

RESOLUTION NO. 2023-37

**A RESOLUTION OF THE CITY OF COACHELLA CITY COUNCIL
SUMMARILY VACATING ALL RIGHT OF WAY INTEREST OF SAID
CITY FOR STREET EASEMENTS LOCATED ON ASSESSOR PARCEL
NUMBER 778-081-003**

WHEREAS, the City council of the City of Coachella, California, is granted the authority to vacate any street right-of-way or utility easement or a part of any street right-of-way or utility easement within the limits of the City by section 8312 of the Streets and Highways Code; and,

WHEREAS, this proceeding is being conducted under part 3 of the Public Street, Highways and Service Easements Vacation Law of the Streets and Highways Code; and,

WHEREAS, it is the intention of the City Council of the City of Coachella to vacate the street easements within the City limits of the City of Coachella, California, as shown on Exhibits A and B, which describe and depict an unimproved roadway easement approximately 129 feet in length and 20 feet wide positioned East of Cesar Chavez Street, South of Sixth Street and North of Bagdad Avenue; and

WHEREAS, the City Council of the City of Coachella, finds that there are no in-place public utilities that would be affected by the vacation; and,

WHEREAS, the City Council of the City of Coachella finds that the easement has not been used nor maintained for its dedicated or acquired purpose for five (5) consecutive years immediately preceding the proposed vacation; and,

WHEREAS, the City Council of the City of Coachella, finds that no public money has been expended for maintenance on the street easement during such period.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Coachella does hereby signify and declare its intention to vacate the street and utility easements herein above referred to and more particularly described on Exhibits A and B attached; and,

BE IT FURTHER RESOLVED that the 28th day of June, 2023, at the hour of 6:00 p.m. of said date, in the City Council Chamber of Coachella, California, is hereby fixed as the time and place for hearing all persons interested in or objecting to the said proposed street easement vacation, said time being not less than fifteen (15) days from the date of the adoption of Resolution 2023-37; and,

BE IT FURTHER RESOLVED that the City Clerk of the City of Coachella, California, is hereby directed to cause this Resolution of Intention to be published in the manner prescribed by Section 8322 of the Streets and Highway Code.

PASSED, APPROVED and ADOPTED this 28th day of June 2023

Steven A. Hernandez
Mayor

ATTEST:

Angela M. Zepeda
City Clerk

APPROVED AS TO FORM:

Carlos Campos
City Attorney

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF COACHELLA)

I HEREBY CERTIFY that the foregoing Resolution No. 2023-37 was duly adopted by the City Council of the City of Coachella at a regular meeting thereof, held on the 28th day of June 2023 by the following vote of Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Delia Granados
Deputy City Clerk

EXHIBIT "A"
LEGAL DESCRIPTION
ROAD AND PUBLIC UTILITY EASEMENT ABANDONMENT
(PORTION OF RIGHT-OF-WAY GRANTED PER GRANT REC. 8/7/1968 AS DOC. #1968-76372)
CITY OF COACHELLA

That certain parcel of land, located in the City of Coachella, County of Riverside, State of California, being a portion of "Parcel 2" of that certain Joint Tenancy Grant Deed recorded August 7, 1968 as Instrument No. 76372 of Official Records of said County of Riverside, more particularly described as follows:

A non-exclusive easement for roads and public utility purposes over that portion of Lot 11 in Section 5, Township 6 South, Range 8 East, San Bernardino Base and Meridian, as shown by Map of Lands of Coachella Land and Water Company on file in Book 4, page 53 of Maps, Riverside County Records, described as follows:

BEGINNING at a point on the East line of the State Highway, 223.08 feet North of the Southerly line of said Lot 11;

Thence East, parallel with the South line of said Lot 11, 129 feet;

Thence North, parallel with the East line of the State Highway, 20 feet;

Thence West, parallel with the South line of said Lot 11, 129 feet to the East line of the State Highway;

Thence Southerly, along the East line of said State Highway, 20 feet to the **POINT OF BEGINNING**.

EXCEPTING THEREFROM that portion conveyed to the State of California by deed recorded April 7, 1937 in Book 317 page 570 of Official Records.

ALSO EXCEPTING THEREFROM that portion lying within Parcel 1 of a "Deed for Grant of Road Right-of-Way" recorded August 7, 1968 as Instrument No. 76372, Official Records of said County of Riverside.


ALSO EXCEPTING THEREFROM that portion lying within a "Deed for Grant of Road Right-of-Way" recorded March 18, 1971 as Instrument No. 26948, Official Records of said County of Riverside.

CONTAINING 2,182 Square Feet, more or less.

SUBJECT TO all Covenants, Rights, Rights-of-Way, and Easements of record.

Graphically depicted on 'EXHIBIT "B" – PLAT', attached hereto and by this reference made a part hereof.

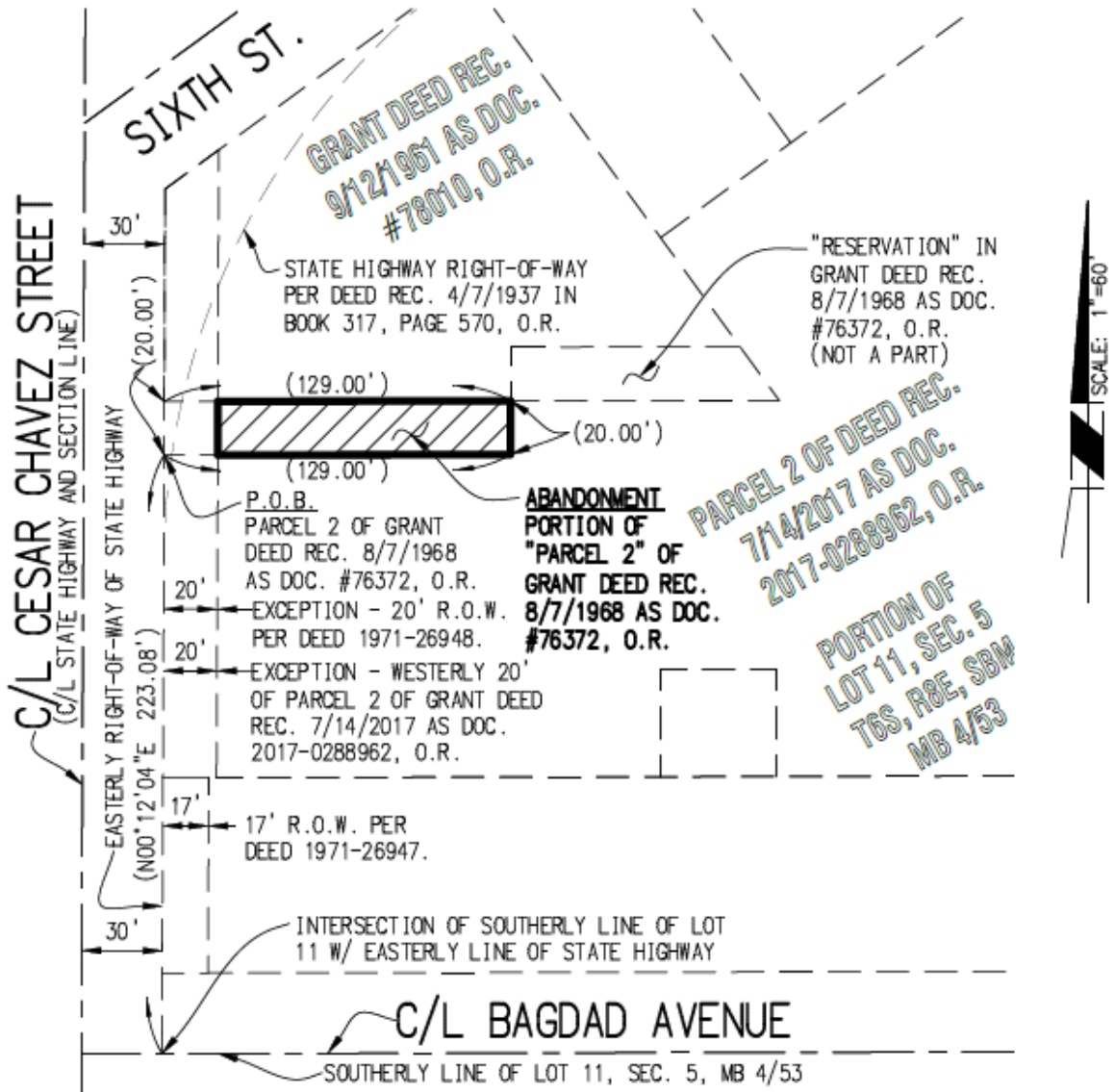
This legal description and accompanying plat were prepared by me or under my direction.



Benjamin Daniel Egan, PE, PLS
Licensed Land Surveyor No. 8756
Prepared: May 12, 2023

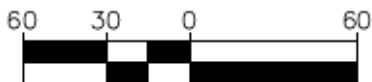


EXHIBIT "B" - PLAT ROAD AND PUBLIC UTILITY EASEMENT ABANDONMENT CITY OF COACHELLA



() DENOTES RECORD DATA PER
DEED REC. 8/7/1968 AS
INST. #76372, O.R.

DENOTES ROAD & PUBLIC
UTILITY EASEMENT ABANDONMENT
AREA=2,182± SQUARE FEET.



SCALE: 1"=60'



Benjamin Daniel Egan
BENJAMIN DANIEL EGAN, PLS
LS 8756 DATE: 05/12/2023

SHEET 1 OF 1