

RESOLUTION NO. R-08-13

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2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
3 COLTON, CALIFORNIA, RATIFYING ITS DECLARATION OF
4 INTENT TO VACATE A PORTION OF THE PUBLIC RIGHT OF
5 WAY AND ALLEY LOCATED ALONG PORTIONS OF F STREET
6 AND E STREET, BETWEEN LA CADENA DRIVE AND 9TH
7 STREET, PURSUANT TO STREETS AND HIGHWAYS CODE
SECTION 8300 ET SEQ., AND DETERMINING THAT SUCH
VACATION IS CONSISTENT WITH THE CITY'S GENERAL
PLAN.

8 WHEREAS, the City of Colton ("City") holds a right-of-way for street, alley and
9 public utility purposes over, under and upon that portion of public rights-of-way known
10 as F Street, E Street generally located between 9th Street and La Cadena Drive, and more
11 fully described and depicted in Exhibit "A" attached hereto and incorporated herein by
reference (hereinafter, the "Vacated Area"); and

12 WHEREAS, the Vacated Area is no longer needed for public right of way or alley
13 purpose, is unnecessary for present or prospective public use, and will be incorporated into
a larger senior housing development ; and

14 WHEREAS, the vacation of the Vacated Area is made pursuant to the requirements
15 of California Streets and Highways Code, Division 9. - Change of Grade and Vacation, Part
16 3. - Public Streets, Highways, and Service Easements Vacation Law (Streets & Highways
Code sections 8300 et seq.), Chapter 3. - General Vacation Procedure; and

17 WHEREAS, there are existing *public utilities* and *easements for public utilities* in the
18 Vacated Area and appurtenant rights thereto that will be reserved for the City in
19 accordance with California Streets and Highways Code Section 8340; and

20 WHEREAS, there are no other in-place public utility facilities that are in use and
would be affected by the vacation; and

21 WHEREAS, Section 8313(b) of the Streets and Highways Code and Section 65402 of
22 the Government Code requires that any proposed vacation be reviewed for conformity
23 with the City's General Plan; and

24 WHEREAS, the Planning Commission, on October 23, 2012, and City Council, on
25 December 18, 2012, have determined that this vacation is consistent with and in conformity
with the General Plan of the City of Colton.

26 WHEREAS, on December 18, 2012, the City Council further directed the initiation of
27 proceedings for street vacation of the Vacated Area and wishes to ratify and document
28 such initiation with this Resolution.

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**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF
THE CITY OF COLTON:**

SECTION 1. - General Plan Consistency: The City Council hereby finds that vacation of the Vacated Area, as more specifically described and depicted in the attached Exhibit "A," is consistent and in conformity with the General Plan of the City of Colton because the City Council adopted a general plan amendment to remove the Vacated Area streets as "collector" streets from the City of Colton Circulation Element.

SECTION 2. - Declaration of Intent: The City Council ratifies its declaration of intent issued on December 18, 2012 to vacate that portion of or a public right-of-way known as F Street, E Street and a portion of a public alley generally located between 9th Street and La Cadena Drive, and more fully described and depicted in Exhibit "A" attached hereto and incorporated herein by reference.

SECTION 3. - Hearing: The City Council, under the authority vested in it by Streets and Highways Code Section 8320(a)(1), ratifies the City Clerk's actions to: (1) administratively set a hearing date, time and place for March 5, 2013 at 6:00 p.m. in the City of Colton Council Chambers at 650 N. La Cadena Drive, Colton, California; and (2) publish and post the notices required thereunder.

SECTION 4. - The City Clerk shall certify the adoption of this Resolution and shall become effective immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 19th day of February 2013.


Sarah S. Zamora, Mayor

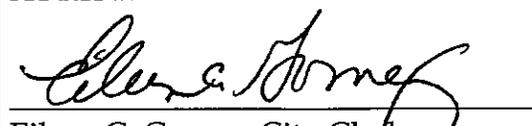
ATTEST:

Eileen C. Gomez, City Clerk

EXHIBIT "A"

DESCRIPTION OF PROPERTY:

THAT PORTION OF SECTION 20, TOWNSHIP 1, RANGE 4W, TOWN OF COLTON, IN THE CITY OF COLTON, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL MAP 19406

[attached map behind this page]