada Avenue now contained within the site of a new high school and adjacent to the new Nevada Avenue right of way, and based upon the environmental information, staff finds that the project 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; and

WHEREAS, this Street Vacation has been duly noticed; and

WHEREAS, a public hearing was held on October 14, 2003, at which time all interested persons were given full opportunity to be heard and to present evidence.

WHEREAS, the City Council on May 27, 2003, voted to continue the public hearing to a future date to allow the City to acquire an additional remnant of Old Nevada Avenue from Caltrans; and

WHEREAS, on October 14, 2003, the City Council was informed the City of Perris is the owner of all remnant properties proposed for vacation;

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 and incorporated herein.

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. 03-0124 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.

The City Council further finds and determines that the City has complied with the California Environmental Quality Act and the City Council determinations reflect the independent judgement of the City Council.

Section 3. Based upon the information contained within the staff report and the accompanying attachment, with respect to the Street 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. That for the foregoing reasons this City Council hereby approves Street Vacation No. 03-0124, for the vacation of the portion of Old Nevada Avenue, adjacent to the new Nevada Avenue right of way, now contained within the site of the new high school at the northeast corner of Morgan Street and Nevada Avenue, based upon the conditions of approval, attached in Exhibit A.

Section 5. The City Council hereby directs that a Notice of Exemption be filed with the County Clerk pursuant to Section 15062 of CEQA.

Section 6. 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 7. 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 Lettered Parcels to the property owner.

Section 8. 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 9. 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 preemption legislation, the remaining provisions, sections, paragraphs, sentences, and words of this Resolution shall remain in full force and effect.

Section 10. The Mayor shall sign and the City Clerk shall certify to the adoption of this Resolution, and thenceforth and thereafter the same shall be in full force and effect. Notwithstanding the foregoing, such certification and any of the other duties and responsibilities assigned to the City Clerk pursuant to this Resolution may be performed by the City Clerk hereunder.

Attachment: Exhibit A (Conditions of Approval)

ADOPTED, SIGNED and **APPROVED** this 14^h day of October, 2003.

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 3165 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 14th day of October, 2003, and that it was so adopted by the following called vote:

AYES: Rogers, Yarbrough, Landers, Motte, Busch

NOES:

ABSENT:

ABSTAIN:

City Clerk, Margaret Rey