

RESOLUTION NO. 12-017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
VACATING A PORTION OF UNUSED RIGHT-OF-WAY OF OLD SOUTH RIVER ROAD  
(HIDDEN CREEK VILLAGE)

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WHEREAS, on January 6, 2009, the City Council approved a development plan (PD 08-010) for the construction of Hidden Creek Village, an 81 unit affordable apartment complex at 80 Cary Street; and

WHEREAS, in the late 1980s, South River Road was realigned in a manner that left portions of its right-of-way unused and unmaintained; and

WHEREAS, the unused portion of right-of-way for old South River Road is not specifically shown in the Circulation Element of the General Plan; and

WHEREAS, the unused portion of right-of-way for old South River Road has not been shown as necessary for access to any other private properties; and

WHEREAS, the development plan for Hidden Creek Village proposes to incorporate the unused portion of right-of-way into the housing site; and

WHEREAS, Section 65402(a) of the Government Code provides that "...no street shall be vacated or abandoned, ... if the adopted general plan or part thereof applies thereto, until the location, purpose and extent of such... street vacation or abandonment... has been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof"; and

WHEREAS, at its meeting of January 10, 2012, the Planning Commission recommended that the City Council find that the proposed vacation of the portion of old South River Road described in Exhibits "A" and "B" to be consistent with the General Plan and approve said vacation; and

WHEREAS, the portion of old South River Road considered for abandonment has been impassable for vehicle travel for more than five years; and

WHEREAS, no public money has been expended for maintenance of the portion of old South River Road considered for abandonment since its realignment in the late 1980s; and

WHEREAS, pursuant to Streets and Highways Code 8331, this portion of old South River Road may be considered for summary vacation; and

WHEREAS, based on the staff report, staff presentation and having heard all evidence offered by any person interested in the proposed vacation, the City Council of the City of El Paso de Robles finds that the portion of old South River Road as described in Exhibits "A" and "B" attached to this Resolution, are unnecessary for present or prospective public use.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE CITY COUNCIL OF EL PASO de ROBLES AS FOLLOWS:

SECTION 1: The proposed vacation of a portion of old South River Road, as shown on Exhibits "A" and "B", is consistent with the General Plan for the City of El Paso de Robles.

SECTION 2: The subject portion of old South River Road, as described as shown on Exhibits "A" and "B" be vacated for public purposes.

SECTION 3: The City shall retain an easement for public utilities over that portion of South River Road being abandoned, satisfactory to the City Engineer.

SECTION 4: That the City Clerk of the City of El Paso de Robles is authorized to cause a certified copy of this Resolution to be recorded in the office of the County Clerk Recorder, County of San Luis Obispo, State of California.

SECTION 5: The above Recitals are incorporated into this Resolution.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 7<sup>th</sup> day of February, 2012 by the following vote:

AYES: Steinbeck, Strong, Gilman, Hamon, Picanco

NOES:

ABSTAIN:

ABSENT:

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Duane Picanco, Mayor

ATTEST:

---

Caryn Jackson, Deputy City Clerk

SECTION 2: The subject portion of old South River Road, as described as shown on Exhibits "A" and "B" be vacated for public purposes.

SECTION 3: The City shall retain an easement for public utilities over that portion of South River Road being abandoned, satisfactory to the City Engineer.

SECTION 4: That the City Clerk of the City of El Paso de Robles is authorized to cause a certified copy of this Resolution to be recorded in the office of the County Clerk Recorder, County of San Luis Obispo, State of California.

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PASSED AND ADOPTED by the City Council of the City of Paso Robles this 7<sup>th</sup> day of February, 2012 by the following vote:

AYES: Steinbeck, Strong, Gilman, Hamon, Picanco

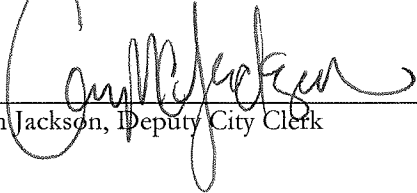
NOES:

ABSTAIN:

ABSENT:

  
\_\_\_\_\_  
Duane Picanco, Mayor

ATTEST:

  
\_\_\_\_\_  
Caryn Jackson, Deputy City Clerk

## EXHIBIT A

A portion of the old South River Road as shown on Parcel Map No. PR-79-275 in the City of Paso Robles, County of San Luis Obispo, State of California as shown on map recorded in Book 29 of Parcel Maps, at Page 43 in the office of the County Recorder of said County, and a portion of South River Road as described in Document recorded in Book 3288 of Official Records at Page 458 and shown graphically on Parcel Map No. PR-89-418 recorded in Book 47 of Parcel Maps, at Page 22 all being recorded in the office of said County Recorder, and being more particularly described as follows:

Beginning at a rebar and plastic cap stamped RCE 14994 at the northeast corner of Parcel No. 1 of Parcel Map No. PR-79-275, said point also being on the ten-foot offer of dedication line as shown on said map;

Thence, along the northerly line of said Parcel No. 1, designated as Course "G" on said map, North  $74^{\circ}38'41''$  West 565.82 feet to the beginning of a tangent curve concave to the southeast and having a radius of 30.00 feet;

Thence, northwest and south along said curve 57.76 feet through a central angle of  $108^{\circ}24'27''$  to a point, said point being the end of said curve and also being a point on the northwest line of said Parcel No. 1 on the 12-foot offer of dedication line and designated as Course "E" on said map;

Thence, along said Course "E" South  $03^{\circ}03'07''$  East 100.03 feet to a point, said point being the south terminus of Said Course "E", and said point also being the **TRUE POINT OF BEGINNING**;

Thence, along the south prolongation of said Course "E" South  $03^{\circ}03'07''$  East 164.09 feet to the beginning a tangent curve concave to northeast and having a radius of 25.00 feet;

Thence, southeast along said curve 29.22 feet through a central angle of  $66^{\circ}57'53''$  to the beginning of a reverse curve concave to the southwest having a radius of 280.00 feet and to which point a radial bears South  $19^{\circ}59'00''$  West;

Thence southeast along said curve 52.62 feet through a central angle of  $10^{\circ}46'01''$  to a point on a portion of Old South River Road abandoned by Document No. 2011-057697, also being a point on the centerline of Old South River Road as shown on said Parcel Map;

Thence, along said centerline North  $30^{\circ}10'06''$  West 124.67 feet to a point on the east right of way line of said South River Road as described by said document 3288-OR-458 and shown on said Parcel Map No. PR-89-418, said point also being a point on a curve concave to the west and having a radius of 1050.00 feet and to which point a radial bears South  $88^{\circ}11'37''$  East;

(continued)

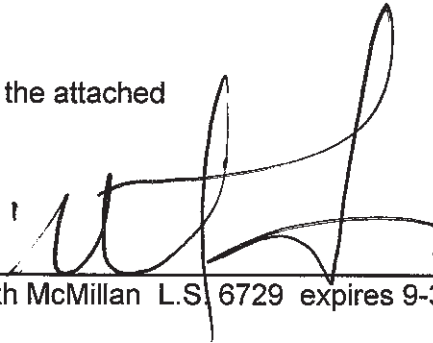
**EXHIBIT A**  
(continued)

Thence, north along said curve 84.90 feet through a central angle of 4°37'58" to a point on the 12-foot offer of dedication line designated as Course "D" of said Parcel No. 1, and to which point a radial bears North 87°10'25" East;

Thence along said Course "D" North 30°10'06" 18.36 feet to the **TRUE POINT OF BEGINNING.**

End of description.

The description above is shown graphically on the attached Exhibit B, and made a part hereof.

  
2-3-12  
Keith McMillan L.S. 6729 expires 9-30-12



# EXHIBIT B

TRACT 1417  
12-MB-74

TRACT 2186  
18-MB-51

**NAVAJO AVENUE**  
N 74°38'41" W 565.82' M  
N 74°38'41" W 484.65' M

**MOHAWK COURT**

10' OFFER OF DEDICATION  
PER 29-PM-43

PORTION OF PARCEL 1  
29-PM-43

PROPOSED AREA  
OF ABANDONMENT

AREA ABANDONED  
PER 2011-057697

R DENOTES RECORD  
PER 29-PM-43

AREA ABANDONED  
PER 2011-057697

- R3 S86°56'53"E RADIAL
- R4 S19°59'00"W RADIAL
- R5 N30°45'00"E RADIAL
- R6 S88°11'37"E RADIAL
- R7 N87°10'25"E RADIAL

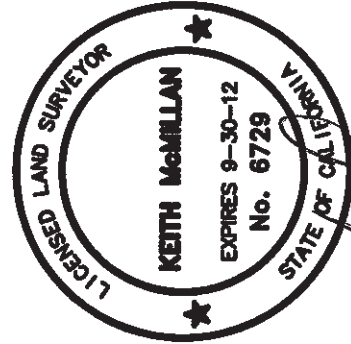
- C1: R=30.00'  
Δ=108°24'27"  
L=57.76'
- R1 N15°21'19"E RADIAL
- R2 S86°56'52"W RADIAL

- C4: R=1050.00'  
Δ=04°37'58"  
L=84.90'

- C2: R=25.00'  
Δ=66°57'53"  
L=29.22'
- C3: R=280.00'  
Δ=10°46'01"  
L=52.62'

NEW SOUTH RIVER ROAD  
S 03°03'07" E 164.09'  
TPOB N 30°10'06" W 18.36'

OLD S. RIVER RD.  
CARY ST.  
PCL 7  
50-PM-45



*[Signature]*  
KEITH McMILLAN L.S. 6729  
2-3-12



**McMillan**  
LAND SURVEYS

2306 BROAD STREET  
SAN LUIS OBISPO, CA 93401  
805-541-1663 FAX 541-1664  
DATE: 01-23-2012 JOB #319-14