

DOC # 2006-0091442

02/07/2006 08:00A Fee:NC

Page 1 of 7

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:

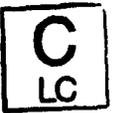
City Clerk  
City of Riverside  
3900 Main St.  
Riverside, CA 92522  
FREE RECORDING-  
Exempt Pursuant to  
Government Code S6103

M	S	U	PAGE	SIZE	DA	PCOR	NOCOR	SMF	MISC
	1		7						
								✓	LC
A	R	L			COPY	LONG	REFUND	NCHG	EXAM

*LC*

SPACE ABOVE FOR RECORDERS USE ONLY

15629



RESOLUTION NO. 20459

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)

15629

1 RESOLUTION NO. 20459

2  
3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
4 RIVERSIDE, CALIFORNIA, DEDICATING AND ACCEPTING CERTAIN  
5 CITY-OWNED LAND AT FAIRMOUNT PARK ADJACENT TO  
6 MARKET STREET BETWEEN FAIRMONT BOULEVARD AND STATE  
7 ROUTE 60, AS A PERMANENT CONSERVATION AREA.

8 WHEREAS portions of land now included in Fairmount Park, a public park, within  
9 the City of Riverside ("City"), are necessary for a street improvement and widening project  
10 along Market Street between Fairmount Boulevard and State Route 60, including improvements  
11 to the University Wash Channel consisting of construction of a box culvert and channel  
12 regrading ("Project"); and

13 WHEREAS in connection with said Project, it has been determined by the U.S. Army  
14 Corp of Engineers ("Corps"), that the improvements impact wetlands that are under the Corps  
15 jurisdiction; and

16 WHEREAS as mitigation for the impact on the wetlands, the Corps is requiring the  
17 City to restore and create 1.3 acres of native riparian wetland habitat in perpetuity for the  
18 preservation of stream water quality and wetland habitat functions over that portion of Fairmont  
19 Park ("Conservation Area") more particularly described and depicted in Exhibit "A" attached  
20 hereto and incorporated herein by reference; and

21 WHEREAS the City is willing to dedicate the proposed Conservation Area to ensure  
22 that the Conservation Area will be permanently maintained in a natural condition and to prevent  
23 future uses of the Conservation Area that could potentially impair or interfere with the  
24 conservation value of the property; and

25 WHEREAS the City further, in connection with the dedication of the Conservation  
26 Area, will prohibit any activity or use of the Conservation Area inconsistent with maintaining  
27 the Conservation Area as a native riparian wetland habitat for the preservation of stream water  
quality and wetland habitat functions, including prohibiting the unseasonal watering; use of  
herbicides, rodenticides, or weed abatement activities; incompatible fire protection activities;

1 use of off-road vehicles; grazing; erecting any building, billboard or sign not approved by the  
2 Corps; depositing of soil, trash, ashes, garbage, waste, or bio-solids; excavating, dredging or  
3 removing of loam, gravel, soil, rock, or sand; altering the general topography of the property;  
4 removing or destroying trees, shrubs or other vegetation; establishing any easement; or surface  
5 entry for exploration or extraction of minerals.

6 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of  
7 Riverside, California that based upon the findings hereinabove made, that portion of Fairmont  
8 Park ("Conservation Area") located in the City of Riverside, County of Riverside, State of  
9 California, described and depicted in Exhibit "A" attached hereto and incorporated herein by  
10 reference, be and is hereby dedicated and accepted as a native riparian wetland habitat in  
11 perpetuity for the preservation of stream water quality and wetland habitat functions so as to  
12 ensure that said Conservation Area is permanently maintained in a natural condition and to be  
13 able to prevent future uses of the Conservation Area that could potentially impair or interfere  
14 with the conservation value of the area, and that prior to removing the property from the  
15 Conservation Area, or amending any restriction or prohibition contained in this resolution, the  
16 City will obtain the prior written approval of the U.S. Army Corp of Engineers.

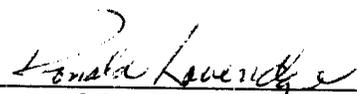
17 BE IT FURTHER RESOLVED by the City Council of the City of Riverside,  
18 California that based upon the findings hereinabove made, the following activities are hereby  
19 prohibited in the Conservation Area: the unseasonal watering; use of herbicides, rodenticides,  
20 or weed abatement activities; incompatible fire protection activities; use of off-road vehicles;  
21 grazing; erecting any building, billboard or sign not approved by the Corps; depositing of soil,  
22 trash, ashes, garbage, waste, or bio-solids; excavating, dredging or removing of loam, gravel,  
23 soil, rock, or sand; altering the general topography of the property; removing or destroying trees,  
24 shrubs or other vegetation; establishing any easement; or surface entry for exploration or  
25 extraction of minerals.

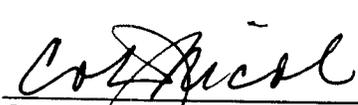
26 ///

27 ///

1 BE IT FURTHER RESOLVED THAT the City Clerk of the City of Riverside shall  
2 cause a certified copy of this resolution to be recorded in the Office of the County Recorder of  
3 Riverside County, California.

4 ADOPTED by the City Council and signed by the Mayor and attested by the City  
5 Clerk this 24th day of June, 2003.

6  
7   
8 Mayor of the City of Riverside

8 Attest:  
9  
10   
11 City Clerk of the City of Riverside

12 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby  
13 certify that the foregoing resolution was duly and regularly introduced and adopted at a  
14 meeting of the City Council of said City at its meeting held on the 24th day of June, 2003, by  
15 the following vote, to wit:

16 Ayes: Councilmembers Beaty, Moore, Defenbaugh, Schiavone, Adkison, Hart,  
17 and Pearson  
18 Noes: None  
19 Absent: None

20 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the  
21 official seal of the City of Riverside, California, this 24th day of June, 2003.

22  
23   
24 City Clerk of the City of Riverside

25  
26 G:\CLK\COUNCIL\RESOLU-1\JUN\_24\20459.WPD  
CA 03-1379; 06/12/03

27

EXHIBIT "A"

That certain real property located in the City of Riverside, County of Riverside, State of California, described as follows:

Those portions of Lot 311 of Corrected Map of Additions to Maps of the Riverside Land and Irrigating Co., as shown by map on file in Book 4, Page 75 of Maps, records of Riverside County, California, and shown my map of Fairmount Park Lake, on file in Book 4, Page 82 of Maps, records of Riverside County, California, and those portions of Lots B and C of the Rivera Tract, as shown by map on file in Book 10, Page 4 of Maps, records of said Riverside County, described as follows:

PARCEL 1

COMMENCING at the intersection of a line that is parallel with and distant 33.00 feet northwesterly from the centerline of Fairmount Boulevard, as shown by said map of the Rivera Tract with the southwesterly line of State Highway Route 60, as shown by State Highway Right-of-Way Map VIII RIV 19 RIV Sheet 16 of 26 Sheets, on file with the County Surveyor of said Riverside County;

THENCE North  $65^{\circ}01'01''$  West, along said southwesterly line of State Highway Route 60, a distance of 149.45 feet to an angle point;

THENCE North  $64^{\circ}10'05''$  West, continuing along said southwesterly line, a distance of 331.17 feet to an angle point;

THENCE North  $63^{\circ}46'44''$  West, continuing along said southwesterly line, a distance of 37.42 feet;

THENCE South  $13^{\circ}00'00''$  West, a distance of 83.95 feet to the beginning of a tangent curve concaving easterly and having a radius of 500.00 feet;

THENCE southerly to the left along said curve through a central angle of  $4^{\circ}00'00''$  an arc length of 34.91 feet;

THENCE South  $9^{\circ}00'00''$  West, a distance of 117.93 feet to the beginning of a tangent curve concaving westerly and having a radius of 160.00 feet;

THENCE southerly to the right along said last mentioned curve through a central angle of  $52^{\circ}29'37''$  an arc length of 146.59 to the end of said curve;

THENCE South  $61^{\circ}29'37''$  West, a distance of 46.50 feet to the POINT OF BEGINNING of the parcel of land being described;

THENCE South  $28^{\circ}30'23''$  East, a distance of 45.46 feet;

THENCE South  $67^{\circ}45'15''$  West, a distance of 303.16 feet to a point hereinafter referred to as POINT "A";

THENCE North  $31^{\circ}40'42''$  West, a distance of 69.52 feet;

THENCE North  $61^{\circ}03'49''$  East, a distance of 200.81 feet;

THENCE North  $41^{\circ}22'51''$  East, a distance of 49.18 feet;

THENCE North  $64^{\circ}17'38''$  East, a distance of 25.96 feet to the beginning of a tangent curve concaving southerly and having a radius of 25.00 feet;

THENCE northeasterly to the right along said last mentioned curve through a central angle of  $55^{\circ}28'38''$  an arc length of 24.21 feet;

THENCE South  $60^{\circ}13'44''$  East, a distance of 15.67 feet;

THENCE South  $50^{\circ}18'28''$  East, a distance of 10.77 feet to a line that bears North  $28^{\circ}30'23''$  West from the Point of Beginning;

THENCE South  $28^{\circ}30'23''$  East, a distance of 39.00 feet to the POINT OF BEGINNING.

Area - 27,312 square feet.

PARCEL 2

COMMENCING at POINT "A" hereinabove described;

THENCE South  $21^{\circ}35'05''$  West, a distance of 60.77 feet to the POINT OF BEGINNING of the parcel of land being described;

THENCE South  $61^{\circ}17'15''$  West, a distance of 45.27 feet;

THENCE South  $4^{\circ}23'28''$  West, a distance of 19.22 feet;

THENCE South  $67^{\circ}01'30''$  West, a distance of 247.28 feet;

THENCE North  $77^{\circ}25'05''$  West, a distance of 38.82 feet;

THENCE North  $22^{\circ}55'06''$  West, a distance of 77.12 feet;

THENCE North  $68^{\circ}08'29''$  East, a distance of 294.54 feet;

THENCE South  $50^{\circ}47'20''$  East, a distance of 81.82 feet to the POINT OF BEGINNING.

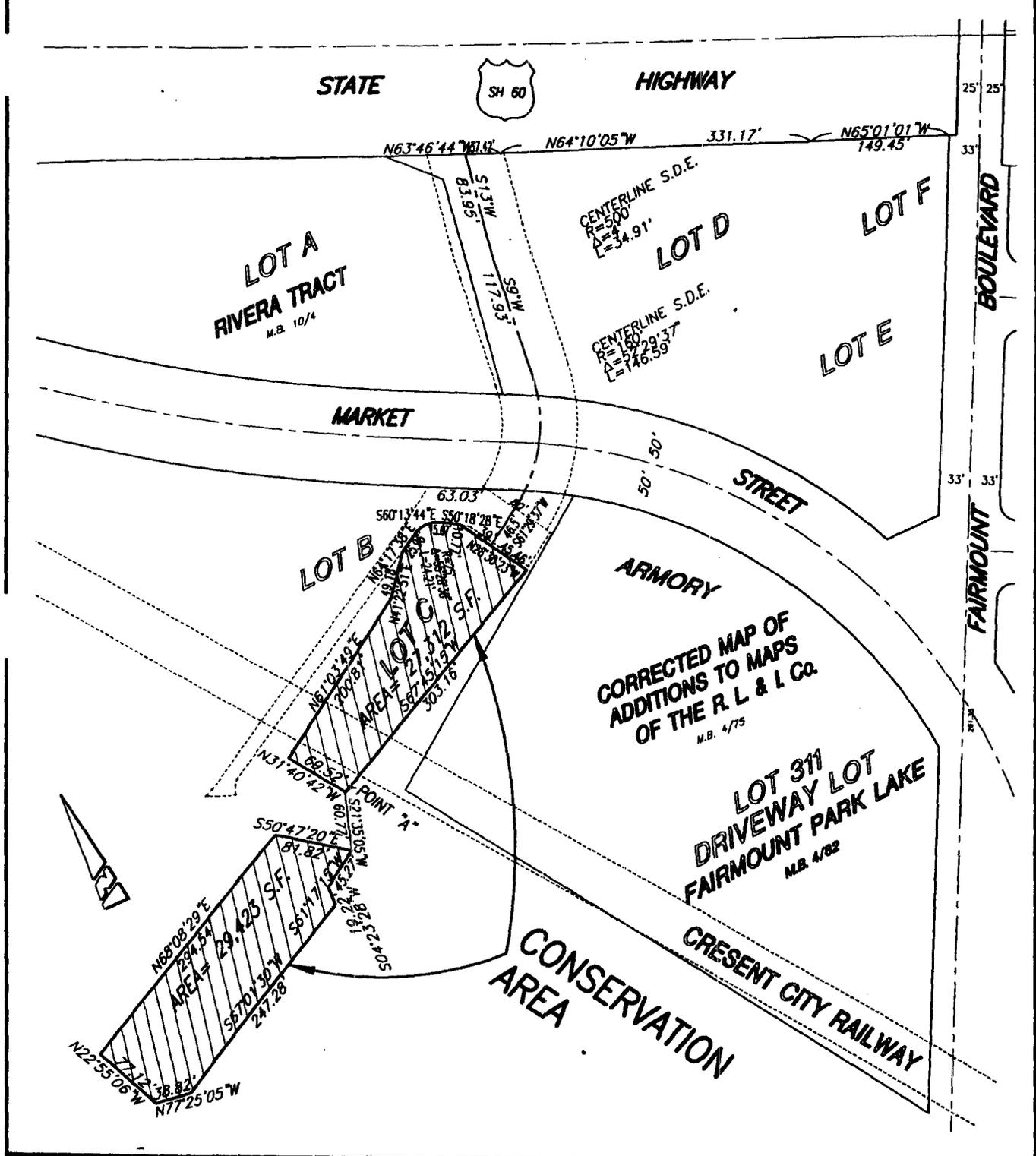
Area - 29,423 square feet.

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

 4/2/03 Prep. Kgr  
Mark S. Brown, L.S. 5655 Date  
License Expires 9/30/03



15629



**• CITY OF RIVERSIDE, CALIFORNIA •**

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN.		SHEET 1 OF 1	24/2 25/1
SCALE: N.T.S.	DRAWN BY: <i>Kgs</i> DATE: 6/12/03	SUBJECT: MARKET STREET STORM DRAIN	

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 Feb. 6 2006 at

15629