

## Attachment A

Resolution No. 23-034

## **RESOLUTION NO. 23-034**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE, CALIFORNIA, ORDERING THE SUMMARY VACATION (ABANDONMENT) OF AN OFFER OF DEDICATION OF A DRAINAGE EASEMENT MADE ON TRACT MAP NO. 17316**

**WHEREAS**, upon the request of Rola Ann Nicasio, proceedings under Division 9, Part 3, Chapter 4 of the California Streets and Highways Code (“**Code**”) have been conducted for the summary vacation of an offer of dedication of a public service easement (“**Dedication**”) made to the City of Victorville (“**City**”) by Tract Map No. 17316; and

**WHEREAS**, said Dedication was made to the City for the public purpose of storm water drainage on Tract Map No. 17316, as filed July 30, 2007 in Book 330 of Tract Maps at Pages 13 through 16, Records of the County Recorder of San Bernardino County, and is described by **Exhibit “A”** attached hereto and depicted on **Exhibit “B”** attached hereto, and

**WHEREAS**, said Dedication was acknowledged, and accepted, subject to improvement in accordance with the City Standards, by the City, and

**WHEREAS**, Section 8330 of the Code authorizes the City Council to summarily vacate the Dedication, subject to satisfying the provisions of Section 8333 of the Code; and

**WHEREAS**, said Section 8333 is satisfied in that the land within the Dedication has never been used for the purpose for which the Dedication was made, nor has the City accepted Dedication, as the public service easement was never improved; and

**WHEREAS**, said Section 8333 is further satisfied in that Dedication has been superseded by relocation, determined to be in excess, and there are not any public facilities located within the Dedication; and

**WHEREAS**, given that a replacement/relocated storm water easement has been dedicated to the City, the Dedication specified on Tract Map No. 17316 should now be vacated.

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

#### **Section 1. Recitals**

That the recitals and findings set forth above are true and correct and are hereby incorporated in their entirety by this reference.

**Section 2.      Vacation/Abandonment of Easement**

That from and after the date of the recordation of this Resolution, the Dedication as described and depicted in **Exhibit “A”** and **Exhibit “B”** attached hereto and incorporated by this reference, is hereby relinquished, terminated, no longer constitutes a public service easement, and is vacated.

**Section 3.      Recordation of Resolution**

That the City Clerk of the City of Victorville shall cause a certified copy of this resolution to be recorded in the Office of the County Recorder of San Bernardino County, of the State of California, and that upon such recordation this vacation is complete.

**Section 4.      CEQA Exemption**

That vacation of the Dedication is not subject to environmental review under CEQA pursuant to CEQA Guidelines sections 15060(c)(2) and 15060(c)(3), because the action results in the vacation of an public easement for drainage that was not needed for such purposes, will not have a reasonably foreseeable direct or indirect effect on the environment, and/or is not a project subject to CEQA as defined in Guidelines section 15378.

**Section 5.      Effective Date**

That this Resolution shall be effective as of the date of adoption.

**Section 6.      Certification**

That the City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which this Resolution is passed and adopted.

## Exhibit A to Resolution No. 23-034

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

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**DRAINAGE EASEMENT VACATION**

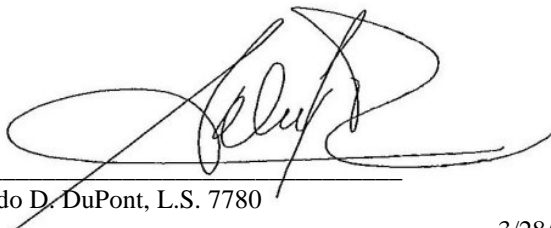
THAT CERTAIN DRAINAGE EASEMENT WITHIN LOT 28 AS SHOWN ON TRACT NO. 17316, IN THE CITY OF VICTORVILLE, COUNTY OF SAN BERNADINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 330, PAGES 13 THROUGH 16, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 28; THENCE SOUTH 00°12'05" EAST, ALONG THE EASTERLY LINE OF SAID LOT 10.00 FEET TO A POINT ON A LINE PARALLEL WITH AND DISTANCE 10.00 FEET SOUTHERLY, MEASURED AT RIGHT ANGLES FROM THE NORTHERLY LINE OF SAID LOT; THENCE SOUTH 89°19'10" WEST, ALONG SAID PARALLEL LINE, 115.90 FEET; THENCE SOUTH 54°38'05" WEST, 20.68 FEET TO A POINT ON A LINE PARALLEL WITH AND DISTANT 10.00 FEET EASTERLY FROM THE WESTERLY LINE OF SAID LOT 28; THENCE SOUTH 14°13'22" WEST, ALONG SAID PARALLEL LINE, 86.80 FEET TO A POINT ON A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 70.00 FEET, SAID CURVE ALSO BEING THE NORTHERLY RIGHT OF WAY OF ALPACA LANE AS SHOWN ON SAID MAP, A RADIAL LINE THROUGH SAID POINT BEARS NORTH 22°26'09" EAST; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 8°12'47", AN ARC DISTANCE OF 10.03 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT 28; THENCE NORTH 14°13'22" EAST, ALONG THE WESTERLY LINE OF SAID LOT, 105.95 FEET TO THE NORTHWESTERLY CORNER THEREOF; THENCE NORTH 89°19'10" EAST, ALONG THE NORTHERLY LINE OF SAID LOT, 137.54 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,442 SQUARE FEET, MORE OR LESS.

SEE EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

Prepared under my supervision:

  
Armando D. DuPont, L.S. 7780

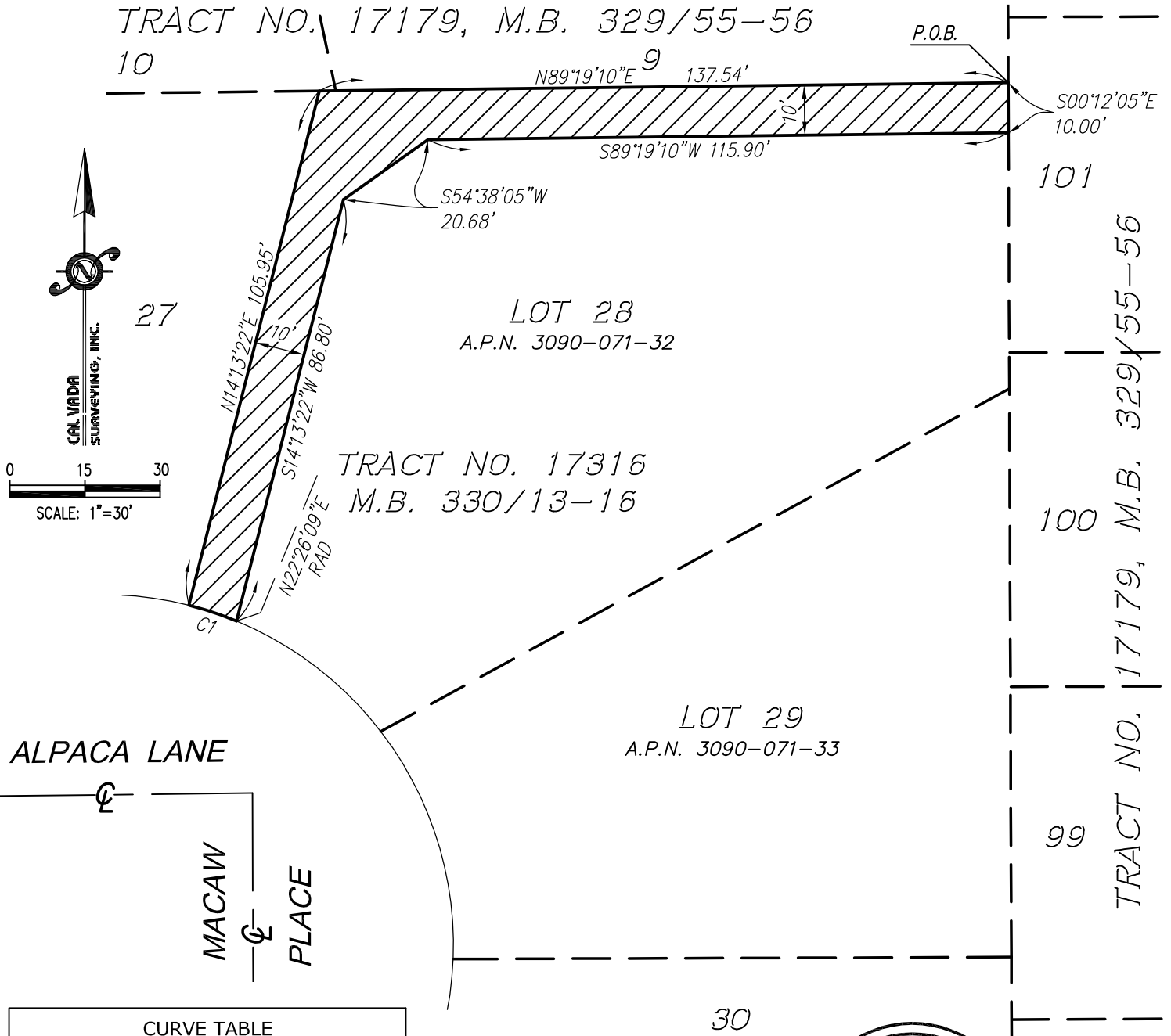


3/28/23

## Exhibit B to Resolution No. 23-034

# EXHIBIT "B"

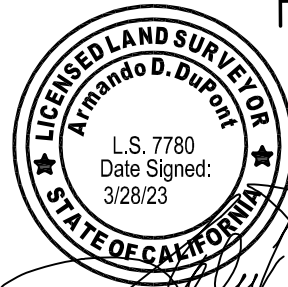
IN THE CITY OF VICTORVILLE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA



CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C1	70.00'	8°12'47"	10.03'



= DRAINAGE EASEMENT VACATION



**CAL VADA**

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Date: 3/28/23

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