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RECORDING REQUESTED BY:  
Colleen J. Nicol, CMC  
City Hall, 3900 Main Street  
Riverside, CA 92522

AND WHEN RECORDED MAIL TO:

Colleen J. Nicol, CMC  
City Hall, 3900 Main Street  
Riverside, CA 92522

DOC # 2001-270882

06/15/2001 08:00A Fee:NC  
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Recorded in Official Records  
County of Riverside  
Gary L. Orso  
Assessor, County Clerk & Recorder



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RESOLUTION NO. 19937

Title of Document

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE,  
CALIFORNIA, PROVIDING FOR THE SUMMARY VACATION OF A  
PORTION OF FISCHER ROAD.

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION  
(\$3.00 Additional Recording Fee Applies)

RESOLUTION NO. 19937

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, PROVIDING FOR THE SUMMARY VACATION OF A PORTION OF FISCHER ROAD.

WHEREAS, the City of Riverside proposes to vacate that portion of Fischer Road described and depicted in Exhibit "A" attached hereto and incorporated by reference (hereinafter "the Property"); and

WHEREAS, all of the affected agencies and nearby property owners have been notified of the vacation request for the Property and as of this writing, no opposition has been received; and

WHEREAS, there is substantial evidence to support the conclusion that the street is no longer needed for vehicular traffic and is unnecessary for present or prospective public use; and

WHEREAS, the vacation of the Property will not adversely affect vehicular circulation in the area either current or prospective; and

WHEREAS, on January 18, 2001, the Planning Commission of the City of Riverside unanimously approved the vacation of the Property to allow the unnecessary right -of-way to be incorporated into the adjacent Rain for Rent site, subject to certain conditions including, but not limited to, the following: that an administrative lot consolidation of the Rain for Rent properties be finalized before or concurrently with the adoption of this resolution; the City be provided all necessary easements to allow for the combination street light and cellular antenna to continue to be operated as a City street light and cellular antenna; proof of access over and the use of the Metropolitan Water District property; and the submission of a fencing plan indicating how the vacated street right-of-way will be secured for administrative approval.

WHEREAS, Section 8330, *et seq.* of the Street and Highways Code of the State of California provide for the summary vacation of street and public service easements under certain circumstances; and

WHEREAS, Section 8334 of the Streets and Highways Code provides that the legislative body of a local agency may summarily vacate the excess right-of-way of a street or highway not required for street or highway purposes



1 WHEREAS the City Council wishes to proceed under the provisions of Sections 8330 et  
2 seq. of the Streets and Highways Code to summarily vacate the Property;

3 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riverside,  
4 California, as follows:

5 Section 1: The vacation of the Property is undertaken pursuant to the provisions of  
6 Chapter 4 (commencing with Section 8330) of Part 3 of the Streets and Highways Code of the State  
7 of California.

8 Section 2: The City Council finds and determines the following:

9 (a) The Property is excess right-of-way not required for street or highway purposes.

10 (b) An administrative lot consolidation of the Rain for Rent properties be finalized before  
11 or concurrently with the adoption of this resolution.

12 (c) The City be provided all necessary easements to allow for the combination street light  
13 and cellular antenna to continue to be operated as a City street light and cellular antenna.

14 (d) The City be provided proof of access over, and use of, the Metropolitan Water District  
15 property.

16 (e) The City be provided a fencing plan indicating how the vacated street right-of-way  
17 will be secured for administrative approval.

18 Section 3: The proposed summary street vacation project is exempt from the provisions  
19 of the California Environmental Quality Act pursuant to Section 15061 (b) (3) of the Guidelines for  
20 Implementation of the California Environmental Quality Act (Title 15, California Code of  
21 Regulations, commencing with Section 15000) as it can be seen with certainty that there is no  
22 possibility that the activity will have a significant effect on the environment.

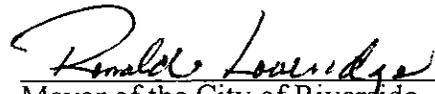
23 Section 4: The City Council hereby orders the summary vacation of a portion of Fischer  
24 Road as more particularly described in Exhibit "A", attached hereto and incorporated herein by this  
25 reference, and shown on the plat map marked as Exhibit "B", attached hereto and incorporated  
26 herein by this reference.

27 Section 5: The City Clerk of the City of Riverside shall cause a certified copy of this

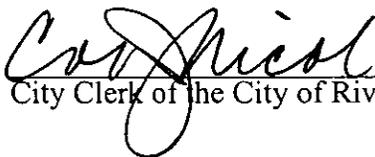


1 resolution to be recorded in the Office of the County Recorder of Riverside County, California, and  
2 the street right-of-way described in Exhibit "A" and shown in Exhibit "B" shall be and is hereby  
3 terminated as of the date of said recordation and shall no longer constitute a public street or right-of-  
4 way from and after said date of recordation.

5 ADOPTED by the City Council and signed by the Mayor and attested by the City Clerk  
6 this 12th day of June, 2001.

7  
8   
9 Mayor of the City of Riverside

10 Attest:

11  
12   
13 City Clerk of the City of Riverside

14 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the  
15 foregoing resolution was duly and regularly introduced and adopted at a meeting of the City Council  
16 of said City at its meeting held on the 12th day of June, 2001, by the  
17 following vote, to wit:

18 Ayes: Councilmembers Beaty, Moore, Defenbaugh, Kane, Adkison,  
19 and Pearson.

20 Noes: None.

21 Absent: Councilmember Thompson.

22 Abstain: None.

23 IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the  
24 City of Riverside, California, this 12th day of June, 2001.

25  
26   
27 City Clerk of the City of Riverside

[RES\01091501.JT]



**Legal Description**  
**VC-005-001**  
**Fischer Road**  
Southerly of River Crest Drive

That portion of Fischer Road (formerly Box Springs Road) of Tract No. Twelve as shown by map on file in Book 10 of Maps, at page 7 thereof, records of Riverside County, California, described as follows:

**Bounded northerly** by the following described line:

**Beginning** at a point on the northeasterly right of way line of said Fischer Road at the northwesterly terminus of that certain course described as N.  $34^{\circ}53'26''$  W, 925.79 feet, along said northeasterly right of way line, as shown by Record of Survey on file in Book 62 Page 55 of Records of Survey, records of Riverside County, California;

**Thence South  $55^{\circ}06'34''$  West**, 100.00 feet to the southwesterly right of way line of said Fischer Road as shown on said Record of Survey and the end of this line description.

**Bounded southerly** by the intersection of the southerly prolongation of the southwesterly right of way line of said Fischer Road with the southerly prolongation of the westerly right of way line of U.S. Highway 395 (I-15 E) as shown by said Record of Survey.

**Reserving therefrom** blanket easement and right of way for overhead and underground electrical energy distribution facilities.

**Also reserving therefrom** a blanket easement for avigation purposes in favor of March ARB/MIP;

**Also reserving therefrom** easements for ingress / egress and telecommunication utility facilities in favor of Pacific Bell Mobile Services over the following described parcels:

Those portions of Fischer Road, 100.00 feet wide, as shown by Record of Survey on file in Book 62 of Record of Surveys, at page 55 thereof, described as follows:

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**Parcel 1: 15.00 foot wide ingress and egress easement**

**Beginning** at the point of intersection of the northeasterly line of Fischer Road and the west line of Lot 21 of Tract No. Twelve as shown on said Record of Survey; said point also being the northerly end of the course shown as North 34°53'26" West, 925.79 feet; Thence at right angles South 55°06'34" West, 60.00 feet to the TRUE POINT OF BEGINNING being a line parallel with and distant 10.00 feet southwesterly, as measured at right angles from the centerline of said Fischer Road; Thence, along said parallel line, South 34°53'26" East, 788.89 feet; Thence, leaving said parallel line, South 55°01'59" East, 122.82 feet to a point hereinafter referred to as Point "A"; Thence South 34°58'01" West, 15.00 feet; Thence North 55°01'59" West, 125.49 feet to a line parallel with and distant 25.00 feet southwesterly, as measured at right angle, from said centerline of Fischer Road; Thence North 34°53'26" West, along said parallel line, 791.55 feet; Thence North 55°06'34" East, 15.00 feet to said TRUE POINT OF BEGINNING.

Contains 13,716 square feet

**Parcel 2: 15.00 foot wide utility easement**

**Beginning** at Point "A" hereinabove described; Thence South 55°01'59" East, 15.00 feet; Thence South 34°58'01" West, 25.00 feet; Thence North 55°01'59" West, 15.00 feet to a point hereinafter referred to as Point "B"; Thence North 34°58'01" East, 25.00 feet to said Point of Beginning;

Contains 375 square feet

**Parcel 3: 5.00 foot wide utility easement**

**Beginning** at Point "B" hereinabove described: Thence South 55°01'59" East, 9.96 feet; Thence North 85°09'06" West, 55.12 feet; Thence North 04°50'54" East, 5.00 feet; Thence South 85°09'06" East, 46.50 feet to said POINT OF BEGINNING.

Contains 254 square feet

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Also reserving therefrom a permanent easement and right of way for drainage facilities described as follows:

A strip of land, 50.00 feet wide, the centerline being described as follows:

Commencing at the most northerly corner of Lot 8 of Tract No. 4510 as shown by map on file in Book 81 of Maps, page 4 thereof, records of Riverside County, California;

Thence North  $54^{\circ}32'00''$  East, along the northeasterly prolongation of northwesterly line of said lot (recorded as N  $54^{\circ}32'00''$  E, 164.97 feet), a distance of 200.00 feet to a point in the southwesterly right of way line of Fischer Road;

Thence South  $35^{\circ}28'00''$  East, along said southwesterly right of way line, 230 feet to the **TRUE POINT OF BEGINNING**;

Thence South  $85^{\circ}26'34''$  East, 80 feet, more or less to the westerly right of way line of State Highway 395 (I-215) and the **END** of this line description;

The sidelines of said 50.00 foot wide strip shall be lengthened or shortened to terminate in said southwesterly line of Fischer Road and said westerly line of State Highway 395 (I-215).

This description was prepared by me or under my direction in conformance with the requirements of the Land Surveyors Act.

 4/19/01 Prep. WF  
Mark S. Brown, L.S. 5655      Date  
License Expires 9/30/03

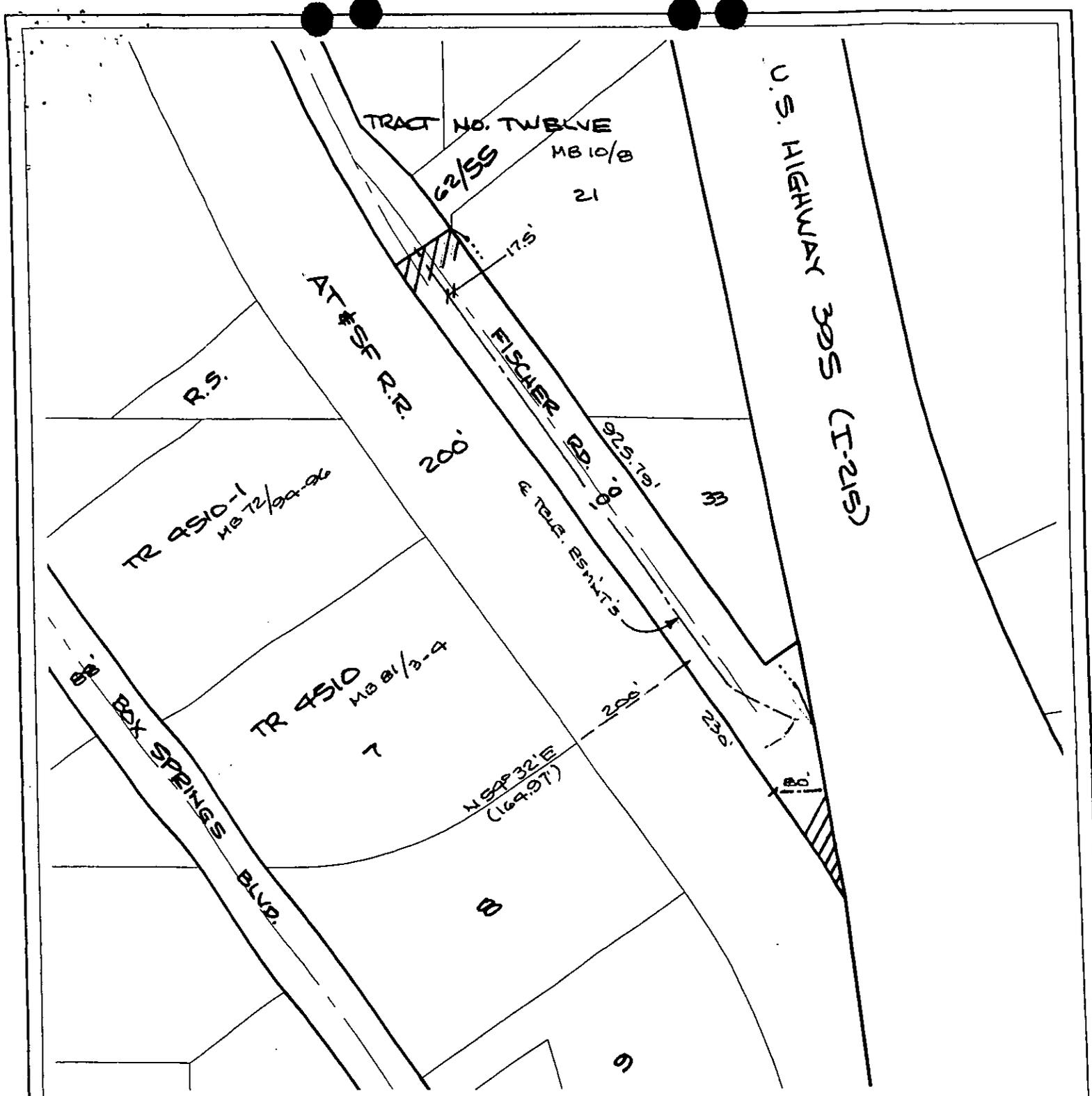


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VC-005-001 Fischer Road

Symbology

- ROW Line
- Parcel Line
- Assessor Parcel Line
- ..... Project Limits Boundary
- Street Centerline
- Private Street Centerline
- Proposed Street Centerline

Map Produced on:  
April 19, 2001



1 inch = 200 feet



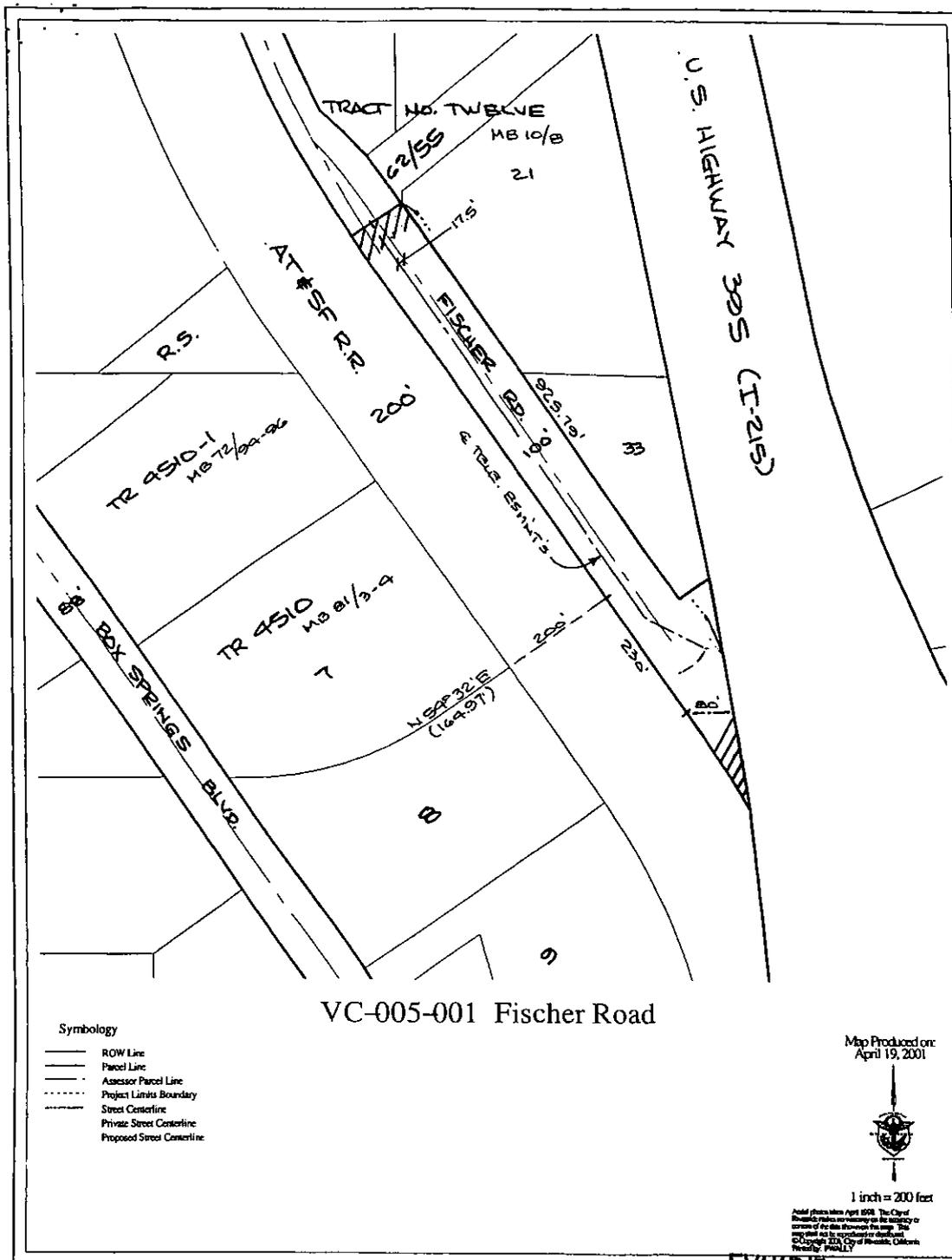
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**EXHIBIT B**

Aerial photos taken April 1998. The City of Riverside makes no warranty as to the accuracy or content of the data shown on this map. This map shall not be reproduced or distributed without the written consent of the City of Riverside, California. Printed by: FWALLY.

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VC-005-001 Fischer Road

Symbology  
— ROW Line  
— Parcel Line  
— Assessor Parcel Line  
- - - Project Limits Boundary  
- - - Street Centerline  
- - - Private Street Centerline  
- - - Proposed Street Centerline

Map Produced on:  
April 19, 2001



1 inch = 200 feet

Not a substitute for a survey. The City of Riverside makes no warranty as to the accuracy or completeness of the information on this map. This map may not be reproduced or distributed without the written permission of the City of Riverside, California. Permit No. 100117

The foregoing instrument is certified, under penalty of perjury, to be a correct copy of the original on file in this office.

EXHIBIT A - 4 of 4

*Coleen J. Nicol*

Coleen J. Nicol, City Clerk  
City of Riverside, California

Executed on June 14, 2001 at  
Riverside, California

73-2  
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