

1 RESOLUTION NO. _____

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3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
4 RIALTO, STATE OF CALIFORNIA DEDICATING PORTIONS OF
5 THAT CITY-OWNED PROPERTY LOCATED WITHIN THE
6 RENAISSANCE SPECIFIC PLAN AS PUBLIC RIGHT-OF-WAY
7 FOR SCHOLL WAY.

8 WHEREAS, on November 7, 1966, the City Council of the City of Rialto, (the "City"),
9 adopted Resolution No. 1258, Accepting Annexation Area No. 92 where Scholl Way is
10 located; and

11 WHEREAS, on August 8, 2017, the City adopted Resolution No. 7177 approving
12 portions of Annexation Area No. 92 to be subdivided into twenty-eight developable parcels of
13 land and one (1) lettered lot to facilitate the development of the Retail and Commercial
14 Shopping Center known as Renaissance Marketplace; and

15 WHEREAS, the City owns approximately 437.5 acres of land adjacent to and within
16 the Rialto Municipal Airport, to be redeveloped as the Renaissance Specific Plan, (the
17 "Property"); and

18 WHEREAS, the Property was acquired by the City by that certain Quitclaim Deed
19 recorded September 13, 2012, as Document No. 2012-0377024; and

20 WHEREAS, the City, through its adoption of the Renaissance Specific Plan, has
21 proposed the creation of Scholl Miro Way as a public street from Ayala Drive to 420 feet west
22 of Ayala Drive as a commercial cul-de-sac; and

23 WHEREAS, in order to facilitate construction of Scholl Way and its use as a public
24 street, it is necessary to dedicate the right-of-way for public street and public utility purposes
25 for Scholl Way across the Property; and

26 WHEREAS, in accordance with the California Streets and Highways Code Section
27 1806(b), no public street or road shall become a city street or road until the governing body,
28 by resolution, has caused the street or road to be accepted into the city street system; and

1 **WHEREAS**, the City Council wishes to declare its intention to dedicate a portion of the
2 Property as public right-of-way for Scholl Way within the Renaissance Specific Plan
3 extending across the Property between Ayala Drive and approximately 420 feet west of
4 Ayala Drive, as described in Exhibit "A", and shown on Exhibit "B", attached hereto and by
5 reference incorporated herein

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

8 **Section 1:** The above recitals are true and correct.

9 **Section 2:** In accordance with California Streets and Highways Code Section
10 1806(b), the City Council hereby approves the Grant of Right-Of-Way attached hereto and
11 incorporated herein as Attachment No. 1 dedicating those certain portions of City-owned
12 property described in Exhibit "A" and shown on Exhibit "B", attached thereto as an easement
13 and right-of-way for public street and public utility purposes. The City Council further
14 authorizes the City Administrator to execute said Grant of Right-Of-Way and take all actions
15 necessary to uphold the action approved by this Resolution.

16 **Section 3:** Nothing contained in this Resolution shall be deemed or interpreted by
17 any party to cause any interested created in the public pursuant to this Resolution to ripen
18 into any title, interest or right of the public against or adverse to the rights of the City of Rialto,
19 nor shall this Resolution limit, restrict or modify the exemption of public property to title by
20 prescription as defined within California Civil Code Section 1007.

21 **Section 4:** The City Clerk of the City of Rialto shall certify to the passage of this
22 Resolution and attest thereto under the seal of the City of Rialto.

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1 **Section 5:** The City Clerk shall cause this Resolution to be recorded in the Office of the
2 Recorder of the County of San Bernardino, California, whereupon the public right-of-way for
3 Scholl Way as described in Exhibit "A" and shown on Exhibit "B" shall be considered a public
4 street.

5 **WHEREFORE,** this Resolution is passed, approved and adopted this 12th day of
6 June, 2018.

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DEBORAH ROBERTSON, Mayor

10 **ATTEST:**

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BARBARA A. McGEE, City Clerk

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15 **APPROVED AS TO FORM:**

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FRED GALANTE, Esq., City Attorney

1 STATE OF CALIFORNIA)
2 **COUNTY OF SAN BERNARDINO**) ss
3 **CITY OF RIALTO**)

4 I, Barbara A. McGee, City Clerk of the City of Rialto, do hereby certify that the
5 foregoing Resolution No. _____ was duly passed and adopted at a regular meeting of the City
6 Council of the City of Rialto held on the 12th day of June, 2018.

7 Upon motion of Councilmember _____, seconded by Councilmember
8 _____, the foregoing Resolution No. _____ was duly passed and adopted.

9 Vote on the motion:

10 AYES:

11 NOES:

12 ABSENT:

13 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the
14 City of Rialto this _____ day of _____, 2018.

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18 BARBARA A. MCGEE, CITY CLERK

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Attachment No. 1

GRANT OF RIGHT-OF-WAY
(SCHOLL WAY)

EXHIBIT "A"
GRANT OF RIGHT-OF-WAY
(SCHOLL WAY)
LEGAL DESCRIPTION

A PORTION OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 1 NORTH, RANGE 5 WEST, S.B.M, IN THE CITY OF RIALTO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF PARCEL 2 OF PARCEL MAP NO. 19779 RECORDED IN BOOK 248, PAGES 88 THROUGH 95, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SAID POINT BEING THE SOUTHERLY TERMINUS OF THAT CERTAIN COURSE SHOWN AS "N00°27'08"W 747.05'";

THENCE ALONG THE SOUTHERLY LINE OF SAID PARCEL 2, THE FOLLOWING 7 COURSES AND DISTANCES:

SOUTH 40°43'55" WEST, A DISTANCE OF 31.89 FEET;
SOUTH 89°32'40" WEST, A DISTANCE OF 92.93 FEET;
NORTHWESTERLY ALONG A TANGENT CURVE, CONCAVE NORTHERLY AND HAVING A RADIUS OF 58.29 FEET, THROUGH A CENTRAL ANGLE OF 16°41'57", AN ARC DISTANCE OF 16.99 FEET;
NORTH 73°45'22" WEST, A DISTANCE OF 21.42 FEET;
WESTERLY ALONG A TANGENT CURVE, CONCAVE SOUTHERLY AND HAVING A RADIUS OF 80.29 FEET, THROUGH A CENTRAL ANGLE OF 16°41'57", AN ARC DISTANCE OF 23.40 FEET;
SOUTH 89°32'40" WEST, A DISTANCE OF 99.83 FEET;
NORTH 45°27'32" WEST, A DISTANCE 33.94 FEET;

THENCE SOUTH 89°32'16" WEST, A DISTANCE OF 29.00 FEET TO THE SOUTHWESTERLY CORNER OF SAID PARCEL 2, SAID POINT ALSO BEING ON THE EASTERLY LINE OF PARCEL 3 OF SAID PARCEL MAP NO. 19779;

THENCE, ALONG THE EASTERLY LINE OF SAID PARCEL 3, SOUTH 00°27'44" EAST, A DISTANCE OF 4.99 FEET TO THE SOUTHEAST CORNER THEREOF;

THENCE, ALONG THE SOUTHERLY LINE OF SAID PARCEL 3, SOUTH 89°32'16" WEST, A DISTANCE OF 29.00 FEET TO AN ANGLE POINT THEREIN;

THENCE, CONTINUING ALONG SAID SOUTHERLY LINE OF PARCEL 3, AND THE SOUTHWESTERLY PROLONGATION THEREOF, SOUTH 44°32'28" WEST, A DISTANCE OF 33.94 FEET;

THENCE SOUTH 89°32'40" WEST, A DISTANCE OF 29.78 FEET;

THENCE SOUTH 00°27'20" EAST, A DISTANCE OF 87.00 FEET;

THENCE NORTH 89°32'40" EAST, A DISTANCE OF 389.00 FEET;

THENCE SOUTH 43°16'57" EAST, A DISTANCE OF 30.70 FEET;

EXHIBIT "A"
GRANT OF RIGHT-OF-WAY
(SCHOLL WAY)
LEGAL DESCRIPTION (CONTINUED)

THENCE NORTH 89°32'52" EAST, A DISTANCE OF 10.00 FEET TO THE WESTERLY LINE OF A DEED TO THE CITY OF RIALTO FOR STREET AND HIGHWAY PURPOSES, TITLED DEED NUMBER 776, RECORDED FEBRUARY 2, 1972 IN BOOK 7851, PAGE 11, OFFICIAL RECORDS OF SAID COUNTY;

THENCE, ALONG SAID WESTERLY LINE, NORTH 00°27'08" WEST, A DISTANCE OF 126.51 FEET;

THENCE, LEAVING AT A RIGHT ANGLE TO SAID WESTERLY LINE, SOUTH 89°32'52" WEST, A DISTANCE OF 10.00 FEET, TO THE **POINT OF BEGINNING**.


CONTAINING 39,301 SQUARE FEET OR 0.902 ACRES, MORE OR LESS.

ALSO AS SHOWN ON EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, EASEMENTS AND RIGHTS-OF-WAY OF RECORD, IF ANY.

PREPARED BY: PROACTIVE ENGINEERING CONSULTANTS
UNDER THE DIRECTION OF:





CHARLES J. MOORE, L.S. 9106
APRIL 25, 2018

