

EXHIBIT "C"

**FORM OF RESOLUTION TO BE RECORDED FOR VACATION OF EACH PORTION
OR SEGMENT OF THE STREETS, ALLEY, OR EASEMENTS IN VACATION NO.
2015-02**

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CATHEDRAL CITY, CALIFORNIA, ORDERING THE VACATION OF
ALL OR PORTIONS OF SPECIFIED STREETS, HIGHWAYS, ALLEYS
OR PUBLIC HIGHWAY AND PUBLIC UTILITY EASEMENTS AT THE
SOUTHEAST QUADRANT OF EAST PALM CANYON DRIVE AND VAN
FLEET AVENUE IN THE CITY OF CATHEDRAL CITY. (VACATION
NO. 2015-02)**

WHEREAS, pursuant to the provisions of Chapter 3 of Part 3 of Division 9 of the Streets and Highways Code of the State of California (said part being the Public Streets, Highways, and Service Easements Vacation Law), and subject to Section 892 of the Streets and Highways Code, this Council, on October 14, 2015, adopted Resolution No. 2015-56, declaring its intention to vacate those portions of "A" Street, "B" Street, a public alley between "A" Street and "B" Street, and public highway and public utility easements, as were more particularly described in Exhibit "A", which was attached to and made a part of said Resolution of Intention No. 2015-56, and to conduct a public hearing thereon on Monday, November 16, 2015; and

WHEREAS, this Council, on November 16, 2015, after publishing and posting of due notice thereof, did open and did conduct a public hearing into this matter, and did find and determine that all other legal requirements of said Public Streets, Highways, and Service Easements Vacation Law had been complied with, and that all applicable requirements of the California Environmental Quality Act (CEQA) had been complied with; and

WHEREAS, at such hearing it was found that certain public utility facilities existed in and over portions of the streets, alleys and easements proposed to be vacated, which their owners desired to be protected by the reservation of utility easements or other means; and

WHEREAS, after such hearing, the City Council adopted Resolution No. 2015-_____, which vacated the streets, highways, alley and easements described in Exhibit "A", which was attached to and made a part of said Resolution No. 2015-_____, subject to the condition that no resolution evidencing the completion of the vacation process was to be recorded until either (a) that suitable utility easements have been reserved by the City to protect any existing utility facility in any portion or segment of street, highway, alley or highway or easement or other easement to be vacated; or (b) that suitable utility easements have been granted to protect any existing utility facility, by

the abutting owner or other party to whose ownership the vacated street or alley would revert upon final vacation; or (c) that the utility facilities in the streets, alley or easements have been removed, relocated, or otherwise cleared from the streets, alley or easements such that no utility reservation is required; and

WHEREAS, said Resolution No. 2015-____ further provided that no Resolution evidencing the vacation of any portion, segment or piece of the streets, alley or easements described in Exhibit A to said Resolution No. 2015-____ shall be recorded by the City Clerk until the City Clerk is notified in writing by the City Engineer and/or the City Manager that the above conditions had been met; and

WHEREAS, said Resolution No. 2015-____ further provided and authorized the vacation of individual portions, segments or pieces of the streets, alley and easements proposed to be vacated by the recordation of a separate Resolution in this general form, only after certification to the City Clerk that the above conditions had been met.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

A. The City Engineer and/or the City Manager have certified in writing to the City Clerk that the conditions for vacation of the following described portion, segment or piece of public street, highway, alley, or public highway or public utility easement have been met as outlined in Resolution No. 2015-____, adopted November 16, 2015:

(insert legal description of portion to be vacated
with utility reservation if needed)

B. In accordance with the provisions of Resolution No. 2015-____, adopted and approved on November 16, 2015, the City Clerk is hereby directed to cause this Resolution to be recorded in the office of the County Recorder of Riverside County, evidencing the vacation of the above described street, highway, alley or easement.

C. From and after the date this Resolution is recorded, the street, highway, alley or public highway or public utility easements described in Section A above shall be vacated and abandoned, and shall no longer constitute a public street, highway, alley or easement in this City.

APPROVED by the authority of Resolution No. 2015-_____, adopted November 16, 2015:

Stanley E. Henry, Mayor

ATTEST:

Gary F. Howell
City Clerk

APPROVED AS TO FORM:

Charles R. Green
City Attorney

APPROVED AS TO CONTENT:

John A. Corella
City Engineer

APPROVED:

Charles P. McClendon
City Manager