



Meeting Date: 07/17/07

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input checked="" type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input type="checkbox"/> Public Hearing (Info/consent)
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Paul J. Wendt *Paul J. Wendt* Agenda Item No. I-3

Reviewed By: City Manager *JLB* City Attorney *AA* Finance *SW* Other (Specify) \_\_\_\_\_

DATE: July 2, 2007

TO: City Council

FROM: Paul J. Wendt, Supervising Civil Engineer  
Development Services Department *PJW*

SUBJECT: **Vacation of Right-of-Way for El Rio Road Between Oxnard Boulevard and Vineyard Avenue North of Highway 101 Within the Riverpark Specific Plan Area.**

**RECOMMENDATION**

That City Council adopt a resolution vacating El Rio Road right-of-way between Oxnard Boulevard and Vineyard Avenue north of Highway 101 within the Riverpark Specific Plan area. (The specific locations are described in the attached Resolution.)

**DISCUSSION**

El Rio Road is a local frontage road adjacent to and northerly of US Highway 101 between Vineyard Avenue and Oxnard Boulevard. The right-of-way for this roadway was originally obtained by CalTrans for old Ventura Highway. When the current Highway 101 was constructed the El Rio Road right-of-way was declared surplus by CalTrans and transferred to Ventura County. The right-of-way was later transferred to the City of Oxnard when the Town Center area annexation was completed.

Adoption of the Riverpark Specific Plan and approval of various associated tentative subdivision maps which re-subdivide the area have resulted in alternative roadways which make El Rio Road right-of-way no longer necessary to convey area traffic. Utilities within the Right-of-way have either been relocated or new easements recorded to provide required rights. The proposed resolution will permanently vacate the public's right to use this portion of El Rio Road for vehicular travel.

An exchange agreement between Riverpark A, LLC and the City will come to City Council later in this agenda regarding disposition of underlying ownership of these parcels.

**FINANCIAL IMPACT**

There is no anticipated financial impact to the current fiscal year 2007-2008 budget.

(PJW)

Attachment #1 – Resolution vacating El Rio Road Right-of-Way between Vineyard Avenue and Oxnard Boulevard

**000013**

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD VACATING EL RIO ROAD RIGHT-OF-WAY BETWEEN VINEYARD AVENUE AND OXNARD BOULEVARD.

WHEREAS, the City accepted transfer of the right-of-way for El Rio Road when the Town Center Annexation was completed; and

WHEREAS, the portion of El Rio Road within the right-of-way described in the attached Exhibit "A", and shown on the attached Exhibit "B" ("Proposed Vacation") has been superseded by relocation and there are no other public facilities located within the Proposed Vacation that are not covered by a separate easement; and

WHEREAS, the Proposed Vacation is currently unnecessary for present or prospective use; and

WHEREAS, vacating this El Rio Road right of way bestows a public benefit by relieving the City of maintenance duties, costs and liabilities.

NOW, THEREFORE, the City Council of the City of Oxnard resolves:

1. The City Council hereby finds that the El Rio Road right-of-way described in the attached Exhibit A and shown on the attached Exhibit B is unnecessary for present or prospective use because El Rio Road has been superseded by relocation and there are no other public facilities located within the right-of-way that are not covered by a separate easement.
2. The City Council hereby finds that the summary vacation of El Rio Road right-of-way will not cut off all access to any person's property or terminate a public service easement.
3. This vacation of El Rio Road right-of-way is made under Chapter 4 of Part 3 of Division 9 of the Streets and Highways Code and Section 8330(a) thereof.
4. The City Clerk is instructed to cause a certified copy of this resolution, attested by the City Clerk under the seal of the City, to be recorded in the office of the Ventura County Recorder.
5. From and after the date that this resolution is recorded with the Ventura County Recorder, the right-of-ways being vacated shall no longer constitute public right-of-ways.

Passed and adopted this \_\_\_\_ day of \_\_\_\_\_, 2007, by the following vote:

AYES:

NOES:

ABSENT:

ATTEST:

\_\_\_\_\_  
Daniel Martinez, City Clerk

\_\_\_\_\_  
Dr. Thomas E. Holden, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Gary L. Grigg, City Attorney

000014

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

**RIGHT-OF-WAY VACATION**

**EL RIO DRIVE**

Those portions of El Rio Drive in the Rancho El Rio de Santa Clara o'La Colonia, in the City of Oxnard, County of Ventura, State of California, as shown on the partition map thereof filed in the Office of the County Recorder of said County in the action of Thomas A. Scott, et al., versus Rafael Gonzales, et al., and the Rancho Santa Clara Del Norte, as per Map Recorded in Book "A", Page 301 of Patents in the Office of the County Recorder of said County, more particularly described as follows;

**PARCEL "A"**

That portion of Parcel 5 described in the document recorded May 31, 1957 in Book 1518, Page 81 of Official Records, in the Office of the County Recorder of said County lying southeasterly of the northwesterly line of the land described in the document recorded August 18, 1953 in Book 1150, Page 362, of Official Records and northwesterly of the southeasterly line of said Rancho Santa Clara Del Norte;

**EXCEPT THEREFROM** that portion lying southeasterly, southerly and southwesterly of the freeway fence as now located and constructed.

**ALSO EXCEPT THEREFROM** and Reserving unto the Grantor an easement for public utility purposes.

**CONTAINING:** 1.74 Acres, more or less.

**SUBJECT TO:** All covenants, Rights, Rights-of-Way and Easements of record.

**EXHIBIT "B":** Attached and by this reference made a part hereof.

**PARCEL "B"**

**ALL** of that certain Fee Simple Parcel shown as Parcel "12-A" and described in the document recorded October 29, 2001 as document No. 2001-0215425-00, of Official Records.

**CONTAINING:** 3,422 Square feet, more or less.

**SUBJECT TO:** All covenants, Rights, Rights-of-Way and Easements of record.

**EXHIBIT "B":** Attached and by this reference made a part hereof.

**000015**

**ATTACHMENT #** 1  
**PAGE** 2 **OF** 11

**PARCEL "C"**

**ALL** of Parcel 4 described in the document recorded June 2, 1977 in Book 4860, Page 560 of Official Records and shown on the Map Recorded March 11, 1977 in State Highway Book No. 4, Pages 26 through 29 inclusive, all in the Office of the County Recorder of said County;

**EXCEPT THEREFROM** that portion lying northerly and northeasterly of a line which is parallel and concentric with and 42.00 feet southerly and southwesterly of the centerline of Myrtle Avenue as shown on the map of Tract No. 5352-1, as per map recorded in Book 150, Page 76 of Miscellaneous Records (Maps) in the Office of the County Recorder of said County

**ALSO EXCEPT THEREFROM** that portion lying southeasterly, southerly and southwesterly of the freeway fence as now located and constructed.

**ALSO EXCEPT THEREFROM** and Reserving unto the Grantor an easement for public utility purposes.

**CONTAINING:** 9,485 Square feet, more or less.

**SUBJECT TO:** All covenants, Rights, Rights-of-Way and Easements of record.

**EXHIBIT "B":** Attached and by this reference made a part hereof.

**PARCEL "D"**

**ALL** of Parcel 5 described in the document recorded August 3, 1977 in Book 4913, Page 4 of Official Records and shown on the Map recorded April 28, 1977 in State Highway Map No. 4, Pages 32 through 37 inclusive, all in the Office of the County Recorder of said County;

**EXCEPT THEREFROM** that portion lying northerly and northeasterly of a line which is parallel and concentric with and 42.00 feet southerly and southwesterly of the centerline of Myrtle Avenue as shown on the map of Tract No. 5352-1, as per map recorded in Book 150, Page 76 of Miscellaneous Records (Maps) in the Office of the County Recorder of said County

**ALSO EXCEPT THEREFROM** that portion lying southeasterly, southerly and southwesterly of the freeway fence as now located and constructed.

**ALSO EXCEPT THEREFROM** and Reserving unto the Grantor an easement for public utility purposes.

**CONTAINING:** 18,503 Square feet, more or less.

**SUBJECT TO:** All covenants, Rights, Rights-of-Way and Easements of record.

**EXHIBIT "B":** Attached and by this reference made a part hereof.

**000016**

ATTACHMENT # 1  
PAGE 3 OF 11

**PARCEL "E"**

**ALL** of Parcel 3 described in the document recorded August 3, 1977 in Book 4913, Page 4 of Official Records and shown on the Map recorded April 28, 1977 in State Highway Map No. 4, Pages 32 through 37 inclusive, all in the Office of the County Recorder of said County;

**EXCEPT THEREFROM** that portion lying northerly and northeasterly of a line which is parallel and concentric with and 42.00 feet southerly and southwesterly of the centerline of Myrtle Avenue as shown on the map of Tract No. 5352-1, as per map recorded in Book 150, Page 76 of Miscellaneous Records (Maps) in the Office of the County Recorder of said County

**ALSO EXCEPT THEREFROM** that portion lying southeasterly of the southeasterly line of Tract No. 5352-1 as per map recorded in Book 150, Page 76 of Miscellaneous Records (Maps) in the Office of the County Recorder of said County, and the southerly prolongation thereof.

**ALSO EXCEPT THEREFROM** that portion lying southeasterly, southerly and southwesterly of the freeway fence as now located and constructed.

**ALSO EXCEPT THEREFROM** and Reserving unto the Grantor an easement for public utility purposes.

**CONTAINING:** 14,972 Square feet, more or less.

**SUBJECT TO:** All covenants, Rights, Rights-of-Way and Easements of record.

**EXHIBIT "B":** Attached and by this reference made a part hereof.



A handwritten signature in black ink, appearing to read "M. J. Vernon".

5/2/2007

Matthew J. Vernon  
PLS 7553, Exp. 12/31/2007

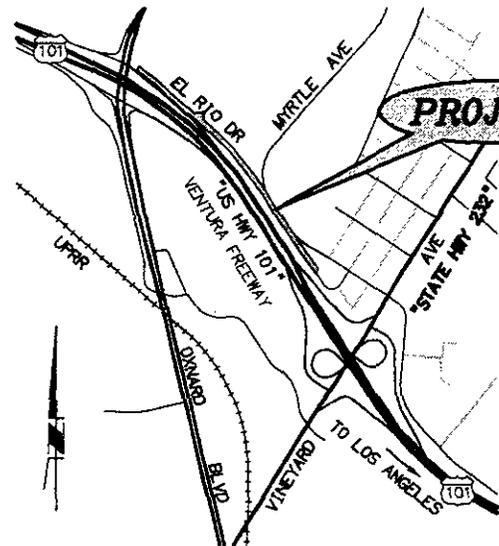
Date

823EX0012.doc

000017

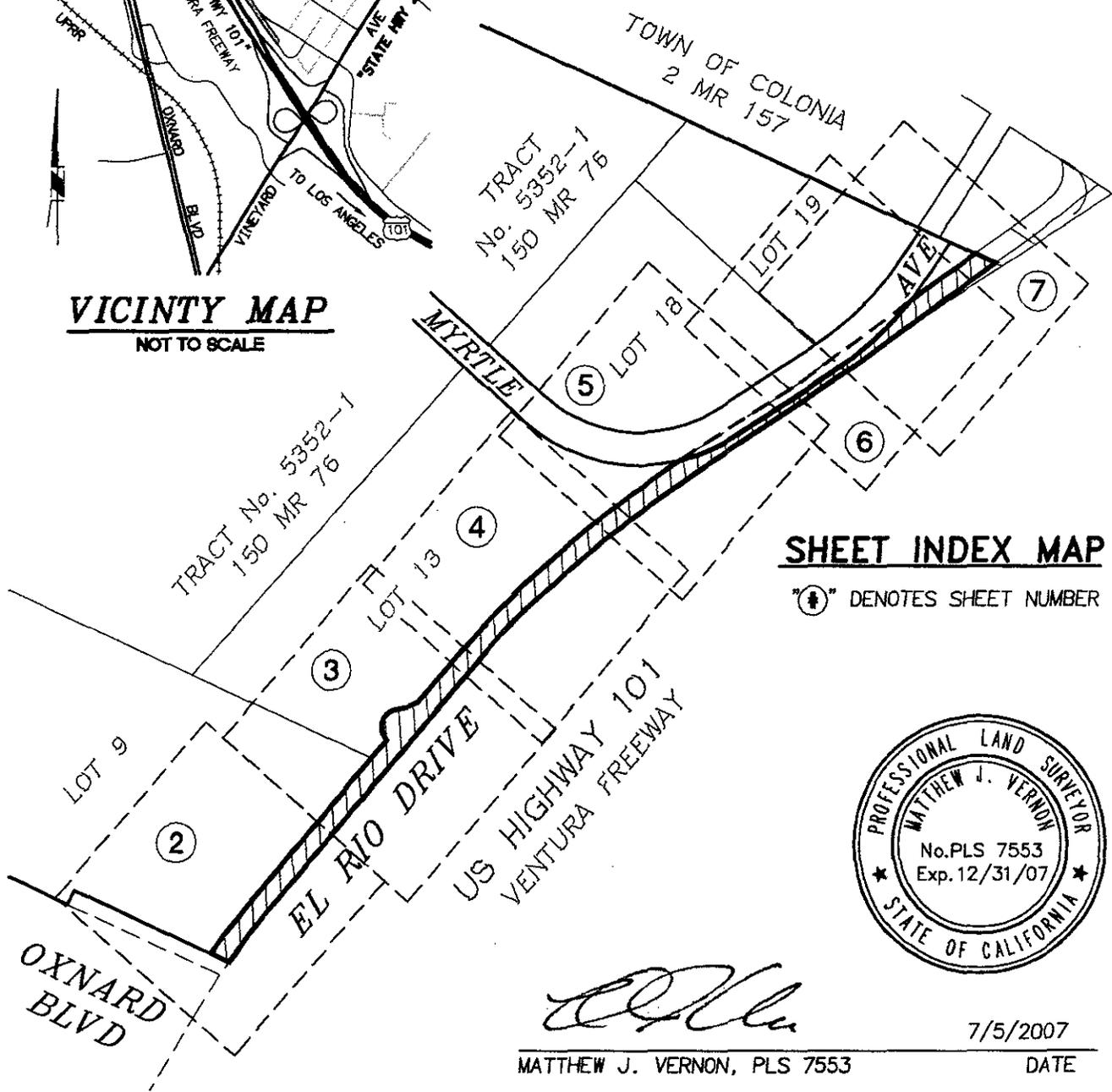
ATTACHMENT # 1  
PAGE 4 OF 11

**EXHIBIT 'B'**  
**PLAT TO ACCOMPANY LEGAL DESCRIPTION**



**VICINITY MAP**  
 NOT TO SCALE

SCALE: 1"=400'



**SHEET INDEX MAP**  
 "④" DENOTES SHEET NUMBER



*Matthew J. Vernon*

MATTHEW J. VERNON, PLS 7553  
 DATE 7/5/2007

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 CAMARILLO, CALIFORNIA 93012-5980  
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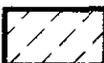
**EL RIO DRIVE  
 "VACATION"**  
 CITY OF OXNARD  
 COUNTY OF VENTURA, STATE OF CALIFORNIA

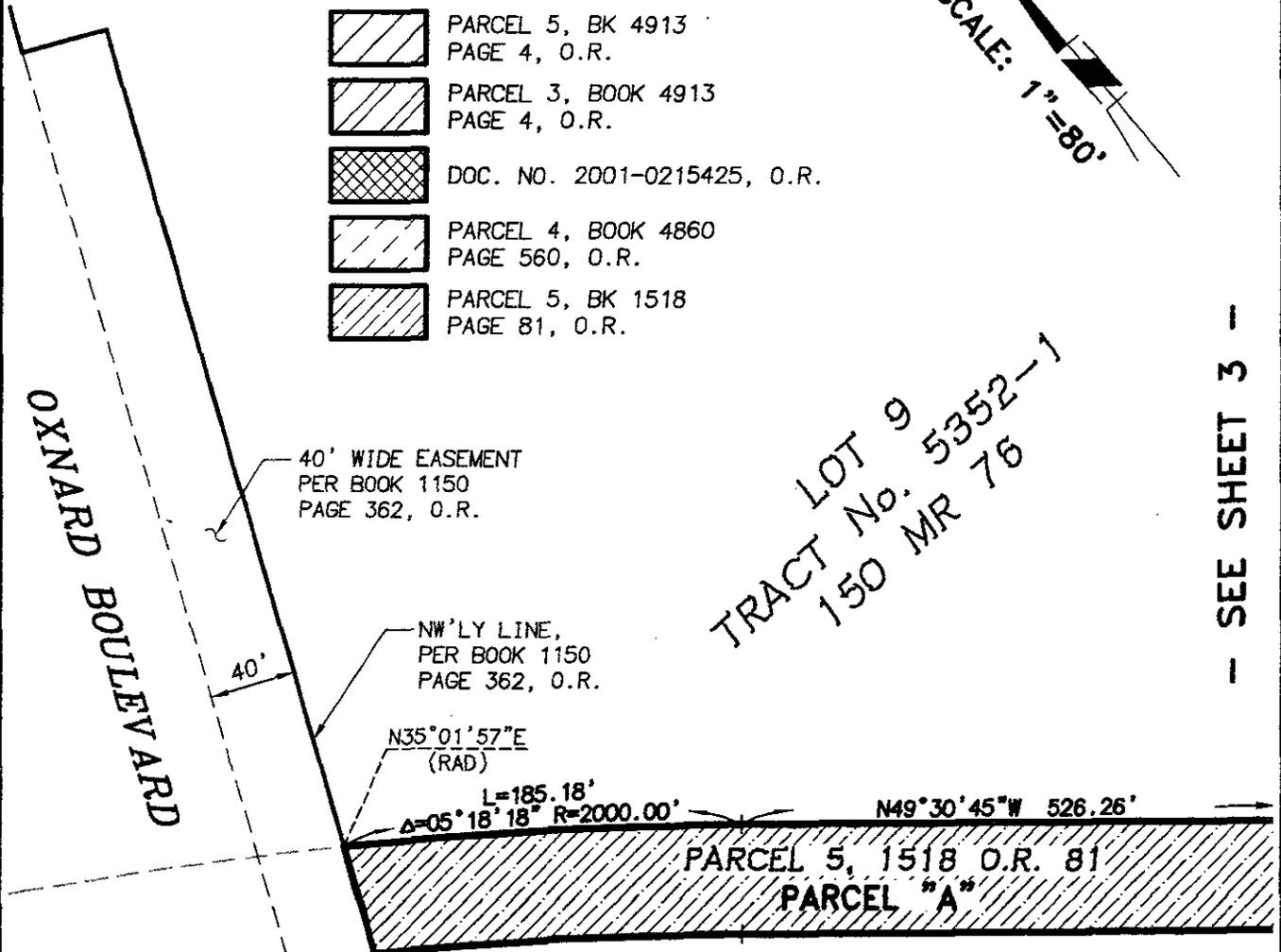
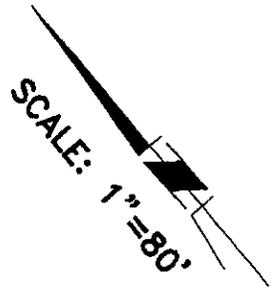
DATE: 7/05/07  
 SCALE: 1"=400'  
 SHEET: 1 OF 7  
 CAD: CRT  
 CHK'D: MJV

# EXHIBIT 'B'

## PLAT TO ACCOMPANY LEGAL DESCRIPTION

### REFERENCE LEGEND:

-  PARCEL 5, BK 4913  
PAGE 4, O.R.
-  PARCEL 3, BOOK 4913  
PAGE 4, O.R.
-  DOC. NO. 2001-0215425, O.R.
-  PARCEL 4, BOOK 4860  
PAGE 560, O.R.
-  PARCEL 5, BK 1518  
PAGE 81, O.R.



- SEE SHEET 3 -

### LEGEND:

- C/L CENTERLINE
- (RAD) RADIAL BEARING
- O.R. OFFICIAL RECORDS
- DOC. NO. DOCUMENT NUMBER
- NW'LY NORTHWESTERLY
- SE'LY SOUTHEASTERLY

US HIGHWAY 101  
\* VENTURA FREEWAY

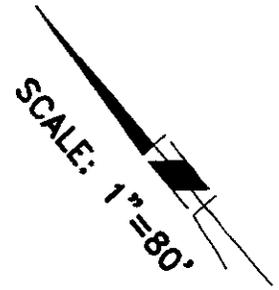
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**EL RIO DRIVE  
"VACATION"**  
 CITY OF OXNARD  
 COUNTY OF VENTURA, STATE OF CALIFORNIA

DATE: 7/05/07  
 SCALE: 1"=80'  
 SHEET: 2 OF 7  
 CAD: CRT  
 CHK'D: MJV

**EXHIBIT 'B'**  
**PLAT TO ACCOMPANY LEGAL DESCRIPTION**

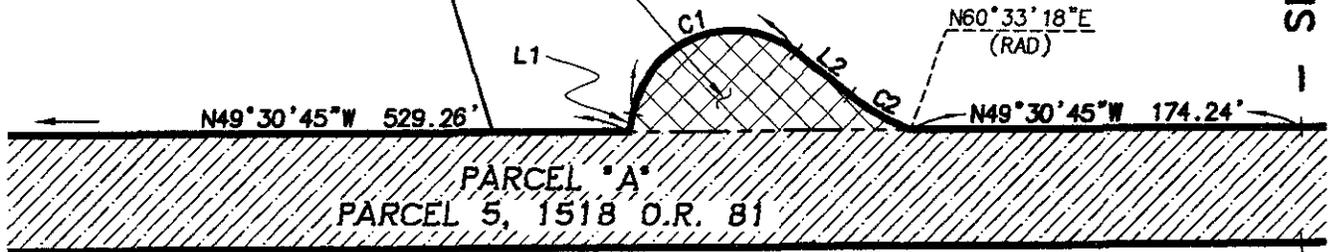
NOTE: FOR LEGEND SEE SHEET 2.



LOT 9  
150 MR 76

LOT 13  
TRACT No. 5352-1  
150 MR 76

PARCEL "B"  
DOC. NO. 2001-0215425, O.R.



— SEE SHEET 4 —

— SEE SHEET 2 —

**EL RIO DRIVE**

RANCHO SANTA CLARA DEL NORTE  
RANCHO EL RIO SANTA CLARA O'LA COLONIA

**US HIGHWAY 101**  
**VENTURA FREEWAY**

**CURVE DATA TABLE**

NO.	DELTA	RADIUS	LENGTH
C1	117°17'43"	44.95'	92.02'
C2	18°36'31"	95.14'	30.90'

**LINE DATA TABLE**

NO.	BEARING	LENGTH
L1	N51°52'06"E	7.78'
L2	N10°50'11"W	30.90'



PLANNING ■ DESIGN ■ CONSTRUCTION

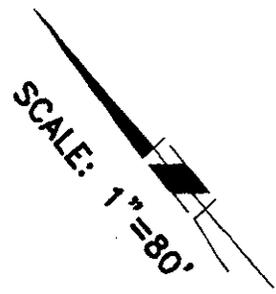
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**EL RIO DRIVE**  
**"VACATION"**

CITY OF OXNARD  
COUNTY OF VENTURA, STATE OF CALIFORNIA

DATE: 7/05/07  
SCALE: 1"=80'  
SHEET: 3 OF 7  
CAD: CRT  
CHK'D: MJV

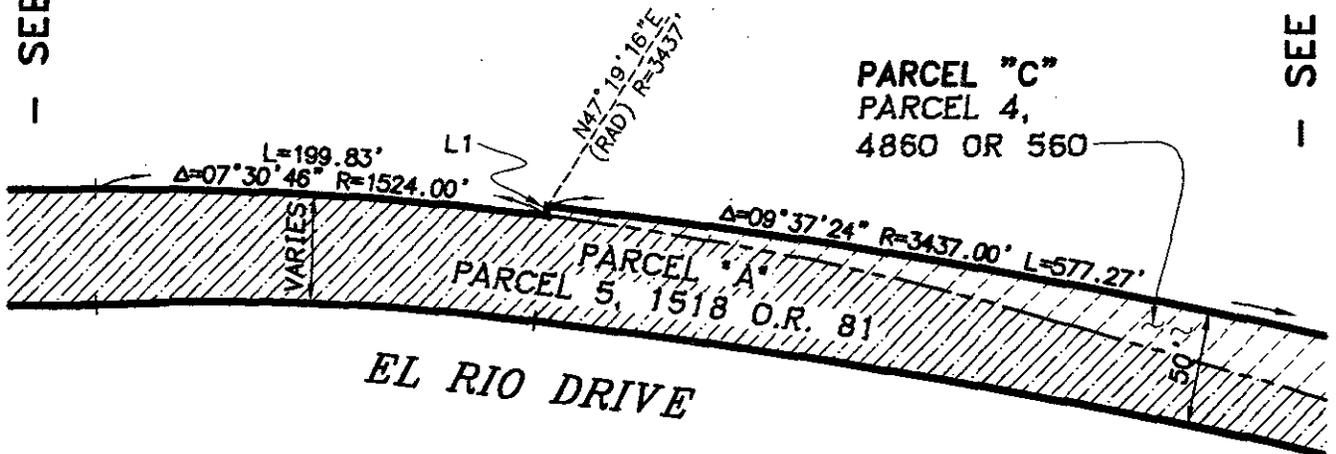
**EXHIBIT 'B'**  
**PLAT TO ACCOMPANY LEGAL DESCRIPTION**



LOT 13  
 TRACT No. 5352-1  
 150 MR 76

— SEE SHEET 3 —

— SEE SHEET 5 —



RANCHO SANTA CLARA DEL NORTE  
 RANCHO EL RIO SANTA CLARA O'LA COLONIA

US HIGHWAY 101  
 VENTURA FREEWAY

LINE DATA TABLE		
NO.	BEARING	LENGTH
L1	N48°00'01"E(R)	4.16'

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**EL RIO DRIVE**  
**"QUITCLAIM"**

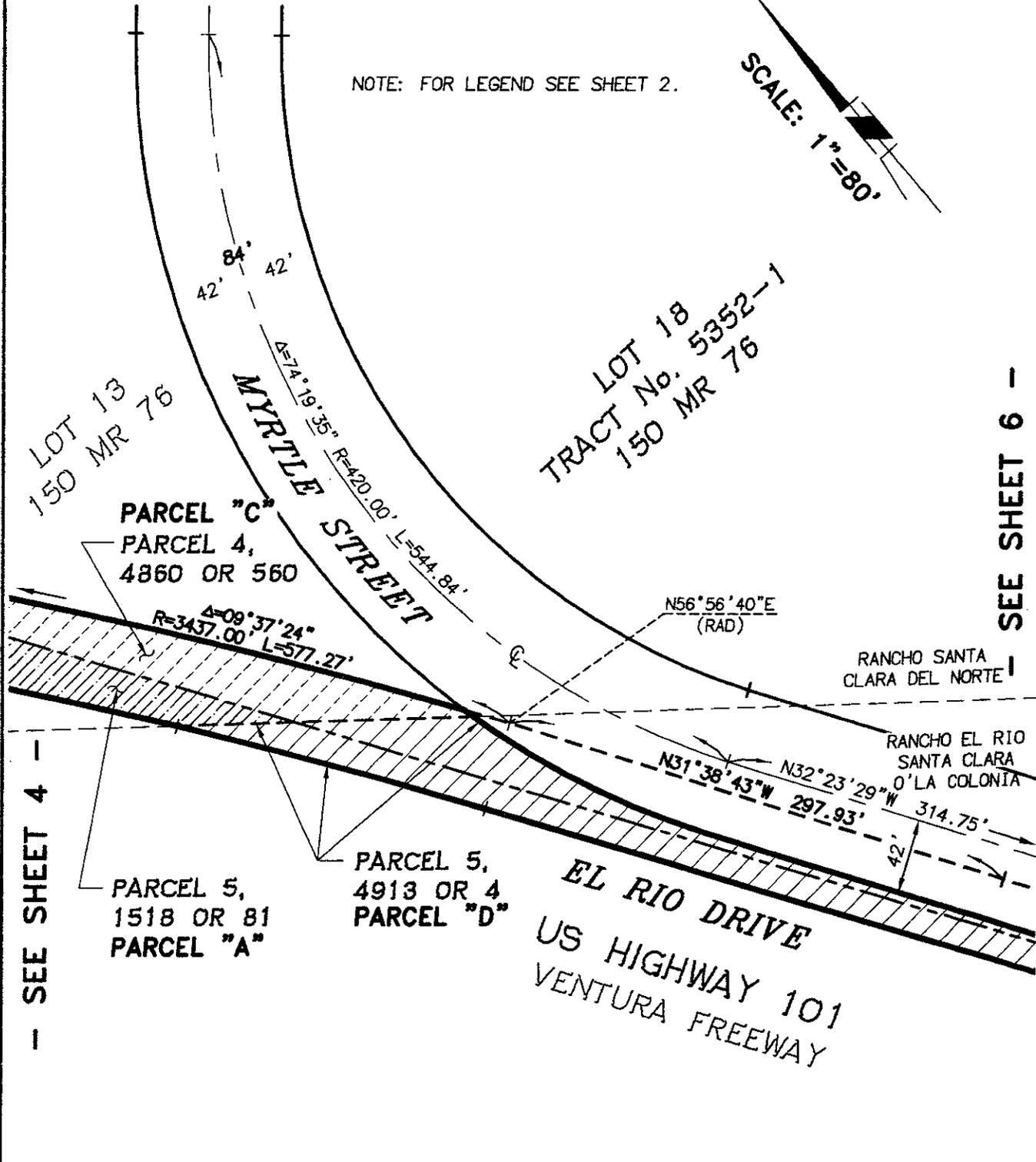
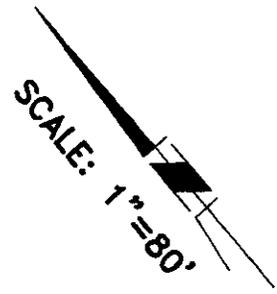
CITY OF OXNARD  
 COUNTY OF VENTURA, STATE OF CALIFORNIA

DATE: 7/05/07  
 SCALE: 1"=80'  
 SHEET: 4 OF 7  
 CAD: CRT  
 CHK'D: MJV

# EXHIBIT 'B'

## PLAT TO ACCOMPANY LEGAL DESCRIPTION

NOTE: FOR LEGEND SEE SHEET 2.



SEE SHEET 4

SEE SHEET 6

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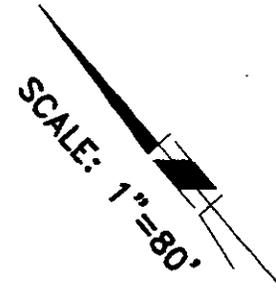
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EL RIO DRIVE  
"VACATION"

CITY OF OXNARD  
COUNTY OF VENTURA, STATE OF CALIFORNIA

DATE: 7/05/07  
SCALE: 1"=80'  
SHEET: 5 OF 7  
CAD: CRT  
CHK'D: MJV

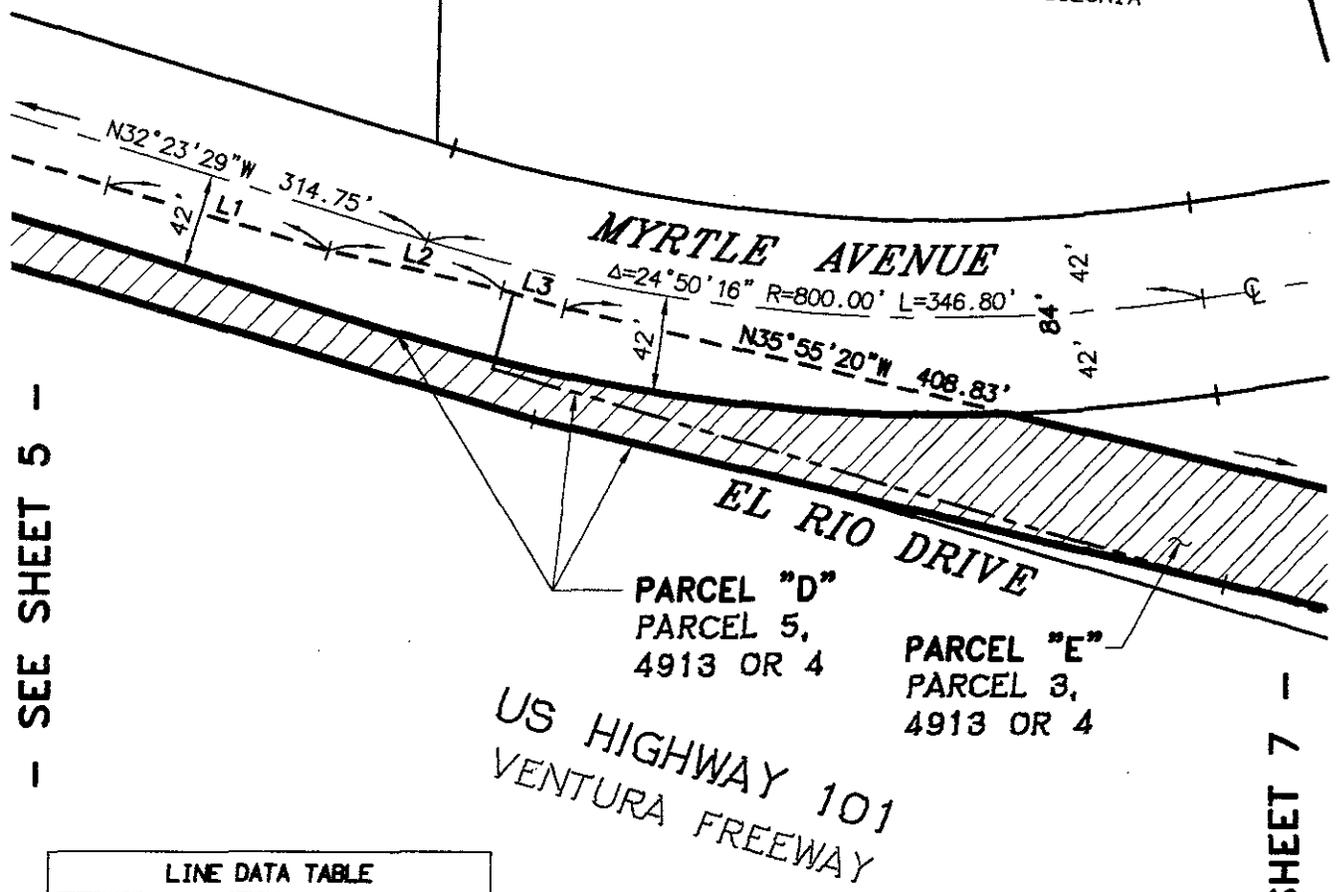
**EXHIBIT 'B'**  
**PLAT TO ACCOMPANY LEGAL DESCRIPTION**



LOT 18  
 150 MR 76

LOT 19  
 TRACT No. 5352-1  
 150 MR 76

RANCHO SANTA CLARA DEL NORTE  
 RANCHO EL RIO SANTA CLARA O'LA COLONIA



SEE SHEET 5

SEE SHEET 7

LINE DATA TABLE		
NO.	BEARING	LENGTH
L1	N33°25'33"W	103.00'
L2	N36°48'35"W	79.16'
L3	N33°15'33"W	28.48'

NOTE: FOR LEGEND SEE SHEET 2.

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**EL RIO DRIVE  
 "VACATION"**  
 CITY OF OXNARD  
 COUNTY OF VENTURA, STATE OF CALIFORNIA

DATE: 7/05/07  
 SCALE: 1"=80'  
 SHEET: 6 OF 7  
 CAD: CRT  
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# EXHIBIT 'B'

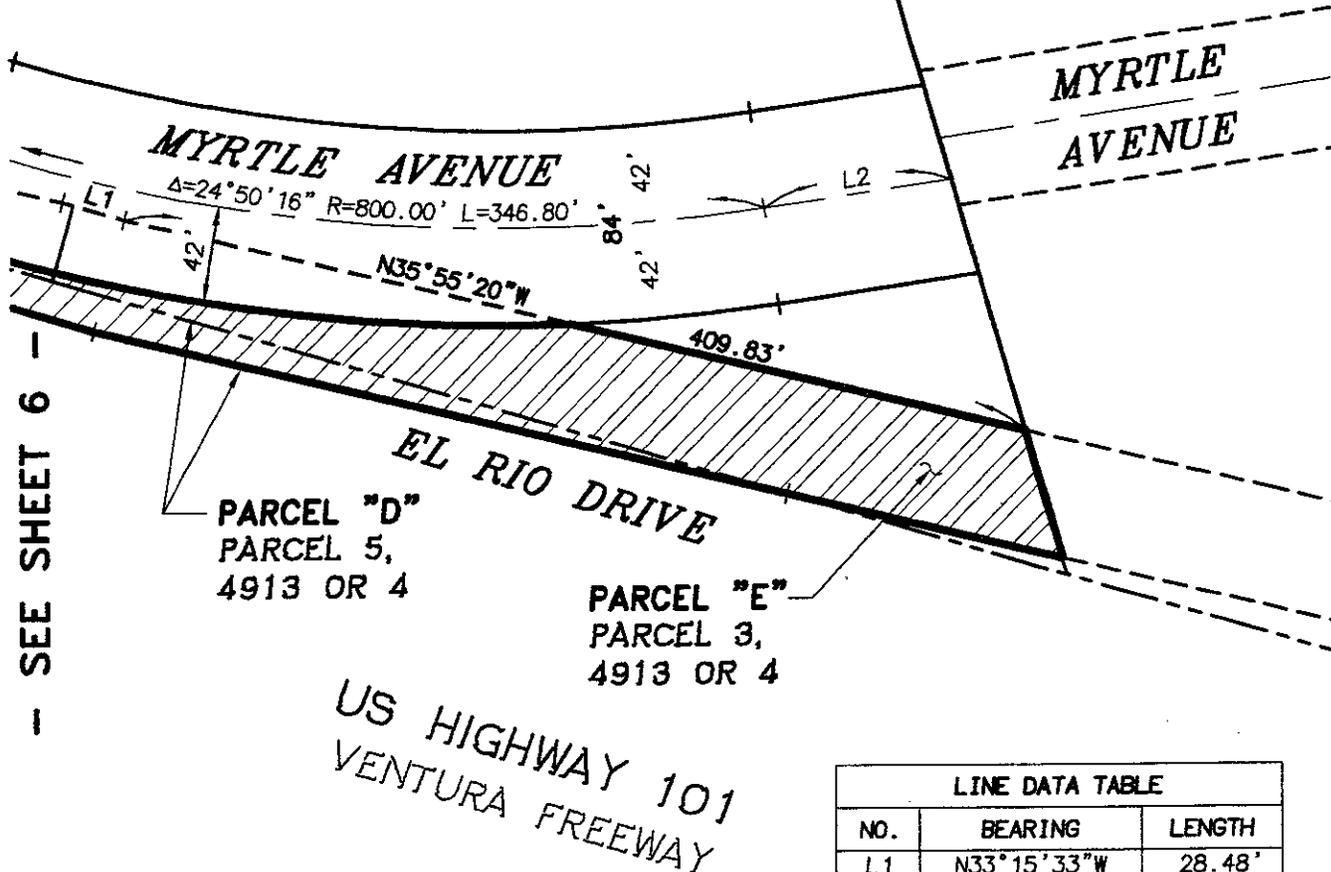
PLAT TO ACCOMPANY LEGAL DESCRIPTION

LOT 19  
TRACT No. 5352-1  
150 MR 76

SCALE: 1"=80'

RANCHO SANTA CLARA DEL NORTE  
RANCHO EL RIO SANTA CLARA O' LA COLONIA

TOWN OF COLONIA  
2 MR 157



SEE SHEET 6 -

LINE DATA TABLE		
NO.	BEARING	LENGTH
L1	N33°15'33"W	28.48'
L2	N57°14'45"W	83.53'

NOTE: FOR LEGEND SEE SHEET 2.

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CITY OF OXNARD  
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DATE: 7/05/07  
SCALE: 1"=80'  
SHEET: 7 OF 7  
CAD: CRT  
CHK'D: MJV