

DOC # 2006-0259476

04/12/2006 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

P04-0654

15683

RESOLUTION NO. 21111

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)

15683

RESOLUTION NO. 21111

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. 21097; AND MAKING ITS ORDER VACATING A PUBLIC ALLEY BETWEEN TOPAZ DRIVE AND TURQUOISE STREET FROM AMETHYST STREET TO MASSACHUSETTS AVENUE, IN RIVERSIDE, CALIFORNIA.

WHEREAS, on January 3, 2006, the City Council of the City of Riverside in Planning Case No. P04-0654 adopted Resolution No. 21097 declaring its intention to order the public alley between Topaz Drive and Turquoise Street from Amethyst Street to Massachusetts 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, 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 July 22, 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. P04-0654 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 February 7, 2006, that the portion of the public alley between Topaz Drive and Turquoise Street from Amethyst Street to Massachusetts Avenue, within the City of Riverside, proposed for vacation was unnecessary for present or prospective public



1 use;

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

4 Section 1: That the vacation of the public alley between Topaz Drive and Turquoise Street
5 from Amethyst Street to Massachusetts Avenue, within the City of Riverside, California, in Planning
6 Case P04-0654 is undertaken pursuant to the provisions of and in accordance with the procedures set
7 forth in the Public Streets, Highways, and Services Easements Vacation Law and that all notices
8 required thereby have been duly given.

9 Section 2: That from all the evidence submitted to the City Council at the February 7, 2006,
10 public hearing before it on Planning Case P04-0654, whether such evidence was oral or in writing,
11 together with the recommendations from the Planning Commission, the public alley between Topaz
12 Drive and Turquoise Street from Amethyst Street to Massachusetts Avenue, within the City of
13 Riverside, California, as hereinafter described and ordered vacated is unnecessary for present or
14 prospective public use as a public street.

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

17 Section 4: That the public alley between Topaz Drive and Turquoise Street from Amethyst
18 Street to Massachusetts Avenue, within the City of Riverside, California, and described and depicted
19 in attached Exhibit "A", and by this reference made a part hereof, be and the same is hereby ordered
20 vacated.

21 Section 5: That the public convenience and necessity requires the exception of the following
22 easements and rights-of-way from the vacation hereinabove ordered: an easement for electric energy
23 underground facilities, including water pipelines, gas lines, storm drains, sanitary sewers, telephone,
24 telegraph and communication structures, the right to construct, place, inspect, operate, maintain, repair,
25 replace and remove such underground facilities unless said facilities are satisfactorily relocated and/or
26 abandoned, further, that the public convenience and necessity require the exception and reservation
27 from the vacation of those easements and rights-of-way in, under, across, upon, over and along that



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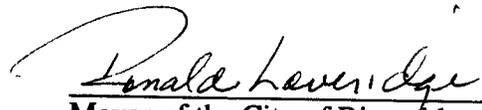
1 portion of the public street ordered to be vacated necessary to maintain, operate, remove or renew any
2 in-place public utility facilities that are in use and not otherwise excepted and reserved hereinabove.

3 Section 6: That the vacation, termination and abandonment of that portion of the public alley
4 described in Exhibit "A" shall occur only after the applicable conditions contained in the Planning
5 Department's report to the City Council and on file with the City Clerk, as approved or amended by the
6 City Council, have been satisfied, and the City Clerk is hereby directed not to record this resolution of
7 vacation until the applicable conditions have been satisfied.

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

12 ADOPTED by the City Council and signed by the Mayor and attested by the City Clerk this
13 7th day of February, 2006.

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17 Attest:



Mayor of the City of Riverside

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19 _____
City Clerk of the City of Riverside

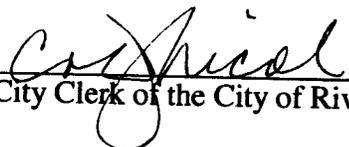


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1 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the
2 foregoing resolution was duly and regularly introduced and adopted at a meeting of the City Council
3 of said City at its meeting held on the 7th day of February, 2006, by the following vote, to wit:

- 4 Ayes: Councilmembers Betro, Moore, Gage, Schiavone, Adkison, Hart, and Adams
- 5 Noes: None
- 6 Absent: None
- 7 Abstain: None

8 IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the
9 City of Riverside, California, this 7th day of February, 2006.


City Clerk of the City of Riverside

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CA# 05-2645 rmg 1/18/06



EXHIBIT "A"
VACATION DESCRIPTION
CASE: P04-0654

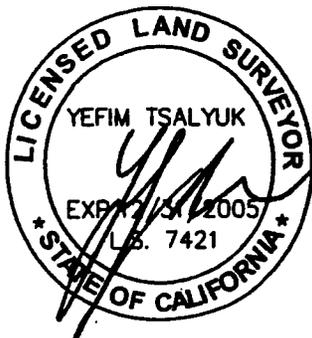
LOT "D" OF TRACT NO. 2032, IN THE CITY OF RIVERSIDE, AS SHOWN BY MAP ON FILE IN BOOK 40, PAGES 27 AND 28 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

DESCRIPTION APPROVAL:

BY: K. Stuart 11/2/05
DATE

FOR: MARK S. BROWN
CITY SURVEYOR

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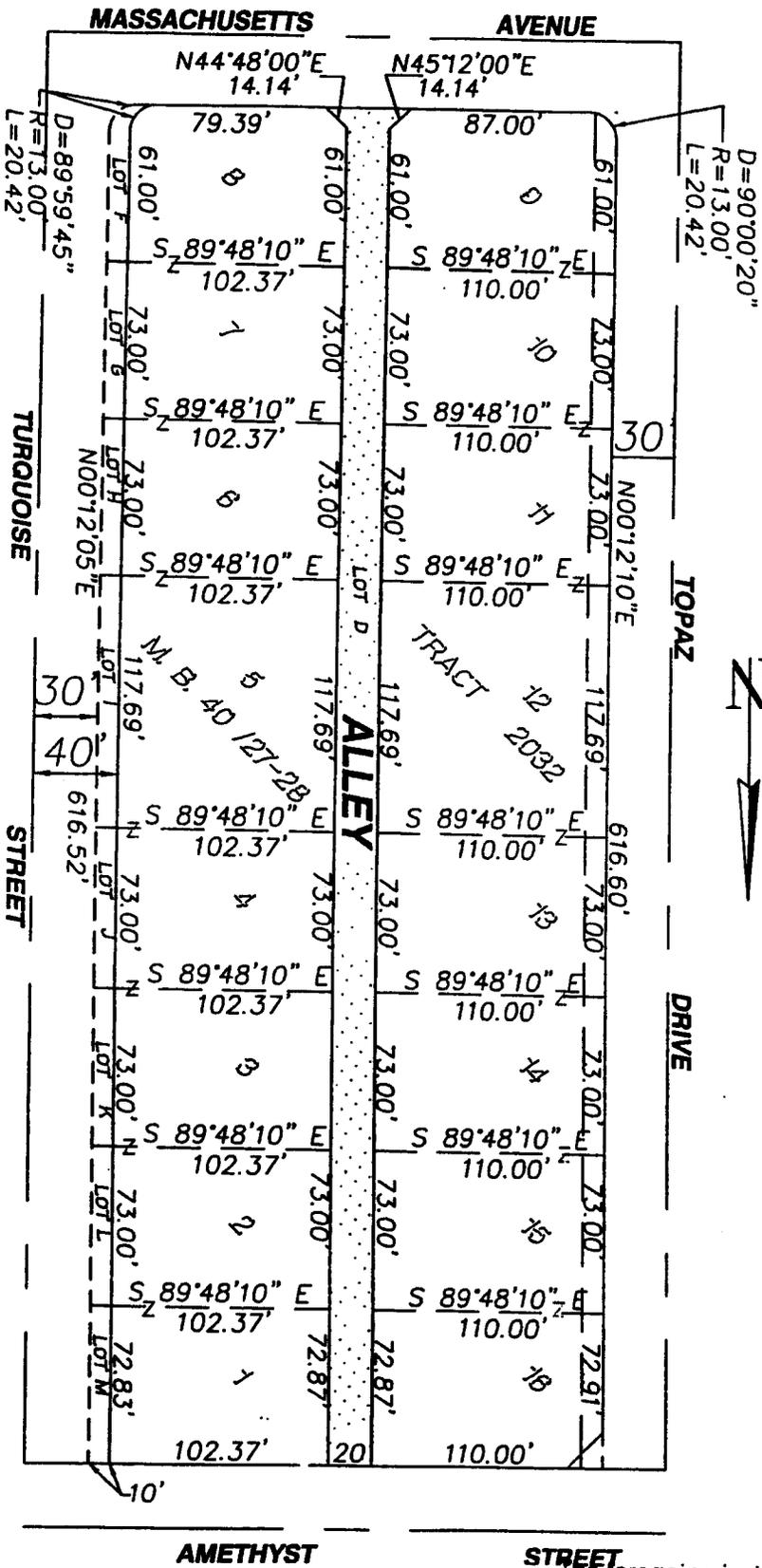
PREPARED BY:



ITF ENGINEERING
P.O. BOX 50756
IRVINE, CA 92619-0756
(949) 857-1813

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VACATION ...AP



THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCELS DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN.

AREA TO BE VACATED
12,685 s.f. = 0.291 ac.

PREPARED BY:

ITF ENGINEERING
P.O. BOX 50756
IRVINE, CA 92619-0756
(949) 857-1813

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

C. Nicol

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

Executed on April 11, 2006 a
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