

DOC # 2006-0033566

01/13/2006 08:00A Fee:NC

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Recorded in Official Records  
County of Riverside

Larry W. Ward  
Assessor, County Clerk & Recorder

PLEASE COMPLETE THIS INFORMATION  
RECORDING REQUESTED BY:

Colleen J. Nicol, MMC



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 RECORDERS USE ONLY

P03-1340

15623

RESOLUTION NO. 20842

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)

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RESOLUTION NO. 20842

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. 20795; AND MAKING ITS ORDER VACATING A PORTION OF THIRTEENTH STREET BETWEEN LIME STREET AND MULBERRY STREET, IN RIVERSIDE, CALIFORNIA.

WHEREAS, on October 12, 2004 the City Council of the City of Riverside in Planning Case No. P03-1340 adopted Resolution No. 20795 declaring its intention to order the vacation of a portion of Thirteenth Street between Lime Street and Mulberry Street, 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, 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, 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 held on April 8, 2004; and

WHEREAS, following the close of the public hearing before the Planning Commission, the Planning Commission determined that the proposed vacation would not have a significant effect on the environment, recommended that the City Council should adopt a Mitigated Negative Declaration, and recommended that Planning Case No. P03-1340 should be approved subject to all staff conditions; 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 Council heard and found and determined from all of the evidence submitted to said Council on the day fixed for the hearing, on December 7, 2004 that the portion of Thirteenth Street between Lime Street and Mulberry Street, within the City of Riverside, proposed for vacation was unnecessary for present or prospective public use;

NOW, THEREFORE, BE IT RESOLVED, FOUND AND DETERMINED by the City



1 Council of the City of Riverside, California, as follows:

2           Section 1: That the vacation of a portion of Thirteenth Street between Lime Street and  
3 Mulberry Street, within the City of Riverside, California, in Planning Case P03-1340 is undertaken  
4 pursuant to the provisions of and in accordance with the procedures set forth in the Public Streets,  
5 Highways, and Services Easements Vacation Law and that all notices required thereby have been duly  
6 given.

7           Section 2: That from all the evidence submitted to the City Council at the December 7, 2004  
8 public hearing before it on Planning Case P03-1340, whether such evidence was oral or in writing,  
9 together with the recommendations from the Planning Commission, a portion of Thirteenth Street  
10 between Lime Street and Mulberry Street, within the City of Riverside, California, as hereinafter  
11 described and ordered vacated is unnecessary for present or prospective public use as a public street.

12           Section 3: That the proposed vacation will not have a significant effect on the environment  
13 and adopts a Mitigated Negative Declaration.

14           Section 4: That the portion of Thirteenth Street between Lime Street and Mulberry Street,  
15 within the City of Riverside, California, and described in attached Exhibit "A", and by this reference  
16 made a part hereof, be and the same is hereby ordered vacated.

17           Section 5: That the public convenience and necessity requires the exception of the following  
18 easements and rights-of-way from the vacation hereinabove ordered: an easement for electric energy  
19 underground facilities, including water pipelines, gas lines, storm drains, sanitary sewers, telephone,  
20 telegraph and communication structures including but not limited to SBC-Pacific Bell, the right to  
21 construct, place, inspect, operate, maintain, repair, replace and remove such underground facilities  
22 unless said facilities are satisfactorily relocated and/or abandoned, further, that the public convenience  
23 and necessity require the exception and reservation from the vacation of those easements and rights-of-  
24 way in, under, across, upon, over and along that portion of the public street ordered to be vacated  
25 necessary to maintain, operate, remove or renew any in-place public utility facilities that are in use and  
26 not otherwise excepted and reserved hereinabove.

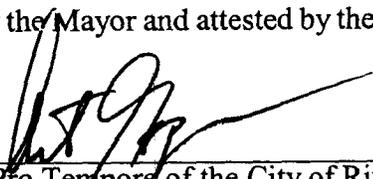
27           Section 6: That the vacation, termination and abandonment of that portion of the public street



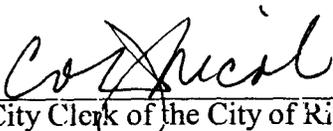
1 described in Exhibit "A" shall occur only after the applicable conditions contained in the Planning  
2 Department's report to the City Council and on file with the City Clerk, as approved or amended by the  
3 City Council, have been satisfied, and the City Clerk is hereby directed not to record this resolution of  
4 vacation until the applicable conditions have been satisfied.

5 Section 7: That the City Clerk of the City of Riverside shall cause a certified copy of this  
6 resolution to be recorded in the Office of the County Recorder of the County of Riverside, California,  
7 upon the satisfaction of the applicable conditions, and the portion of the street described in Exhibit "A"  
8 shall no longer constitute a public street from and after the date of recordation.

9 ADOPTED by the City Council and signed by the Mayor and attested by the City Clerk this  
10 21st day of December, 2004.

  
\_\_\_\_\_  
Mayor Pro Tempore of the City of Riverside

11  
12 Attest:

13  
14   
\_\_\_\_\_  
City Clerk of the City of Riverside

15  
16 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the  
17 foregoing resolution was duly and regularly introduced and adopted at a meeting of the City Council  
18 of said City at its meeting held on the 21st day of December, 2004, by the following vote, to wit:

19 Ayes: Councilmembers Betro, Moore, Gage, Adkison, Hart, and Adams

20 Noes: None

21 Absent: Councilmember Schiavone

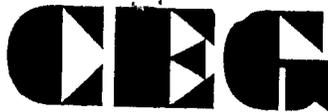
22 IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the  
23 City of Riverside, California, this 21st day of December, 2004.

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\_\_\_\_\_  
City Clerk of the City of Riverside

26 G:\CLK\COUNCIL\Resolutions\Dec\_21\20842.wpd  
27 CA 04-2141/clg  
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August 13, 2004

W.O. 1282-001

**EXHIBIT "A"**  
**THIRTEENTH STREET**  
**AND ALLEY VACATION**  
**VAC- - P03-1340**

**PARCEL 1**

That portion of Thirteenth Street of Town of Riverside as shown by map on file in Book 7 of Maps at Page 17 thereof, Records of San Bernardino County, California, lying Northwesterly of the Northwesterly line of Mulberry Street as shown on said Town of Riverside, and lying Southeasterly of a line parallel with and 38.50 feet Southeasterly, measured at right angles from the centerline of Lime Street as shown on said Town of Riverside.

**TOGETHER WITH** that portion of Block 12, Range 3 of Town of Riverside as shown by map on file in Book 7 of Maps at Page 17 thereof, Records of San Bernardino County, California, being that portion of Lime Street corner cut-back adjacent to Thirteenth Street as conveyed to the City of Riverside by said Deed recorded October 17, 1969 as inst. no. 106297, Official Records of Riverside County, California, lying Southeasterly of a line parallel with and 38.50 feet Southeasterly, measured at right angles from the centerline of Lime Street as shown on said Town of Riverside.

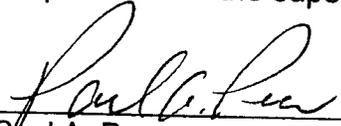
The above described parcel of land contains 0.50 acres, more or less.

**PARCEL 2**

That portion of Block 13, Range 3 of Town of Riverside as shown by map on file in Book 7 of Maps at Page 17 thereof, Records of San Bernardino County, California, as conveyed to the City of Riverside by Deeds recorded July 1, 1963 as inst. no. 68203, and October 19, 1994 as inst. no. 401781, both being Official Records of Riverside County, California.

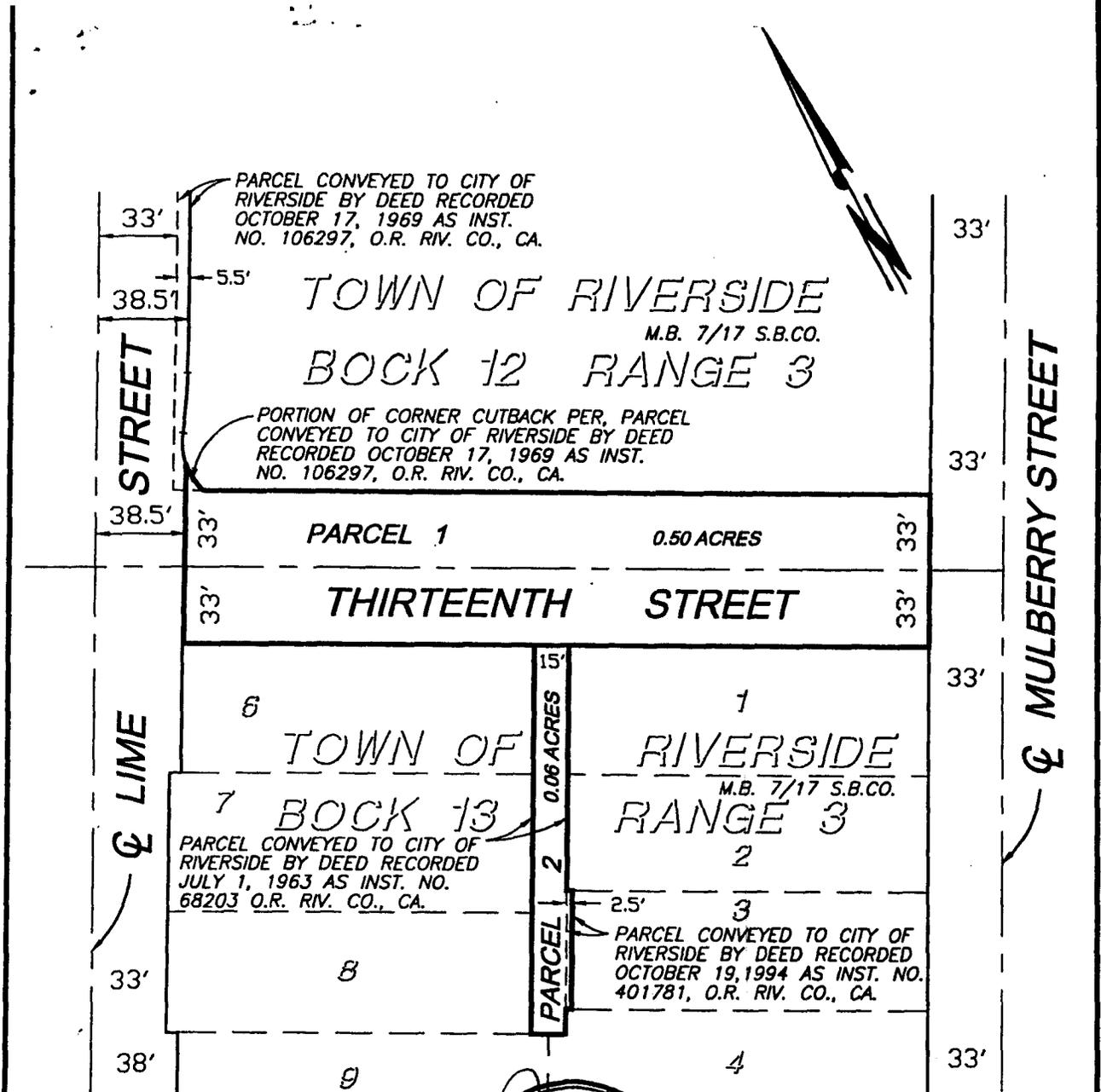
The above described parcel of land contains 0.06 acres, more or less.

**CANTY ENGINEERING GROUP, INC.**  
Prepared under the supervision of:

  
Paul A. Perea P.L.S. 6199

8-13-04  
Date





PREPARED BY:  
 CANTY ENGINEERING GROUP, INC.  
 2010 IOWA AVENUE, SUITE 110  
 RIVERSIDE, CA 92507



B-17-04

--- CITY OF RIVERSIDE, CALIFORNIA ---

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL (S) DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT PART OF THE WRITTEN DESCRIPTION THEREIN.		W.O. 1282-001
SCALE: 1" = 60'	DRAWN BY: C.E.G. DATE: 5-26-04	SUBJECT: 13th STREET & ALLEY VACATION - VAC- 202-1340

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 1-12-2006 at 39-2  
 Riverside, California 15673



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