

DOC # 2003-661508

08/27/2003 08:00A Fee:NC

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Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



PLEASE COMPLETE THIS INFORMATION
RECORDING REQUESTED BY:

Colleen J. Nicol, CMC

AND WHEN RECORDED MAIL TO:

City Clerk
City of Riverside
3900 Main St.
Riverside, CA 92522

FREE RECORDING-
Exempt Pursuant to
Government Code S6103

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SPACE ABOVE FOR RECORDER'S USE ONLY

VC-001-012

15215



RESOLUTION NO. 20081

Title of Document

THIS AREA FOR
RECORDER'S
USE ONLY

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

RESOLUTION NO. 20081

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, MAKING ITS FINDINGS AND DETERMINATIONS IN THE MATTER OF RESOLUTION OF INTENTION NO. 20069; AND MAKING ITS ORDER VACATING A PORTION OF AN APPROXIMATELY 23-FOOT WIDE BY 1,530-FOOT LONG STRIP OF MERRILL AVENUE RIGHT-OF-WAY ON THE SOUTHERLY SIDE OF MERRILL AVENUE, BETWEEN DE ANZA AND RIVERSIDE AVENUES.

WHEREAS, on December 18, 2001, the City Council of the City of Riverside in Vacation Case No. VC-001-012 adopted Resolution No. 20069 declaring its intention to order the vacation of an approximately 23-foot wide by 1,530-foot long strip of Merrill Avenue right-of-way on the southerly side of Merrill Avenue, between De Anza and Riverside Avenue within the City of Riverside, California, and fixing the time and place of hearing all persons interested in the proposed vacation pursuant to the provisions of the Public Streets, Highways and Service Easements Vacation Law, being Sections 8300 et seq. of Part 3, Division 9 of the Streets and Highways Code of the State of California; and

WHEREAS, said proposed vacation had been previously submitted to and considered by the Planning Commission of the City of Riverside at a duly noticed public hearing; and

WHEREAS, following the close of the public hearing before the Planning Commission, the Planning Commission determined that the proposed project would not have a significant effect on the environment and that the City Council should adopt a Negative Declaration, and that Vacation Case No. VC-001-012 should be approved subject to all staff conditions; and

WHEREAS, notice of hearing before the City Council on said resolution of intention was duly given as provided by said Public Streets, Highways, and Service Easements Vacation Law; and

WHEREAS, the recommendations of the Planning Commission were submitted to the City Council for consideration together with the testimony, whether oral or in writing, presented at the public hearing before said City Council; and

WHEREAS, the City heard and found and determined from all of the evidence submitted to said Council on the day fixed for the hearing, on January 8, 2002, that an approximately 23-foot wide by 1,530-foot long strip of Merrill Avenue right-of-way on the southerly side of Merrill



1 Avenue, between De Anza and Riverside Avenue within the City of Riverside, California was
2 unnecessary for present or prospective public use;

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

5 Section 1: That the vacation of an approximately 23-foot wide by 1,530-foot long strip of
6 Merrill Avenue right-of-way on the southerly side of Merrill Avenue, between De Anza and
7 Riverside Avenues within the City of Riverside, California, in Vacation Case No. VC-001-012 is
8 undertaken pursuant to the provisions of and in accordance with the procedures set forth in the
9 Public Streets, Highways, and Services Easements Vacation Law and that all notices required
10 thereby have been duly given.

11 Section 2: That from all the evidence submitted to the City Council at the January 8,
12 2002, public hearing before it on Vacation Case VC-001-012, whether such evidence was oral or in
13 writing, together with the recommendations from the Planning Commission, an approximately 23-
14 foot wide by 1,530-foot long strip of Merrill Avenue right-of-way on the southerly side of Merrill
15 Avenue, between De Anza and Riverside Avenue within the City of Riverside, California, as
16 hereinafter described and ordered vacated is unnecessary for present or prospective public use as a
17 public street except as to the reservation of easements and rights-of-way described below.

18 Section 3: That the proposed project will not have a significant effect on the environment
19 and adopts a Negative Declaration.

20 Section 4: That an approximately 23-foot wide by 1,530-foot long strip of Merrill Avenue
21 right-of-way on the Southerly side of Merrill Avenue, between De Anza and Riverside Avenue
22 within the City of Riverside, California, and described in the document attached hereto, marked
23 Exhibit A, and by this reference made a part hereof, be and the same is hereby ordered vacated.
24 Further, the following easements and rights-of-way located in the vacation described above shall be
25 exempt from the vacation order: an easement for, and right to construct, maintain, operate, inspect,
26 replace, remove, renew, repair and enlarge lines of pipe, conduits, cables, wires, poles, vaults,
27 manholes, markers, equipment, fixtures and other convenient and appurtenant structures, for the

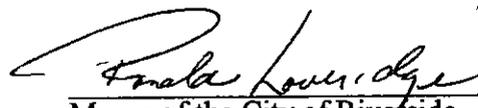


1 distribution and/or transmission of electric energy, water pipelines, gas lines, storm drains, sanitary
2 sewers, telephone, telegraph, cable television and other communication facilities, as may from time
3 to time be required. Public convenience and necessity require the exception and reservation from
4 the vacation of those easement and rights-of- way in, under, across, upon, over and along that
5 portion of the public street ordered to be vacated necessary to maintain, operate, remove or renew
6 any in-place public utility facilities that are in use and not otherwise excepted and reserved
7 specifically.

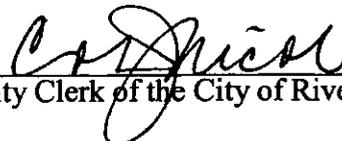
8 I Section 5: That the vacation, termination and abandonment of that portion of the public
9 street described in Exhibit A shall occur only after the applicable conditions contained in the
10 Planning Department's report to the legislative body and on file with the City Clerk, as approved or
11 amended by the City Council have been satisfied, and the City Clerk is hereby directed not to record
12 this resolution of vacation until the applicable conditions have been satisfied.

13 Section 6: That the City Clerk of the City of Riverside shall cause a certified copy of this
14 resolution to be recorded in the Office of the County Recorder of the County of Riverside,
15 California, upon the satisfaction of the applicable conditions, and the portion of the street described
16 in Exhibit A shall no longer constitute a public street from and after the date of recordation.

17 ADOPTED by the City Council and signed by the Mayor and attested by the City Clerk
18 this 15th day of January, 2002.

19
20 
21 Mayor of the City of Riverside

22 Attest:

23 
24 City Clerk of the City of Riverside

25 ///
26 ///
27 ///



1 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the
2 foregoing resolution was duly and regularly introduced and adopted at a meeting of the City Council
3 of said City at its meeting held on the 15th day of January, 2002, by the following vote, to wit:

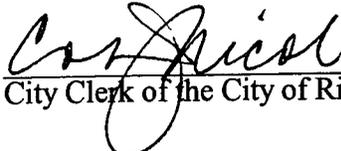
4 Ayes: Councilmembers Beaty, Moore, Defenbaugh, Kane, Adkison,
5 Thompson, and Pearson.

6 Noes: None.

7 Absent: None.

8 Abstain: None.

9 IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the
10 City of Riverside, California, this 15th day of January, 2002.

11 
12 City Clerk of the City of Riverside

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25 [RES\01269902.JT]
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27



City of Riverside
Merrill Avenue Street Vacation

That portion of the North one-half of Section 34, Township 2 South, Range 5 West, S.B.M. as described in Grant Deed in favor of the City of Riverside recorded in Book 1888 of Official Records, Page 239, et seq., Records of Riverside, California, together with those portions of Lots "F" and "G" of Parcel Map 13044 on file in Book 109 of Parcel Maps, Pages 66 through 68 thereof, Records of Riverside County, California, all lying westerly, southwesterly, southerly, southeasterly and easterly of the following described line:

COMMENCING at centerline intersection of Merrill Avenue and Riverside Avenue as shown by said Parcel Map 13044;

Thence S.00°01'57"E. along the centerline of said Riverside Avenue, a distance of 67.72 feet;

Thence S.89°58'03"W., a distance of 44.00 feet, to the most southerly corner of said Lot "G", said corner being a point in a line parallel with and 44.00 feet westerly of said centerline of Riverside Avenue, and also being the **POINT OF BEGINNING** of the line to be described;

Thence N.00°01'57"W. along said parallel line, a distance of 16.04;

Thence N.34°36'42"W., a distance of 34.01 feet, to a line parallel with and 23.00 feet southerly of the centerline of said Merrill Avenue;

Thence S.89°21'15"W. along said parallel line, a distance of 1526.34 feet;

Thence S.44°36'08"W., a distance of 39.43 feet, to a line parallel with and 43.00 feet easterly of the centerline of De Anza Avenue as shown by said Parcel Map 13044, said parallel line also being the west line of said Lot "F";

Thence S.00°09'00"E. along said parallel line, a distance of 8.07, to the most southerly corner of said Lot "F", being the terminus of said line description.

The above described parcel of land contains 35,129 square feet, more or less.

KCT CONSULTANTS, INC.
Prepared Under the Supervision of:


Marissa Crowther PLS No. 6152
Date: DEC. 7th 2001



DESCRIPTION APPROVAL [2/7/01] by KCS
SURVEYOR, CITY OF RIVERSIDE



City of Riverside
Merrill Avenue Street Vacation

That portion of the North one-half of Section 34, Township 2 South, Range 5 West, S.B.M. as described in Grant Deed in favor of the City of Riverside recorded in Book 1888 of Official Records, Page 239, et seq., Records of Riverside, California, together with those portions of Lots "F" and "G" of Parcel Map 13044 on file in Book 109 of Parcel Maps, Pages 66 through 68 thereof, Records of Riverside County, California, all lying westerly, southwesterly, southerly, southeasterly and easterly of the following described line:

COMMENCING at centerline intersection of Merrill Avenue and Riverside Avenue as shown by said Parcel Map 13044;

Thence S.00°01'57"E. along the centerline of said Riverside Avenue, a distance of 67.72 feet;

Thence S.89°58'03"W., a distance of 44.00 feet, to the most southerly corner of said Lot "G", said corner being a point in a line parallel with and 44.00 feet westerly of said centerline of Riverside Avenue, and also being the **POINT OF BEGINNING** of the line to be described;

Thence N.00°01'57"W. along said parallel line, a distance of 16.04;

Thence N.34°36'42"W., a distance of 34.01 feet, to a line parallel with and 23.00 feet southerly of the centerline of said Merrill Avenue;

Thence S.89°21'15"W. along said parallel line, a distance of 1526.34 feet;

Thence S.44°36'08"W., a distance of 39.43 feet, to a line parallel with and 43.00 feet easterly of the centerline of De Anza Avenue as shown by said Parcel Map 13044, said parallel line also being the west line of said Lot "F";

Thence S.00°09'00"E. along said parallel line, a distance of 8.07, to the most southerly corner of said Lot "F", being the terminus of said line description.

The above described parcel of land contains 35,129 square feet, more or less.

KCT CONSULTANTS, INC.
Prepared Under the Supervision of:

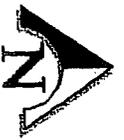

Marissa Crowther PLS No. 6152

Date: DEC. 7th 2001

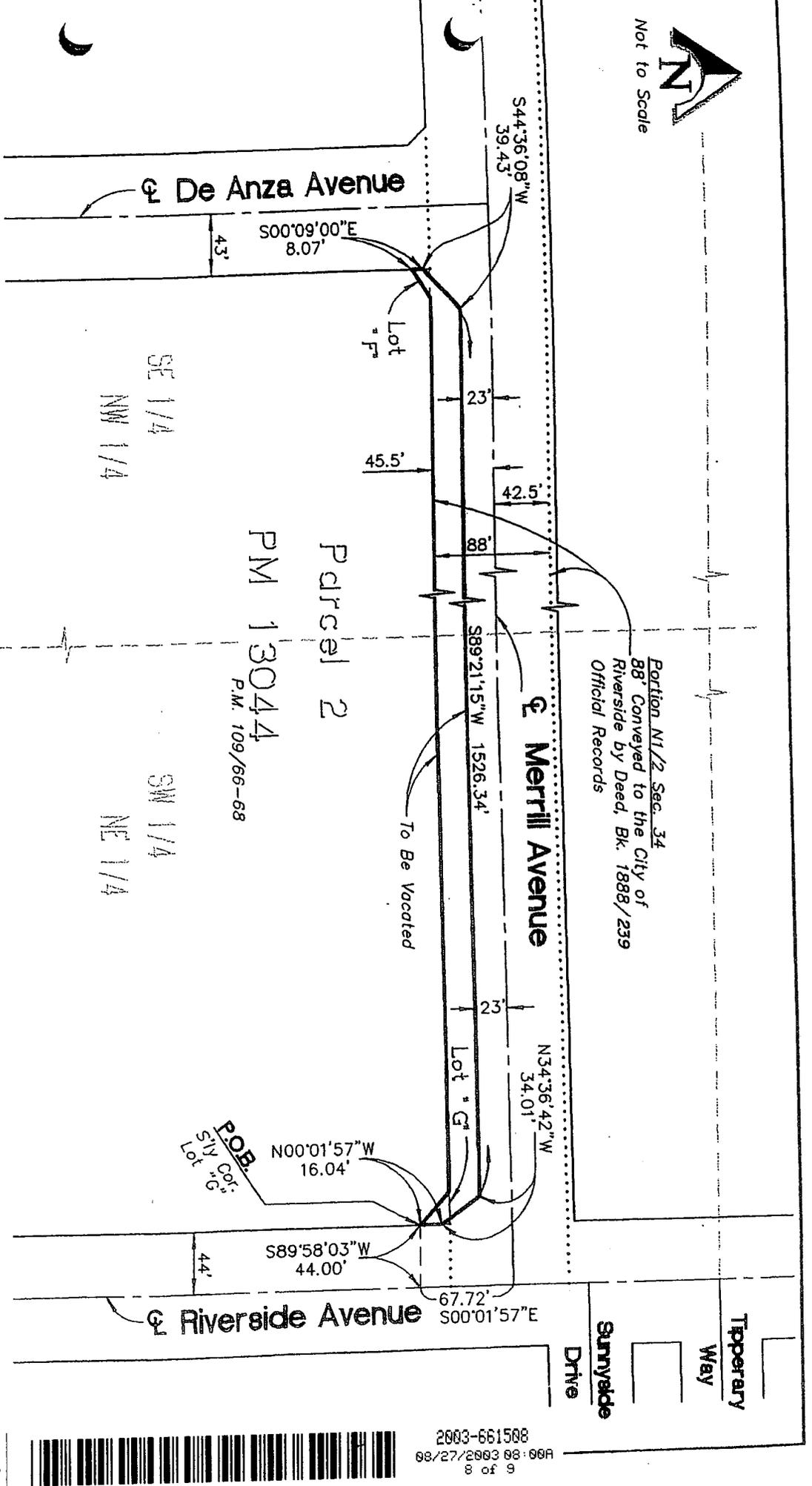


DESCRIPTION APPROVAL 12/7/01
 by Kog
SURVEYOR, CITY OF RIVERSIDE





Not to Scale



Prepared under the supervision of:

Signature of Marissa Crowther
MARISSA CROWTHER, PLS 6152

MERRILL AVENUE
Street Vacation

KCT CONSULTANTS, INC.

Civil Engineers - Surveyors - Planners
P.O. Box 5105, Newark, CA 94517-5105
4341 Linden St., Suite 200, Fremont, CA 94538
Phone: 925.434.1940 Fax: 925.434.1945
e-mail: kctinc@kctconsultants.com

EXHIBIT 'B'
Sheet 1 of 1

Scale: None
December 2001

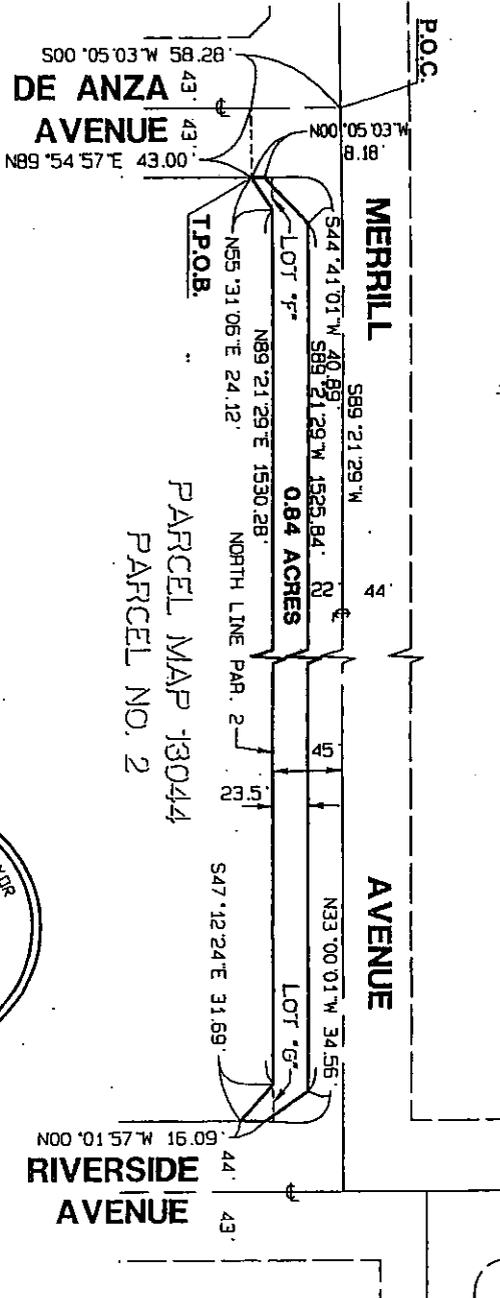
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EXHIBIT "B"



PARCEL MAP 13044
PARCEL NO. 2



ALBERT A. **WEBB**
ASSOCIATES
ENGINEERING CONSULTANTS

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SECTION 34, TOWNSHIP 2 SOUTH,
RANGE 5 WEST, S. 8. M.

CITY OF RIVERSIDE

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE ATTACHED DOCUMENT.

SHEET 1 OF 1 W.D. 01-0180

SCALE: 1" = N.T.S.

DRWN BY *MB* DATE *8/27/03*
CHKD BY *MB* DATE *30/27*

SUBJECT: R/W VACATION

EXHIBIT A - 3 of 3

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

Colleen J. Nicol

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

Executed on August 27, 2003, at
Riverside, California

53-2
54-1

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