

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BEAUMONT VACATING THE STREET RIGHT-OF-WAY
EASEMENT FROM TENTH STREET, BETWEEN ORANGE
AVENUE AND MAPLE AVENUE**

WHEREAS, the City Council initiated a proceeding to vacate the existing street right-of-way within Tenth Street, between Orange Avenue and Maple Avenue on October 5, 2021 and at least fifteen days has elapsed since the initiation of such proceedings; and

WHEREAS, the City Clerk has set a hearing on this date by fixing the date, hour, and place of the hearing and causing the publishing and posting of the notices required by the California Streets and Highway Code (SHC) 8340 et. seq.;

WHEREAS, City wishes to vacate the street right-of-way only if the street vacation conforms to the provisions of the (SHC); and

WHEREAS, notice of the hearing on the proposed street vacation was published for at least two successive weeks prior to the hearing in a daily, semiweekly, or weekly newspaper published and circulated in the City;

WHEREAS, at least two weeks before the day set for the hearing, the City posted three conspicuous notices of vacation along the line of Tenth Street not more than 300 feet apart;

WHEREAS, SHC Section 8340 requires that the legislative body determine if reservation of existing utility easements are required in the right of way that is to be vacated and in this case reservation of such existing utility easement is required; and

WHEREAS, SHC Section 8320 requires the legislative body to schedule and hold a public hearing on the street is to be vacated and to hear evidence presented by anyone who has opposition to the street vacation; and

WHEREAS, SHC Section 8324 allows the legislative body to determine based on the evidence whether the street is unnecessary for present or prospective public use and if such a finding is made the street may be vacated by adopting a resolution to vacate the street; and

WHEREAS, Staff recommends the street vacation of Tenth Street to proceed if the City Council makes the required findings.

NOW, THEREFORE, BE IT RESOLVED, that the City of Beaumont does authorize the vacation of Tenth Street per the following provisions:

Provision 1. All existing public utility easements are hereby reserved within area of Tenth Street being vacated.

Provision 2. This resolution along with the legal description and plat for the vacation of Tenth Street, in the form attached hereto as Exhibit “A” and made a part hereof by this reference, shall be recorded with the Riverside County Clerk Recorder’s Office by the City Clerk.

MOVED, PASSED AND ADOPTED this 2nd day of November 2021.

AYES:

NOES:

ABSTAIN:

ABSENT:

By: _____
Mike Lara, Mayor, City of Beaumont

ATTEST:

By: _____
Steven Mehlman, City Clerk

EXHIBIT “A”
(attach legal description and plat)