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RESOLUTION NO. 8197

DEPT OF PUBLIC WORKS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, MAKING ITS FINDINGS AND DETERMINATIONS IN THE MATTER OF ORDINANCE OF INTENTION NO. 2614; RESERVING EASEMENTS AND RIGHTS OF WAY PROVIDED IN SECTION 5330 OF THE STREETS AND HIGHWAYS CODE, AND DETERMINING THAT THE PUBLIC CONVENIENCE AND NECESSITY REQUIRE RESERVATION OF SUCH EASEMENTS AND RIGHTS OF WAY AS PROVIDED IN SECTION 5331 OF SAID CODE; AND ORDER OF VACATION IN THE MATTER OF VACATING A PART OF BONITA AVENUE.

WHEREAS, the City Council of the City of Riverside, California, adopted an ordinance of intention, No. 2614, pursuant to the provisions of the Street Vacation Act of 1941, being Part 3, Division 9 of the Streets and Highways Code of the State of California, declaring its intention to vacate a part of Bonita Avenue, therein and hereinafter described; and,

WHEREAS, the matter came on regularly for hearing before said City Council at the time and place fixed for hearing by said ordinance of intention, and said City Council heard and considered all of the evidence submitted.

NOW, THEREFORE, BE IT RESOLVED by said City Council that it be and is hereby found and determined by said City Council that said ordinance of intention was duly passed, adopted and published in the manner prescribed by law for the adopting and publishing of ordinances of said City, and the notice of said vacation proceedings and of the time and place of hearing was given by posting, as provided by the Street Vacation Act of 1941, and that the said part of the public street therein described is unnecessary for present or prospective public purposes and should be vacated.

NOW, THEREFORE, pursuant to the provisions of the said Street Vacation Act of 1941, IT IS HEREBY ORDERED by the City Council of the City of Riverside, California, that the part of Bonita Avenue in the City of Riverside, County of Riverside, State of California, described as follows, to wit:

CITY ATTORNEY  
RIVERSIDE  
CALIFORNIA

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1 All that portion of Bonita Avenue, as shown on map of  
2 Fairview Heights on file in Block 14 at page 50, of Maps,  
3 Records of Riverside County, California, described as  
4 follows:

5 Beginning at the northwest corner of Lot 12 of said  
6 Fairview Heights; thence northerly along a 55' radius  
7 curve, the initial radius bears North  $47^{\circ} 01' 33''$  West,  
8 through an angle of  $67^{\circ} 17' 08''$  an arc length of 84.59  
9 feet to a point which is the intersection of the northerly  
10 line of said Bonita Avenue with the easterly line of Neva  
11 Place, as shown on map of Said Tract No. 2 on file in  
12 Book 26, pages 5 and 6 of Maps, Records of said Riverside  
13 County;

14 Thence North  $39^{\circ} 13' 30''$  East along the northerly  
15 line of said Bonita Avenue a distance of 125.40 feet to  
16 the westerly right of way line of the State Freeway VIII-  
17 Riv-43-Riv;

18 Thence southerly along said westerly right of way  
19 line, a distance of 62.29 feet to a point on the southerly  
20 line of said Bonita Avenue;

21 Thence South  $39^{\circ} 13' 30''$  West, along the southerly  
22 line of said Bonita Avenue, 119.33 feet to the point of  
23 beginning;

24 EXCEPTING AND RESERVING from the vacation permanent  
25 easements and rights of way as hereinafter mentioned;

26 he, and the same is hereby, vacated.

27 BE IT FURTHER RESOLVED that the City Council does hereby  
28 determine that the public convenience and necessity require the  
29 reservation of permanent easements and rights of way to construct,  
30 maintain, operate, replace, remove and renew sanitary sewers, and  
31 storm drains and appurtenant structures in, upon, over and across  
32 the part of the street vacated, and reserving the right to construct,  
33 maintain, operate, replace, remove, renew and enlarge lines of  
34 pipe, conduits, cables, wires, poles and other convenient structures,  
35 equipment and fixtures for the operation of gas pipe lines, tele-  
36 graphic and telephone lines, and for the transportation and distri-  
37 bution of electric energy, petroleum and its products, water, and  
38 incidental purposes, including access, and the right to keep the  
39 property free from inflammable materials, and wood growth, and  
40 otherwise protect the same from all hazards in, upon and over  
41 the part of said street vacated.

42 IT IS FURTHER ORDERED that the City Clerk of said City of  
43 Riverside shall cause a certified copy of this order, attested

1 by the Clerk under the seal of said City, to be recorded in the  
2 office of the County Recorder of Riverside County, California.

3  
4 ADOPTED by the City Council, signed by the Mayor and attested  
5 by the City Clerk this 6th day of May, 1958.

6  
7 E J Sales  
8 Mayor of the City of Riverside

9 ATTEST:

10  
11 E. G. Waite  
12 City Clerk of the City of Riverside

13  
14 I, W. G. Waite, City Clerk of the City of Riverside, Cali-  
15 fornia, hereby certify that the foregoing resolution was duly  
16 and regularly introduced and adopted by the City Council of  
17 said City at its meeting held on the 6th day of May,  
18 1958, by the following vote, to wit:

19 Ayes: Councilmen Backstrand, Bergin, Bonnett, O'Neill, Smutz and Voris.

20 Nays: None.

21 Absent: Councilman Johnson.

22  
23 IN WITNESS WHEREOF, I have hereunto set my hand and affixed  
24 the official seal of the City of Riverside, California, this  
25 6th day of May, 1958.

26  
27 E. G. Waite  
28 City Clerk of the City of Riverside