

RESOLUTION NO. 2022-14

RESOLUTION ORDERING THE
SUMMARY VACATION AND ABANDONMENT
OF A TRIANGULAR PORTION OF PUBLIC RIGHT OF WAY ON WEST CAMP DRIVE
WEST OF SOUTH NEELEY STREET

WHEREAS, the City of Visalia, State of California, has a portion of unimproved public street right-of-way on West Camp Drive west of South Neeley Street that has not served the purpose for which it was acquired for; and

WHEREAS, the portions of unimproved public street right-of-way on West Camp Drive west of South Neeley Street are in excess of what the City needs for street right-of-way purposes; and

WHEREAS, no public funds have been expended for maintenance of the unimproved street right-of-way during the past five consecutive years; and

WHEREAS, the subject property, consisting of unimproved street right-of-way has been impassable to vehicular traffic for at least the last five consecutive years preceding this vacation; and

WHEREAS, the City Council of the City of Visalia may vacate all or part of a street, highway, or public service easement pursuant to the Public Streets, Highways, and Service Easements Vacation Law (State of California Streets & Highways Code, § 8300 et seq.); and

WHEREAS, the summary vacation proceedings are to be conducted pursuant to the provisions in § 8330 – 8336, Chapter 4 of Part 3, Division 9, entitled “Summary Vacation,” of the State of California Streets & Highways Code; and

WHEREAS, the summary vacation requirement for a street has been met, pursuant to §8331 and §8334 of the California Streets & Highways Code.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Council of the City of Visalia hereby orders the summary vacation and abandonment of the portion of the unimproved public street right-of-way at West Camp Drive west of South Neeley Street as described in Exhibit “A” and Exhibit “B” attached herein.
2. A public hearing is not required and the use of a summary proceeding is allowed for the vacation of the portion of public right-of-way by having met both cases of section 8331:

- (a) For a period of five consecutive years, the street or highway has been impassable for vehicular travel.
- (b) No public money was expended for maintenance on the street or highway during such period.

3. In addition, the use of a summary proceeding is allowed since the subject area also meets the requirements stated in Streets and Highways Code section 8334 paragraph (a), which permits the summary vacation of excess right of way not required for street or highway purposes, and the subject property is no longer necessary with the modifications that have been made to the public right of way at this location..

- 4. The vacation and abandonment of the street shall become effective the date this Resolution is recorded and after the resolution is recorded this are no longer constitutes a street, highway, or public service easement.

PASSED AND ADOPTED: April 4, 2022

LESLIE B. CAVIGLIA, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF TULARE) ss.
CITY OF VISALIA)

I, Leslie B. Caviglia, City Clerk of the City of Visalia, certify the foregoing is the full and true Resolution 2022-14 passed and adopted by the Council of the City of Visalia at a regular meeting held on April 4, 2022.

Dated: April 5, 2022

LESLIE B. CAVIGLIA, CITY CLERK

By Michelle E. Nicholson, Chief Deputy City Clerk