

DOC # 2007-0422792

06/28/2007 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

S	R	U	PAGE	SIZE	DA	MISC	LONG	RFD	COPY
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SPACE ABOVE FOR RECORDERS USE ONLY

P05-1305

D- 16008

RESOLUTION NO. 21202

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)

16008-1

RESOLUTION NO. 21202

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. 21186; AND MAKING ITS ORDER VACATING A PORTION OF MCKINLEY STREET BETWEEN INDIANA AVENUE AND THE 91 FREEWAY, IN RIVERSIDE, CALIFORNIA.

WHEREAS, on June 20, 2006 the City Council of the City of Riverside in Planning Case No. P05-1305 adopted Resolution No. 21186 declaring its intention to order the vacation of a portion of McKinley Street between Indiana Avenue and the 91 freeway, 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 February 9, 2006; 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. P05-1305 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 July 11, 2006, that the portion of McKinley Street between Indiana Avenue and the 91 freeway, within the City of Riverside, proposed for vacation was unnecessary for present or prospective public use.



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

3 Section 1: That the vacation of a portion of McKinley Street between Indiana Avenue and  
4 the 91 freeway, within the City of Riverside, California, in Planning Case P05-1305 is undertaken  
5 pursuant to the provisions of and in accordance with the procedures set forth in the Public Streets,  
6 Highways, and Services Easements Vacation Law and that all notices required thereby have been duly  
7 given.

8 Section 2: That from all the evidence submitted to the City Council at the July 11, 2006  
9 public hearing before it on Planning Case P05-1305, whether such evidence was oral or in writing,  
10 together with the recommendations from the Planning Commission, a portion of McKinley Street  
11 between Indiana Avenue and the 91 freeway, within the City of Riverside, California, as hereinafter  
12 described and ordered vacated is unnecessary for present or prospective public use as a public street.

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

15 Section 4: That the portion of McKinley Street between Indiana Avenue and the 91 freeway,  
16 within the City of Riverside, California, and described in attached Exhibit "A", and by this reference  
17 made a part hereof, be and the same is hereby ordered vacated.

18 Section 5: That the public convenience and necessity requires the exception of the following  
19 easements and rights-of-way from the vacation hereinabove ordered: an easement for electric energy  
20 underground facilities, including water pipelines, gas lines, storm drains, sanitary sewers, telephone,  
21 telegraph and communication structures, the right to construct, place, inspect, operate, maintain, repair,  
22 replace and remove such underground facilities unless said facilities are satisfactorily relocated and/or  
23 abandoned, further, that the public convenience and necessity require the exception and reservation  
24 from the vacation of those easements and rights-of-way in, under, across, upon, over and along that  
25 portion of the public street ordered to be vacated necessary to maintain, operate, remove or renew any  
26 in-place public utility facilities that are in use and not otherwise excepted and reserved hereinabove  
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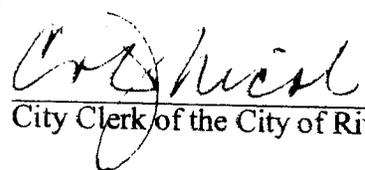
Section 6: That the vacation, termination and abandonment of that portion of the public street described in Exhibit "A" shall occur only after the applicable conditions contained in the Planning Department's report to the City Council and on file with the City Clerk, as approved or amended by the City Council, have been satisfied, and the City Clerk is hereby directed not to record this resolution of vacation until the applicable conditions have been satisfied.

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

ADOPTED by the City Council and signed by the Mayor and attested by the City Clerk this 25th day of July, 2006.

Attest:

\_\_\_\_\_  
Mayor of the City of Riverside

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



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I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a meeting of the City Council of said City at its meeting held on the 25th day of July, 2006, by the following vote, to wit:

Ayes: Councilmembers Betro, Melendrez, Gage, Schiavone, Adkison, Hart, and Adams

Noes: None

Absent: None

Abstain: None

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this 25th day of July, 2006.

*Colleen J. Nicol*  
\_\_\_\_\_  
City Clerk of the City of Riverside

TEXT:CLERK/COUNCIL/Resolutions/July 2006/2006.rpt  
CA 06-0741.rptg  
06/27/06



**EXHIBIT A**

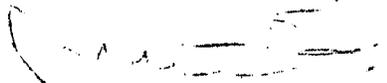
P06-1304

Vacation of Portion of Mc Kinley Street

THAT CERTAIN REAL PROPERTY IN THE CITY OF RIVERSIDE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA BEING A PORTION OF MC KINLEY STREET AS SHOWN BY MAP OF ORANGE ACRES ON FILE IN MAP BOOK 13, PAGE 7 THEREOF RECORDS OF RIVERSIDE COUNTY DESCRIBED AS FOLLOWS:

THAT PORTION OF SAID MC KINLEY STREET LYING NORTHWESTERLY OF A LINE PARALLEL AND 44.00 FEET NORTHWESTERLY AS MEASURED AT RIGHT ANGLES FROM THE CENTERLINE OF INDIANA AVENUE AND SOUTHEASTERLY OF THE SOUTHEASTERLY RIGHT OF WAY LINE OF THE RIVERSIDE FREEWAY (STATE ROUTE 91).

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

  
\_\_\_\_\_  
Mark S. Brown, L.S. 5655                      5/23/07                      Prep.                      Date



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LARRY W. WARD  
COUNTY OF RIVERSIDE  
ASSESSOR-COUNTY CLERK-RECORDER

Recorder  
P.O. Box 751  
Riverside, CA 92502-0751  
(951) 486-7000

<http://riverside.asrcrkrec.com>

**CERTIFICATION**

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

16008

Date: 4/18/2007

Signature: [Handwritten Signature]

Print Name: LARRY W. WARD

