

**RESOLUTION NO. \_\_\_\_\_ (N.C.S.)**

**A RESOLUTION CONVEYING SURPLUS PROPERTY AND SUMMARILY VACATING EXCESS RIGHT OF WAY ALONG EAST BORONDA ROAD, NEAR SAN JUAN GRADE ROAD, PURSUANT TO STREETS AND HIGHWAYS CODE, SECTION 8356,**

**WHEREAS**, Streets and Highways Code, Section 8356, permits vacation of streets or highways by adoption of a resolution of summary vacation by the jurisdiction's legislative body; and

**WHEREAS**, portions (3695 square feet) of East Boronda Road near San Juan Grade Road, more particularly described in Exhibits A and B attached hereto and made part of this resolution by reference, have been determined to be excess after the City's completion of Boronda Road improvement project (between Dartmouth Way and San Juan Grade Road); and

**WHEREAS**, vacating the afore-mentioned street portion now considered excess will not impede access to any person's property which, prior to relocation, adjoined said street to be vacated; and

**WHEREAS**, the property owner will be required to file a parcel map to create and develop the proposed Lowe's Home Improvement store within the Gateway Center Specific Plan area that will include dedication of required right-of-way to accommodate the ultimate development of East Boronda Road and San Juan Grade Road fronting the Specific Plan's street frontages; and

**WHEREAS**, the vacation of the above described street portion will not terminate any public service easement, which easement does not in itself qualify for summary vacation pursuant to Streets and Highways Code Section 8356; and

**WHEREAS**, surplus real property, more particularly described in Exhibit A and B, attached hereto and made part of this resolution by reference, has been determined to be excess by the City of Salinas;

**NOW, THEREFORE, IT IS HEREBY RESOLVED THAT THE COUNCIL OF SALINAS** hereby summarily vacates, pursuant to Streets and Highways Code Section 8356, the portion of public right-of-way and surplus real property described in Exhibits A and B, attached hereto and that from and after the date this resolution is recorded with the County Recorder's Office, the portion (3695 square feet) of street described in said exhibits shall no longer be or constitute a street or highway.

**BE IT FURTHER RESOLVED** that the City Clerk shall cause a certified copy of this resolution of summary vacation and conveyance, attested by her under seal, to be recorded with certificate of acknowledgment in the office of the County Recorder.

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized to execute an appropriate Quitclaim Deed to convey the approved vacated right-of-way and surplus property to Rexford Title Inc.

**PASSED AND ADOPTED** this 28<sup>th</sup> day of June 2016, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

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Joe Gunter, Mayor

**ATTEST:**

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Patricia M. Barajas, City Clerk

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