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RESOLUTION NO. 2025-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, ORDERING THE SUMMARY VACATION OF WATER EASEMENT PREVIOUSLY DEDICATED TO THE CITY VIA GRANT OF WATER EASEMENT NO. 1280 RECORDED FEBRUARY 21, 1986, AS INSTRUMENT NO. 86-046983 OF OFFICIAL RECORDS FOR PRECISE PLAN OF DESIGN 2022-0056

WHEREAS, The City Council of the City of Rialto, California, is authorized by Division 9, Part 3, Chapter 4, of the Streets and Highways Code of the State of California (the "statute"), to summarily vacate a water easement, or parts thereof, within the limits of the City; and

WHEREAS, Pursuant to Section 8333 of the statute, the City Council may consider summarily vacating a public service easement (water easement) determined to be excess by the easement holder; and

WHEREAS, The public service easement that was vacated by the City of Rialto, California, as depicted in the attached Exhibits A and B, has been determined to be excess by the easement holder (City) in accordance with Section 8333 of the statute.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RIALTO DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

Section 1: The findings and determinations reflected above are true and correct and are incorporated by this reference herein as the cause and foundation for the action taken by and through this Resolution.

Section 2: The City Council does hereby find that the water easement, as depicted in the attached Exhibits A and B, to be excess by the City.

Section 3: The City Council does hereby declare that this summary vacation is being made under and pursuant to the California Streets and Highways Code Division 9, Part 3, Chapter 4, Summary Vacation, Section 8333.

Section 4: The City Council does hereby summarily vacate the water easement and all the City's right, title and interest in the Vacated Area as depicted in Exhibits A and B, and

1 that from and after the date this Resolution is recorded in the records of the San Bernardino
2 County Recorder, the water easement shall be vacated.

3 **Section 5:** That pursuant to the provisions of Sections 831 of Title 3 and 1112 of Title
4 4, Part 2, Division 2 of the California Civil Code of the State of California, title to the above
5 described portion of land revert to the owners of the underlying fee thereof, free from use as a
6 water easement.

7 **Section 6:** The City Clerk of the City of Rialto shall cause a certified copy of this
8 Resolution, attested by the Clerk under seal, to be recorded in the Office of the County
9 Recorder of the County of San Bernardino.

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WHEREFORE, this Resolution is passed, approved, and adopted this 11th day of March, 2025.

JOE BACA , Mayor

ATTEST:

BARBARA A. McGEE, City Clerk

APPROVED AS TO FORM:

ERIC S. VAIL, City Attorney

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss
CITY OF RIALTO)

I, Barbara McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing Resolution No._____ was duly passed and adopted at a regular meeting of the City Council of the City of Rialto held on the 11th day of March, 2025.

Upon motion of Council Member_____, seconded by Council Member_____, the foregoing Resolution No. ____was duly passed and adopted.

Vote on the motion:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the
City of Rialto this _____ day of _____, 2025.

BARBARA A. McGEE, CITY CLERK