

**RESOLUTION NO. 2017-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY, CALIFORNIA, DECLARING ITS INTENTION TO VACATE A PORTION OF A 40 FOOT WIDE PUBLIC UTILITY EASEMENT RESERVED FROM THE VACATION OF CHANNEL DRIVE, BETWEEN GRANDVIEW AVENUE AND VALLEY VISTA DRIVE, PURSUANT TO THE VACATION OF CHANNEL DRIVE BY THE COUNTY OF RIVERSIDE AS DESCRIBED IN COUNTY RESOLUTION NO. 79-351 RECORDED ON DECEMBER 4, 1979, AS INSTRUMENT NO. 257675, IN OFFICIAL RECORDS OF RIVERSIDE COUNTY.**

**(VACATION NO. 2017-02)  
APPLICANT: TIM HADORN**

**WHEREAS**, in 1979, the County of Riverside processed the vacation of Channel Drive, 40 feet wide, between Grandview Avenue and Valley Vista Drive; and

**WHEREAS**, on November 27, 1979, after a duly noticed public hearing, the County Board of Supervisors adopted Resolution No. 79-351 which vacated the above described portion of Channel Drive, subject to the reservation of a public utility easement over the 40 foot wide strip for any existing public utilities or public service facilities; and

**WHEREAS**, on December 4, 1979, said Resolution was recorded as Instrument No. 257675 in Official Records of Riverside County, California; and

**WHEREAS**, the present owner of a portion of the vacated street right of way, located at 38619 Elna Way, in Cathedral City, has requested the vacation of the reserved public utility easement on his parcel of land, described as:

Parcel 2 as shown on Parcel Map No. 33574, filed in Book 216, at Pages 1 through 3, inclusive, of Parcel Maps, in the office of the County Recorder (APN 686-143-021).

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by the City Council of the City of Cathedral City as follows:

**SECTION 1.** It is the intention of this City Council to consider the vacation of that portion of the public utility easement reserved over the vacated right of way of Channel Drive as described and shown in the attached Exhibits "A" and "B".

**SECTION 2.** This vacation proceeding will be conducted under Chapter 3 of Part 3 of Division 9 of the Streets and Highways Code of the State of California, said Part 3 being the Public Streets, Highways, and Service Easements Vacation Law, and subject to

Section 892 of said Streets and Highways Code.

**BE IT FURTHER RESOLVED** that a public hearing on this proposed vacation will be held on:

Wednesday, May 24, 2017, at 6:30 p.m. in the Council Chambers, at the City of Cathedral City City Hall, located at 68700 Avenida Lalo Guerrero, Cathedral City, California,

at which time and place the City Council will hear and consider the proposal and statements from all parties interested in the proposed vacation.

**BE IT FURTHER RESOLVED** that the City Clerk is directed to cause this Resolution of Intention and a Notice of Public Hearing to be posted as follows:

1. It shall be forthwith posted in at least the three (3) public places designated for the posting of ordinances and public notices.
2. No later than by May 10, 2017, at least three (3) copies shall be posted conspicuously along the easement to be considered for vacation, and not more than 300 feet apart.
3. A Notice of Public Hearing shall be published twice for two successive weeks prior to the public hearing in a daily, semi-weekly or weekly newspaper published in the County of Riverside and circulated in the City of Cathedral City.

**APPROVED**, and **ADOPTED** at a regular meeting of the City Council for the City of Cathedral City held on this 26th day of April, 2017, by the following vote:

Ayes:

Noes:

Absent:

Abstain:

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Stanley E. Henry, Mayor  
City of Cathedral City, California

**ATTEST:**

\_\_\_\_\_  
City Clerk

**APPROVED AS TO FORM:**

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Department

**REVIEWED:**

\_\_\_\_\_  
Charles P. McClendon, City Manager

Attachments:

Exhibit A: legal description of portion of reserved public utility easement to be considered for vacation.

Exhibit B: sketch of portion of reserved public utility easement to be considered for vacation.

**EXHIBIT "A"**

**LEGAL DESCRIPTION OF PORTION OF RESERVED  
PUBLIC UTILITY EASEMENT TO BE VACATED**

**ALL THAT PORTION OF THE PUBLIC UTILITY EASEMENT RESERVED FROM THE VACATION OF CHANNEL DRIVE, AS DESCRIBED IN COUNTY BOARD OF SUPERVISORS RESOLUTION NO. 79-351, RECORDED ON DECEMBER 4, 1979, AS INSTRUMENT NO. 257675, IN OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN PARCEL 2 AS SHOWN ON PARCEL MAP NO, 33574, FILED IN BOOK 216, AT PAGES 1 THROUGH 3, INCLUSIVE, OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.**