

DOC # 2007-0718439

11/29/2007 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

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509

D - 16121

RESOLUTION NO. 21397

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)

16121

RESOLUTION NO. 21397

A RESOLUTION OF THE CITY COUNCIL OF RIVERSIDE, CALIFORNIA, MAKING ITS FINDINGS AND DETERMINATIONS IN THE MATTER OF RESOLUTION OF INTENTION NO. 21383; AND MAKING ITS ORDER VACATING AN APPROXIMATELY 330 FEET LONG BY 66 FEET WIDE PORTION OF SECOND STREET, BETWEEN MARKET STREET AND MAIN STREET, IN RIVERSIDE, CALIFORNIA.

WHEREAS, on April 17, 2007, the City Council of the City of Riverside in Planning Case No. P06-0056 adopted Resolution No. 21383 declaring its intention to order an approximately 330 feet long by 66 feet wide portion of Second Street vacated between Market Street and Main 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 Services 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 March 22, 2007; 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. P06-0056 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

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P06-0056

1 WHEREAS, the City Council heard and found and determined from all of the evidence  
2 submitted to said Council on the day fixed for the hearing, on April 17, 2007, that an  
3 approximately 330 feet long by 66 feet wide portion of Second Street, between Market Street and  
4 Main Street, within the City of Riverside, proposed for vacation was unnecessary for present or  
5 prospective public use.

6 NOW, THEREFORE, IT IS RESOLVED, FOUND and DETERMINED by the City  
7 Council of the City of Riverside, California, as follows:

8 Section 1: That the vacation of an approximately 330 feet long by 66 feet wide portion of  
9 Second Street located between Market Street and Main Street, within the City or Riverside,  
10 California, in Planning case P06-0056 is undertaken pursuant to the provisions of and in  
11 accordance with the procedures set forth in the Public Streets, Highways, and Services  
12 Easements Vacation Law and all notices required thereby have been duly given.

13 Section 2: That from all evidence submitted to the City Council at the April 17, 2007,  
14 public hearing before it on Planning Case P06-0056, whether such evidence was oral or in  
15 writing, together with the recommendations from the Planning Commission, the approximately  
16 330 feet long by 66 feet wide portion of Second Street located between Market Street and Main  
17 Street, within the City of Riverside, California, as hereinafter described and ordered vacated is  
18 unnecessary for present or prospective public use as a public street.

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

21 Section 4: That the approximately 330 feet long by 66 feet wide portion of Second Street  
22 located between Market Street and Main Street, within the City of Riverside, California, and  
23 described and depicted in attached Exhibit "A", and by this reference made a part hereof, be and  
24 the same is hereby ordered vacated.

25 Section 5: That the public convenience and necessity requires the exception of the  
26 following easements and rights-of-way from the vacation hereinabove ordered: an easement for  
27 electrical energy underground facilities; including water pipelines, gas lines, storm drains,  
28 sanitary sewers, telephone, telegraph and communications structures, the right to construct,

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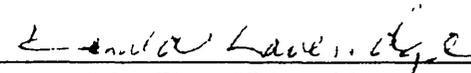


1 place, inspect, operate, maintain, repair, replace and remove such underground facilities unless  
2 said facilities are satisfactorily relocated and/or abandoned, further, that the public convenience  
3 and necessity require the exception and reservation from the vacation of those easements and  
4 rights-of-way in, under, across, upon, over and along that portion of the public street ordered to  
5 be vacated necessary to maintain, operate, remove or renew any in-place public utility facilities  
6 that are in use and not otherwise excepted and reserved hereinabove.

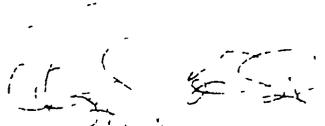
7 Section 6: That the vacation, termination and abandonment of the approximately 330 feet  
8 long by 66 feet wide portion described and depicted in Exhibit "A" shall occur only after the  
9 applicable conditions contained in the Planning Department's report to the City Council and on  
10 file with the City Clerk, as approved or amended by the City Council, have been satisfied, and  
11 the City Clerk is hereby directed not to record this resolution of vacation until the applicable  
12 conditions have been satisfied.

13 Section 7: 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  
16 described and depicted in Exhibit "A" shall no longer constitute a public alley from and after the  
17 date of recordation.

18 ADOPTED by the City Council and signed by the Mayor and attested by the City Clerk  
19 this 15th day of May, 2007.

20  
21   
22 \_\_\_\_\_  
23 Mayor of the City of Riverside

22 ATTEST:

23  
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25 \_\_\_\_\_  
26 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 at a meeting of the City Council on the 15th day of May, 2007, by the following vote, to wit:

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

Noes: None

Abstain: None

Absent: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this 15th day of May, 2007.



City Clerk of the City of Riverside

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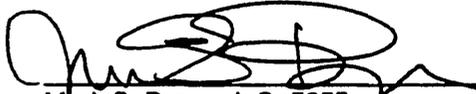
**EXHIBIT A**  
**STREET AND HIGHWAY VACATION**  
**2<sup>nd</sup> Street**  
**Between Market Street and Main Street**

SECOND STREET

THAT CERTAIN REAL PROPERTY IN THE CITY OF RIVERSIDE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:

THAT PORTION OF SECOND STREET LYING BETWEEN BLOCK 1, RANGE 7 AND BLOCK 2, RANGE 7, OF THE MAP OF THE TOWN OF RIVERSIDE AS SHOWN BY MAP ON FILE IN MAP BOOK 7, PAGE 17 THEREOF, RECORDS OF SAN BERNARDINO COUNTY CALIFORNIA, SAID PORTION OF SECOND STREET BEING BOUNDED ON THE SOUTHEAST BY A LINE THAT IS PARALLEL AND 49.5 FEET NORTHWESTERLY AS MEASURED AT RIGHT ANGLES FROM THE CENTERLINE OF MAIN STREET AND BOUNDED ON THE NORTHWEST BY A LINE THAT IS PARALLEL AND 49.50 FEET SOUTHEASTERLY, AS MEASURED AT RIGHT ANGLES FROM THE CENTERLINE OF MARKET STREET, BOTH AS SHOWN ON SAID MAP OF THE TOWN OF RIVERSIDE.

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

 4/4/07 Prep.  
Mark S. Brown, L.S. 5655      Date  
License Expires 9/30/07



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