

RESOLUTION NO. 2018-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA,
CALIFORNIA, APPROVING THE TRANSFER OF DEED AT HUMANE
WAY BRIDGE CROSSING TO THE UNION PACIFIC RAILROAD**

WHEREAS, Humane Way bridge over Union Pacific Railroad (UPRR)'s right-of-way was constructed with the roadway easement deeded from UPRR to the City;

WHEREAS, UPRR installed a fourth track along the Los Angeles Subdivision right-of-way as part of the rail diversion project;

WHEREAS, UPRR realized that a portion of the newly installed track, underneath the Humane Way bridge, actually resides in a roadway easement that was previously granted to the City of Pomona at no cost;

WHEREAS, UPRR needs the City to grant the deed back to UPRR to operate and maintain the railroad track;

WHEREAS, the City of Pomona will receive a fee of \$10 for the Transfer of Deed; and

WHEREAS, the City of Pomona wishes to transfer the deed so the rail diversion project can be completed and UPRR can close the Temple Avenue and Pomona Boulevard crossings along Valley Boulevard.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pomona as follows:

SECTION 1. The City Council hereby approves the transfer of deed certain rights-of-way at the Humane Way Bridge crossing to the UPRR, with EXHIBIT 1 as Grant Deed, with EXHIBITS A and B as Legal Descriptions and Map, for purposes of operation and maintenance of their facilities.

SECTION 2. The City Council hereby authorizes the City Manager to execute the transfer of deed on behalf of the City.

SECTION 3. The City Clerk shall attest and certify to the passage and adoption of this Resolution and it shall become effective immediately upon its approval.

APPROVED AND ADOPTED THIS 7th DAY OF MAY 2018.

ATTEST:

CITY OF POMONA:

Eva M. Buice, MMC, City Clerk

Tim Sandoval, Mayor

APPROVED AS TO FORM:

Arnold Alvarez-Glasman, City Attorney

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF POMONA

I, EVA M. BUICE, MMC, CITY CLERK of the City of Pomona do hereby certify that the foregoing Resolution was adopted at a Regular Meeting of the City Council of the City of Pomona held on the 7th day of May 2018, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Pomona, California, this ____ day of _____ 2018.

Eva M. Buice, MMC, City Clerk