



CITY COUNCIL STAFF REPORT

DATE: July 2, 2014

CONSENT AGENDA

SUBJECT: RIGHT-OF-WAY VACATION FOR PORTIONS OF MICRO PLACE AND SALVIA ROAD, AT THE GENE AUTRY TRAIL & I-10 INTERCHANGE, IN SECTION 30, TOWNSHIP 3 SOUTH, RANGE 5 EAST, S.B.M.; FILE NO. R 14-13 (RCTD No. A4-0740).

FROM: David H. Ready, City Manager

BY: Public Works and Engineering Department

SUMMARY

Pursuant to Division 9, Part 3, Chapter 4 of the Streets & Highways Code (Section 8330 et. seq.) outlines the process to follow to summarily vacate streets and public service easements. In accordance with Section 8330(a) of the statute, the legislative body of a local agency may summarily vacate a street or highway that has been superseded by relocation.

RECOMMENDATION:

Adopt Resolution No. _____ "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, VACATING AND ABANDONING ALL OF ITS RIGHT, TITLE, AND INTEREST IN PORTIONS OF RIGHTS-OF-WAY FOR MICRO PLACE AND SALVIA ROAD, AT THE GENE AUTRY TRAIL & I-10 INTERCHANGE, IN SECTION 30, TOWNSHIP 3 SOUTH, RANGE 5 EAST, S.B.M.; FILE NO. R 14-13 (RCTD No. A4-0740)."

STAFF ANALYSIS:

On April 2, 2014 the City of Palm Springs Engineering Department was contacted by the Supervising Land Surveyor, of the Riverside County Transportation Department requesting the City to vacate and abandon portions of the rights-of-way for the old alignments of Micro Place and Salvia Road, west and east, respectively, of Gene Autry Trail, south of the Interstate 10 freeway. This request is in conjunction with the

Item No. 2.E.

interchange improvements for Gene Autry Trail and Interstate 10 that were completed in 2010. With the interchange improvements, the rights-of-way for Micro Place and Salvia Road were adjusted, and the roads relocated and realigned to coincide with the newly widened Gene Autry Trail alignment. All utilities and drainage facilities were relocated and to correspond with the newly reconstructed roads. The only remaining process is to vacate those portions of the old rights-of-way for Micro Place and Salvia Road that are in excess and unnecessary.

Micro Place and Salvia Road were originally shown on CalTrans Map Number 405571 thru 405574 (Approved September 30, 1964), on file as Riverside County Map Number 204, pages 490-493. They were acquired by Final Order of Condemnation (FOC), recorded in December of 1969 (Inst. No. 127863), and relinquished to Riverside County on March 5, 1970 (Inst. No. 20923). These roads were subsequently annexed by the City of Palm Springs in December 1991 (Inst. 437743) as part of Annexation 24 & 25 (LAFCO 91-21-3 & 4). The new right-of-way alignments are shown on CalTrans Map Number 413516-7 thru 413516-9 (Approved December 1, 2008), on file as Riverside County Map Number 205, pages 362-364, and were granted to the City of Palm Springs by the County of Riverside on November 30, 2011 (Inst. No. 0526646). There was a question early on in the process that required substantial evaluation regarding the status of these rights-of-way, and whether they were in fee or easement. The County Surveyor, CalTrans, and a Commercial Title Officer reached the conclusion that the roads were, in fact, by easement.

Pursuant to aforementioned California Streets & Highways Code, Sections 8330(a), the Staff recommends the City Council approve the Summary Vacation for portions of old rights-of-way for Micro Place, as described in Exhibit "A" and shown on Exhibit "B", and Salvia Road, as described in Exhibit "C", and shown on Exhibit "D", at the Gene Autry Trail and south of Interstate 10 interchange in Section 30, Township 3 South, Range 5 East, S.B.M., and described in Exhibits "A" and shown on Exhibits "B".

FISCAL IMPACT:

None.



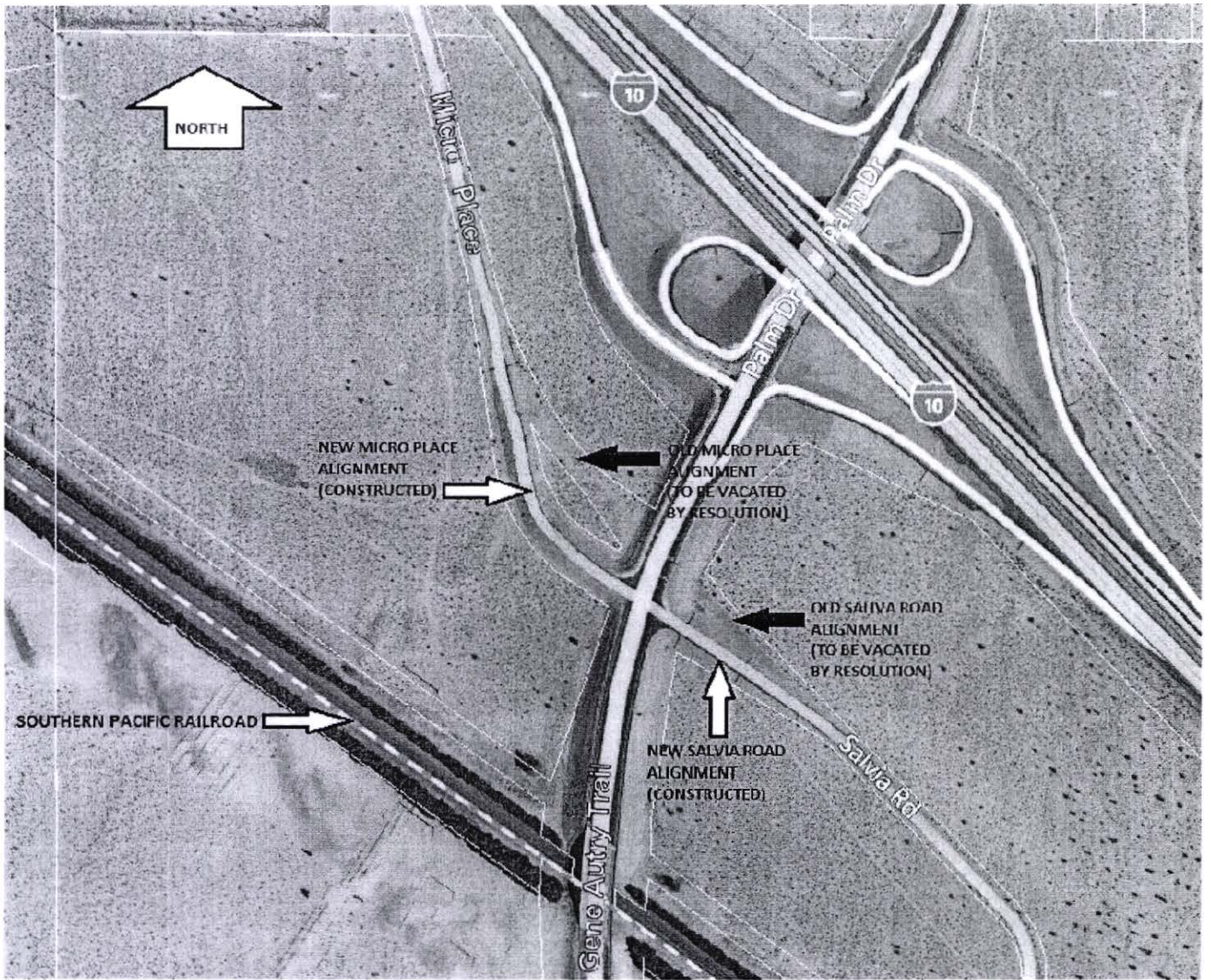
David J. Barakian
Director of Public Works/City Engineer
City of Palm Springs, California



David H. Ready, City Manager
City of Palm Springs, California

ATTACHMENTS:

1. Vicinity Map
2. Resolution
3. Exhibit "A" and Exhibit "B"



VICINITY MAP

R 14-13: VACATION OF PORTIONS
OF MICRO PLACE AND SALVIA ROAD

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, VACATING AND ABANDONING ALL OF ITS RIGHT, TITLE, AND INTEREST IN PORTIONS OF RIGHTS-OF-WAY FOR MICRO PLACE AND SALVIA ROAD, AT THE GENE AUTRY & I-10 INTERCHANGE, SECTION 30, TOWNSHIP 3 SOUTH, RANGE 5 EAST, S.B.M.; FILE NO. R 14-13 (RCTD No. A4-0740).

WHEREAS, the City Council of the City of Palm Springs, California, is authorized by Division 9, Part 3, Chapter 4 of the Streets and Highways Code of the State of California (the "statute"), to vacate and close to the public use, excess right-of-way of a street or highway, within the limits of the City; and

WHEREAS, pursuant to Section 8330(a) of the statute, the legislative body of a local agency may summarily vacate a street or highway that has been superseded by relocation; and

WHEREAS, the new public right-of-way alignments for Micro Place and Salvia Roads are shown on CalTrans Map Number 413516-7 thru 413516-9 (Approved December 1, 2008), on file as Riverside County Map Number 205, pages 362-364, and were granted to the City of Palm Springs by the County of Riverside on November 30, 2011 (Inst. No. 0526646).; and

WHEREAS, the new public right-of-way alignments for Micro Place and Salvia Roads were granted to the City of Palm Springs by the County of Riverside in Instrument No. 0526646 on November 30, 2011; and

WHEREAS, the new public rights-of-way for Micro Place and Salvia Roads have been realigned due to the improvements to the Gene Autry Trail and Interstate 10 interchange per said CalTrans Map Number 413516, all encompassed utilities and drainage facilities have been relocated, and the roads have been reconstructed. The only process remaining is to vacate and abandon any excess existing public right-of-way within the old rights-of-way for Micro Place and Salvia Roads; and

WHEREAS, the portions of old rights-of-way for Micro Place, as described in Exhibit "A" and shown on Exhibit "B", and Salvia Road, as described in Exhibit "C", and shown on Exhibit "D".

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

- Section 1. The City Council does hereby find the new public rights-of-way for Micro Place and Salvia Roads have been realigned due to the improvements to the Gene Autry Trail and Interstate 10 interchange.
- Section 2. The City Council does hereby find the new public rights-of-way alignments for Micro Place and Salvia Roads are shown on CalTrans Map Number 413516-7 thru 413516-9 (Approved December 1, 2008), on file as Riverside County Map Number 205, pages 362-364.
- Section 3. The City Council does hereby find new public rights-of-way alignments for Micro Place and Salvia Roads were granted to the City of Palm Springs by the County of Riverside in Instrument No. 0526646 on November 30, 2011.
- Section 4. The City Council does hereby find that Micro Place and Salvia Roads have been realigned due to the improvements to the Gene Autry Trail and Interstate 10 interchange per said CalTrans Map Number 413516-7 thru 413516-9, all encompassed utilities and drainage facilities have been relocated, and the roads have been reconstructed.
- Section 5. The City Council does hereby find that the portions of old rights-of-way for Micro Place, as described in Exhibit "A" and shown on Exhibit "B", and Salvia Road, as described in Exhibit "C", and shown on Exhibit "D"
- Section 6. That, the City Clerk is hereby directed to cause a certified copy of this Resolution, attested by him under the seal of the City, to be recorded in the Office of the County Recorder of Riverside County. Upon recordation of the Resolution, the subject portions of rights-of-way shall be deemed vacated and closed to public use.

ADOPTED this 2nd day of July, 2014

David H. Ready, City Manager
City of Palm Springs, California

ATTEST:

James Thompson, City Clerk
City of Palm Springs, California

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, hereby certify that Resolution No. _____ is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on July 2, 2014 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

James Thompson, City Clerk
City of Palm Springs, California

EXHIBIT "A"
LEGAL DESCRIPTION
MICRO PLACE
VACATION 0740-002A

THAT PORTION OF MICRO PLACE (FORMERLY FRONTAGE ROAD) AS RELINQUISHED TO THE COUNTY OF RIVERSIDE BY DOCUMENT RECORDED MARCH 5, 1970 AS INSTRUMENT NUMBER 20923, OFFICIAL RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, AND SHOWN ON CALTRANS MAP NUMBER 405573 ON FILE AS MAP NUMBER 204, PAGES 490 THROUGH 493, INCLUSIVE, IN THE OFFICE OF THE COUNTY SURVEYOR FOR SAID COUNTY, LYING WITHIN THE SOUTHWEST ONE-QUARTER OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SAN BERNARDINO MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF SAID MICRO PLACE WITH THE CENTERLINE OF GENE AUTRY TRAIL (FORMERLY PALM DRIVE) AS SHOWN ON SAID CALTRANS MAP, BEING A POINT ON A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 914.380 METERS (2,999.93 FEET) AND AN INITIAL RADIAL BEARING OF N 69°16'00"W;

THENCE SOUTHERLY ALONG SAID CENTERLINE OF GENE AUTRY TRAIL AND SAID CURVE THROUGH A CENTRAL ANGLE OF 00°37'40", AN ARC DISTANCE OF 10.019 METERS (32.87 FEET);

THENCE N 69°53'40" W ON A LINE RADIAL TO SAID CENTERLINE, A DISTANCE OF 28.435 METERS (93.29 FEET) TO THE POINT OF INTERSECTION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID MICRO PLACE AND THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID GENE AUTRY TRAIL, BEING THE MOST-EASTERLY CORNER OF THAT CERTAIN PARCEL OF LAND KNOWN AS "PARCEL 0740-001A" AS DESCRIBED BY INSTRUMENT NUMBER 2011-0526646, RECORDED NOVEMBER 30, 2011, SAID OFFICIAL RECORDS;

THENCE N 35°30'47" W ALONG THE NORTHEASTERLY LINE OF SAID PARCEL 0740-001A, ALSO BEING A PORTION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID MICRO PLACE, A DISTANCE OF 8.420 METERS (27.62 FEET) TO THE **TRUE POINT OF BEGINNING**;

THENCE CONTINUING N 35°30'47" W ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF MICRO PLACE, LEAVING SAID NORTHEASTERLY LINE OF PARCEL 0740-001A, A DISTANCE OF 65.842 METERS (216.02 FEET) TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 375.810 METERS (1,232.97 FEET) AND AN INITIAL RADIAL BEARING OF S 47°00'38" W;

THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE AND SAID NON-TANGENT CURVE THROUGH A CENTRAL ANGLE OF 09°11'52", AN ARC DISTANCE OF 60.329 METERS (197.93 FEET) TO THE SOUTHERLY TERMINUS OF COURSE "C" AS SHOWN ON THE PLAT FOR SAID PARCEL 0740-001A;

THENCE NON-TANGENT FROM LAST SAID CURVE, N 14°50'42" W, A DISTANCE OF 108.819 METERS (357.02 FEET) TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID MICRO PLACE, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 355.694 METERS (1,166.97 FEET) AND AN INITIAL RADIAL BEARING OF S 73°01'40" W;

THENCE SOUTHEASTERLY ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE AND SAID NON-TANGENT CURVE THROUGH A CENTRAL ANGLE OF 26°01'02", AN ARC DISTANCE OF 161.516 METERS (529.91 FEET);

THENCE CONTINUING ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, NON-TANGENT FROM LAST SAID CURVE, S 54°38'01" E, A DISTANCE OF 50.148 METERS (164.53 FEET) TO THE SOUTHWESTERLY CORNER OF THAT CERTAIN PARCEL OF LAND KNOWN AS "PARCEL 0740-001C" AS DESCRIBED BY SAID INSTRUMENT NUMBER 2011-0526646;

(COURSE "A") THENCE S 24°23'36" W ALONG THE SOUTHERLY PROLONGATION OF THE WESTERLY LINE OF SAID PARCEL 0740-001C, A DISTANCE OF 42.038 METERS (137.92 FEET) TO THE **TRUE POINT OF BEGINNING**.

EXHIBIT "A"
LEGAL DESCRIPTION (CONTINUED)
MICRO PLACE VACATION
0740-002A

CONTAINING 3,642.2 SQUARE METERS, 39,204 SQUARE FEET, OR 0.900 ACRES, MORE OR LESS.

AS A CONDITION OF THIS VACATION, THERE WILL BE NO RIGHTS OF ACCESS IN AND TO SAID GENE
AUTRY TRAIL OVER AND ACROSS COURSE "A" HEREINABOVE DESCRIBED.

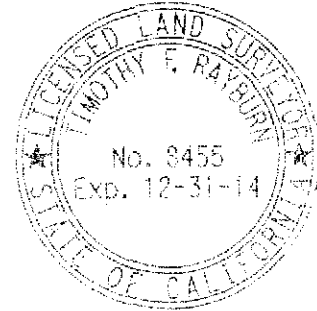
THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON THE
CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 6. MULTIPLY DISTANCES SHOWN BY 1.000024216
TO OBTAIN GROUND DISTANCE.

REFERENCE IS HEREBY MADE TO RIVERSIDE COUNTY MAP NUMBER 205/356-364, ON FILE IN THE
OFFICE OF THE COUNTY SURVEYOR OF RIVERSIDE COUNTY, CALIFORNIA.

"()" - INDICATES U.S. SURVEY FEET.

SEE ATTACHED EXHIBIT "B"

APPROVED BY: Timothy F. Rayburn
DATE: 5/15/2014

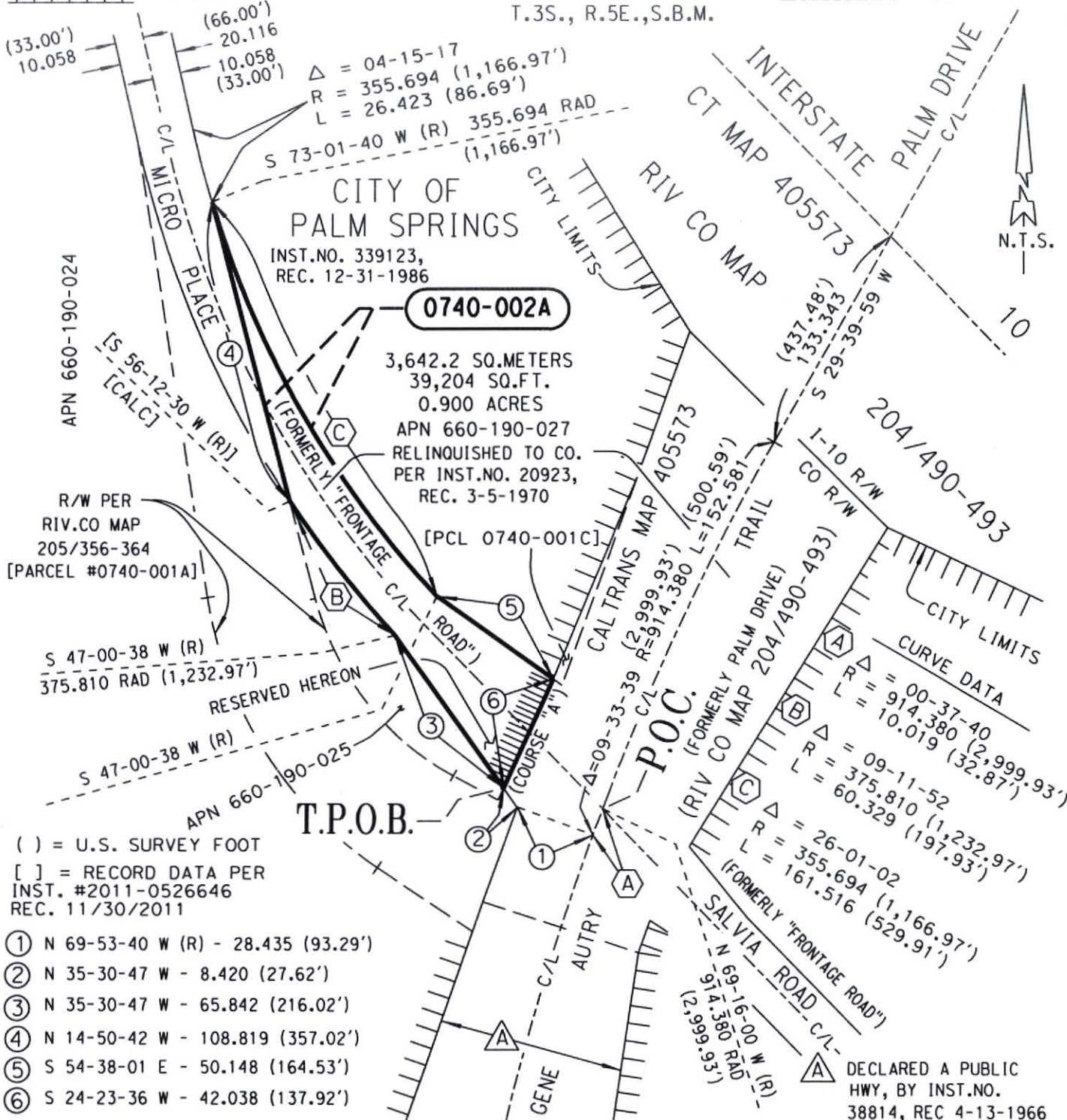




INDICATES RESTRICTED ACCESS

SECTION 30
T.3S., R.5E., S.B.M.

EXHIBIT "B"



() = U.S. SURVEY FOOT
 [] = RECORD DATA PER
 INST. #2011-0526646
 REC. 11/30/2011

- ① N 69-53-40 W (R) - 28.435 (93.29')
- ② N 35-30-47 W - 8.420 (27.62')
- ③ N 35-30-47 W - 65.842 (216.02')
- ④ N 14-50-42 W - 108.819 (357.02')
- ⑤ S 54-38-01 E - 50.148 (164.53')
- ⑥ S 24-23-36 W - 42.038 (137.92')



ALL DISTANCES ARE IN METERS. ALL DISTANCES SHOWN ARE GRID DISTANCES UNLESS SPECIFIED OTHERWISE. GROUND DISTANCES CAN BE OBTAINED BY MULTIPLYING GRID DISTANCES BY A COMBINATION FACTOR OF 1.000024216.

COUNTY OF RIVERSIDE TRANSPORTATION DEPT., SURVEY DIV.

PAR. NO.: 0740-002A

PROJECT: PALM DRIVE & I-10 (MICRO PLACE VACATION)

PREPARED BY: DDD/JCM

SCALE: N.T.S.

THIS PLAT IS AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE PRECEDING DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DESCRIPTION.

DATE: MAY, 2014

W.O. NO.: A4-0740

APPROVED BY: *Timothy F. Rayburn* DATE: 5/15/2014

SHEET 1 OF 1 SHEET

EXHIBIT "C"
LEGAL DESCRIPTION
SALVIA ROAD
VACATION 0740-003A

THAT PORTION OF SALVIA ROAD (FORMERLY FRONTAGE ROAD) AS RELINQUISHED TO THE COUNTY OF RIVERSIDE BY DOCUMENT RECORDED MARCH 5, 1970 AS INSTRUMENT NUMBER 20923, OFFICIAL RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, AND SHOWN ON CALTRANS MAP NUMBER 405573 ON FILE AS MAP NUMBER 204, PAGES 490 THROUGH 493, INCLUSIVE, IN THE OFFICE OF THE COUNTY SURVEYOR FOR SAID COUNTY, LYING WITHIN THE SOUTHWEST ONE-QUARTER OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SAN BERNARDINO MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF SAID SALVIA ROAD WITH THE CENTERLINE OF GENE AUTRY TRAIL (FORMERLY PALM DRIVE) AS SHOWN ON SAID CALTRANS MAP, BEING A POINT ON A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 914.380 METERS (2,999.93 FEET) AND AN INITIAL RADIAL BEARING OF N 69°16'00"W;

THENCE SOUTHERLY ALONG SAID CENTERLINE OF GENE AUTRY TRAIL AND SAID CURVE THROUGH A CENTRAL ANGLE OF 01°52'25", AN ARC DISTANCE OF 29.901 METERS (98.10 FEET);

THENCE S 71°08'25" E ON A LINE RADIAL TO SAID CENTERLINE, A DISTANCE OF 29.551 METERS (96.95 FEET) TO THE **TRUE POINT OF BEGINNING**;

(COURSE "A") THENCE N 28°03'31" E, A DISTANCE OF 27.669 METERS (90.78 FEET) TO THE POINT OF INTERSECTION OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID SALVIA ROAD AND THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID GENE AUTRY TRAIL;

THENCE S 39°33'53" E ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF SALVIA ROAD, A DISTANCE OF 33.032 METERS (108.37 FEET) TO AN ANGLE POINT THEREIN;

THENCE S 44°19'39" E, CONTINUING ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF SALVIA ROAD, A DISTANCE OF 147.920 METERS (485.30 FEET) TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 130.058 METERS (426.70 FEET) AND AN INITIAL RADIAL BEARING OF N 45°40'21" E;

THENCE NORTHWESTERLY ALONG THE ARC OF SAID NON-TANGENT CURVE THROUGH A CENTRAL ANGLE OF 08°14'38", AN ARC DISTANCE OF 18.713 METERS (61.39 FEET);

THENCE N 52°34'17" W, A DISTANCE OF 155.423 METERS (509.92 FEET) TO THE **TRUE POINT OF BEGINNING**.

CONTAINING 2,061.6 SQUARE METERS, 22,191 SQUARE FEET, OR 0.509 ACRES, MORE OR LESS.

AS A CONDITION OF THIS VACATION, THERE WILL BE NO RIGHTS OF ACCESS IN AND TO SAID GENE AUTRY TRAIL OVER AND ACROSS COURSE "A" HEREINABOVE DESCRIBED.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 6. MULTIPLY DISTANCES SHOWN BY 1.000024216 TO OBTAIN GROUND DISTANCE.

REFERENCE IS HEREBY MADE TO RIVERSIDE COUNTY MAP NUMBER 205/356-364, ON FILE IN THE OFFICE OF THE COUNTY SURVEYOR OF RIVERSIDE COUNTY, CALIFORNIA.

SEE ATTACHED EXHIBIT "B"

APPROVED BY: Timothy F. Rayburn

DATE: 5/15/2014

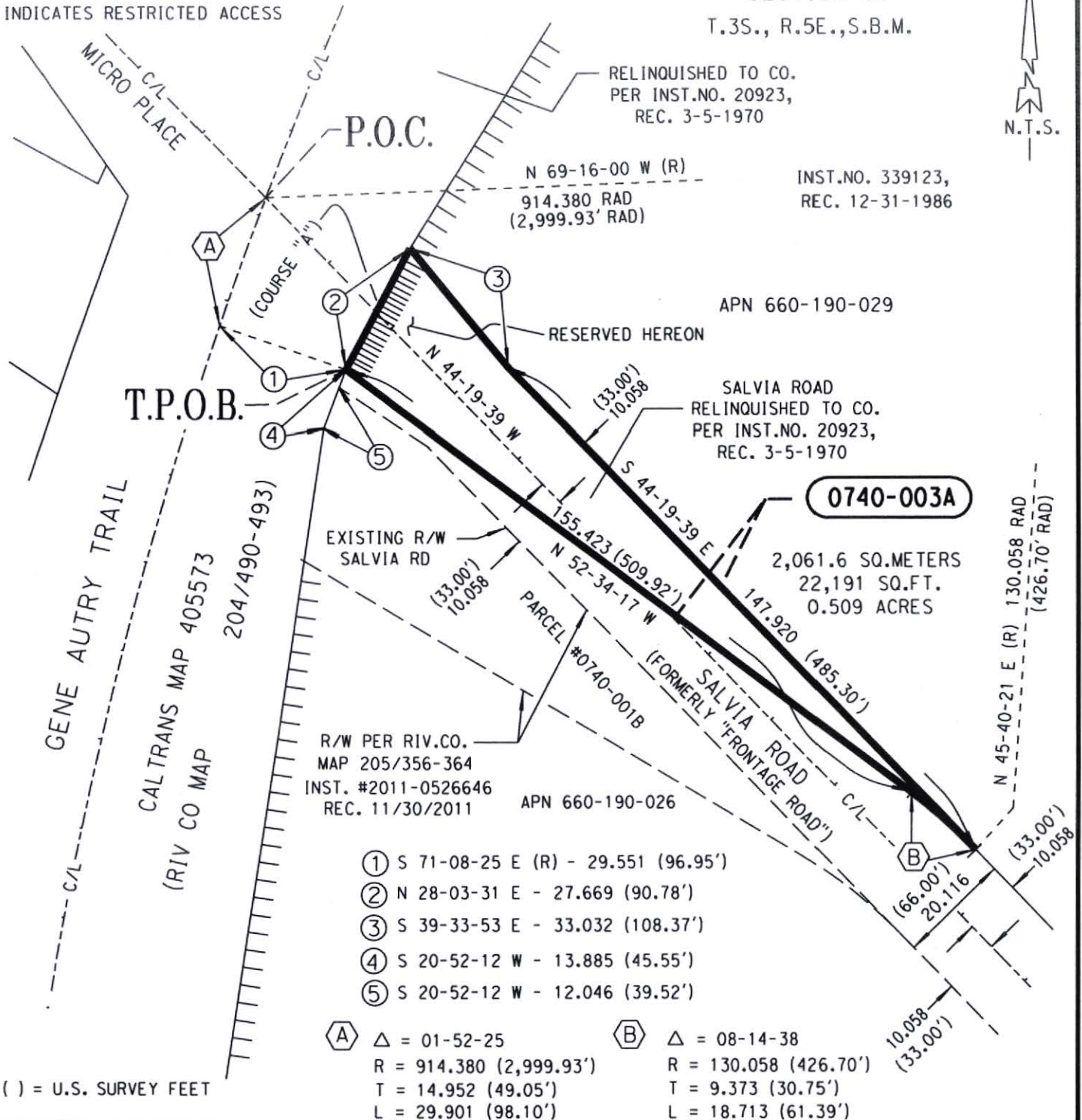


EXHIBIT "D"

SECTION 30

T.3S., R.5E., S.B.M.

INDICATES RESTRICTED ACCESS



() = U.S. SURVEY FEET



ALL DISTANCES ARE IN METERS. ALL DISTANCES SHOWN ARE GRID DISTANCES UNLESS SPECIFIED OTHERWISE. GROUND DISTANCES CAN BE OBTAINED BY MULTIPLYING GRID DISTANCES BY A COMBINATION FACTOR OF 1.000024216.

COUNTY OF RIVERSIDE TRANSPORTATION DEPT., SURVEY DIV.	PAR. NO.: 0740-003A
PROJECT: PALM DRIVE & I-10 (SALVIA RD VACATION)	PREPARED BY: DDD/JCM
THIS PLAT IS AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE PRECEDING DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DESCRIPTION.	SCALE: N.T.S.
APPROVED BY: <i>Timothy F. Rayburn</i> DATE: 5/15/2014	DATE: MAY, 2014
	W.O. NO.: A4-0740
	SHEET 1 OF 1 SHEET