

**RESOLUTION NO. 2018-\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE  
ELSINORE, CALIFORNIA, VACATING A PORTION OF ACACIA DRIVE**

**Whereas**, the City Council (Council) of the City of Lake Elsinore (City) has determined that a certain street right-of-way is no longer necessary to be utilized as a public right-of-way, said street right-of-way being more particularly described in Exhibit "A" and as shown on the maps in Exhibits "B" and "C" attached hereto (Vacation Segments); and

**Whereas**, the Council of the City desires to vacate the Vacation Segments pursuant to the procedures set forth in Streets and Highways Code section 8335; and

**Whereas**, the vacation is permitted by law pursuant to the conditions set forth in Streets and Highways Code section 8334; and

**Whereas**, in accordance with Streets and Highways Code section 8313 and Government Code section 65402, the Planning Commission considered this summary vacation and determined that the vacation is consistent with the General Plan; and

**Whereas**, that from and after the effective date of this Resolution, the street, highway, or public service easement vacated no longer constitutes a street, highway, or public service easement.

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

**Section 1.** That the foregoing recitals are true and correct.

**Section 2.** The Council hereby finds that the Vacation Segments legally described in Exhibit "A" and as shown on the maps in Exhibits "B" and "C" attached to this Resolution are unnecessary for present and prospective use.

**Section 3.** That the right-of-way legally described in Exhibit "A" and as shown on the maps in Exhibits "B" and "C" attached to this Resolution are hereby ordered to be vacated as provided herein.

**Section 4.** Nothing contained in this Resolution is intended to affect any private property rights regarding the Vacation Segments.

**Section 5.** Prior to the recordation of this Resolutions as provided in Section 6 below, the City Manager is hereby authorized to resolve the litigation in *Dobihal v. City of Lake Elsinore*, Riverside Superior Court Case No. RIC1722955, provided that such resolution results in the dismissal of the litigation and does not involve any monetary payment, the evidence of such resolution to be in a form approved by the City Attorney.

**Section 6.** This Resolution shall take effect upon recordation of this Resolution in the of records of the County of Riverside and from such date the vacation will be complete and the Vacation Segments shall no longer constitute a public street. The City Clerk shall cause a certified copy of this Resolution, attested by the Clerk under seal, to be recorded in the Office of the County Recorder as provided herein.

**Passed and Adopted** this \_\_\_\_ day of \_\_\_\_\_ 2018.

\_\_\_\_\_  
Natasha Johnson  
Mayor

**ATTEST:**

\_\_\_\_\_  
Susan M. Domen, MMC  
City Clerk

STATE OF CALIFORNIA                    )  
COUNTY OF RIVERSIDE                ) ss.  
CITY OF LAKE ELSINORE                )

I, Susan M. Domen, MMC, City Clerk of the City of Lake Elsinore, California, do hereby certify that Resolution No. \_\_\_\_\_ was adopted by the City Council of the City of Lake Elsinore, California, at the Regular meeting of \_\_\_\_\_, 2018, and that the same was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Susan M. Domen, MMC  
City Clerk

## EXHIBIT "A"

### LEGAL DESCRIPTION OF VACATION SEGMENTS

#### VACATION SEGMENT PARCEL 1:

THAT CERTAIN PARCEL OF LAND, SHOWN AS ACACIA DRIVE, ON THE TRACT MAP OF LAKESHORE DRIVE, AS PER MAP ON FILE IN BOOK 9, PAGES 65 TO 67 OF MAPS, RIVERSIDE COUNTY RECORDS, LYING BETWEEN SILVER STREET AND DAVIS STREET AND ALSO LYING BETWEEN BLOCKS 9 AND 10 OF SAID TRACT, AND AS SHOWN ON THE ATTACHED MAP AS EXHIBIT "B" AND CROSS-HATCHED IN RED.

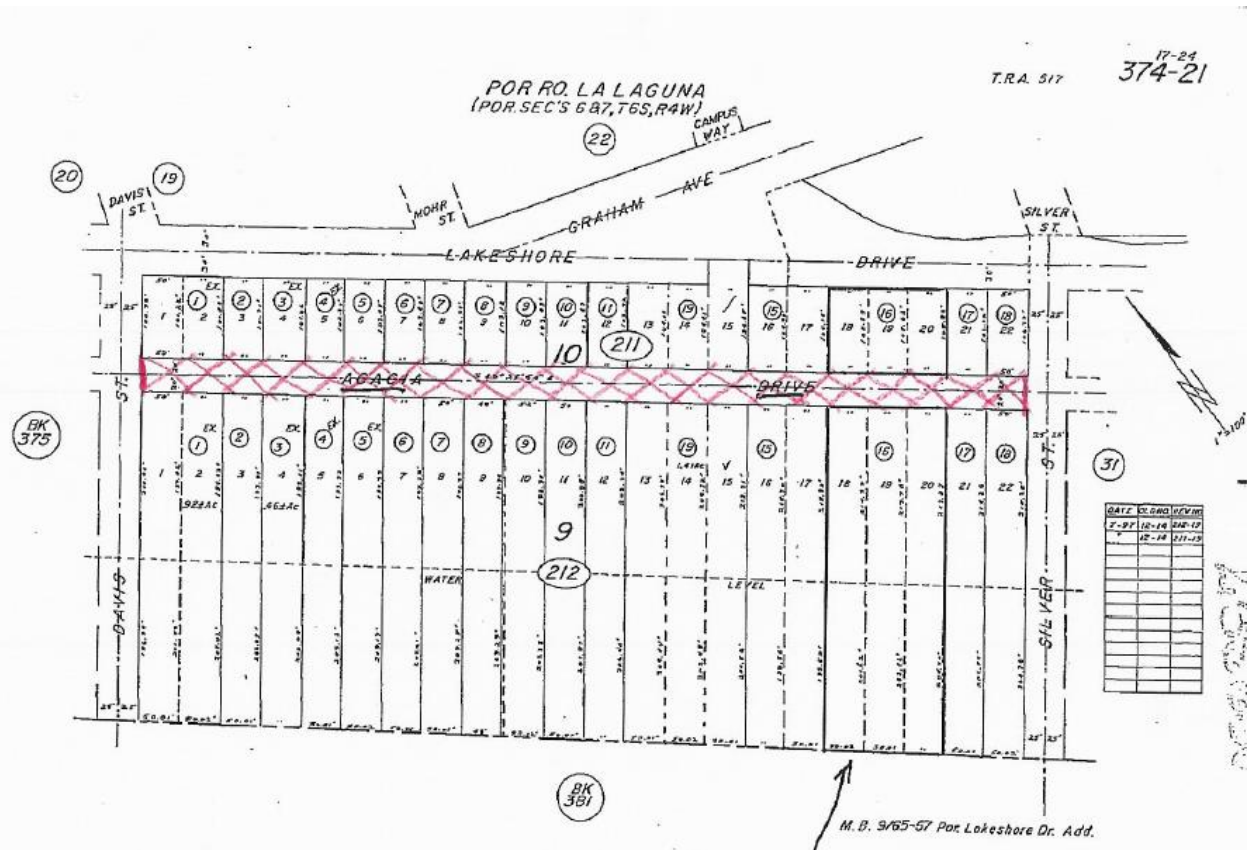
#### VACATION SEGMENT PARCEL 2:

THAT CERTAIN PARCEL OF LAND, SHOWN AS ACACIA DRIVE, ON THE TRACT MAP OF LAKESHORE DRIVE, AS PER MAP ON FILE IN BOOK 9, PAGES 65 TO 67 OF MAPS, RIVERSIDE COUNTY RECORDS, LYING BETWEEN DAVIS STREET AND THE TERMINUS OF ACACIA DRIVE AND ALSO LYING BETWEEN BLOCKS 11 AND 12 OF SAID TRACT, EXCEPTING THEREFROM THAT PORTION OF ACACIA DRIVE PREVIOUSLY VACATED PER RA4989 (ROAD BOOK NO. 4) AND AS SHOWN ON THE ATTACHED MAP AS EXHIBIT "C" AND CROSS-HATCHED IN RED.

SAID VACATION SEGMENTS DO NOT INCLUDE DAVIS STREET OR SILVER STREET OR THE INTERSECTION OF SUCH STREETS WITH ACACIA DRIVE.

EXHIBIT "B"

MAP OF VACATION SEGMENT PARCEL 1



## MAP OF VACATION SEGMENT PARCEL 2

