

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

DOC # 2009-0556132
10/28/2009 08:00A Fee:NC
Page 1 of 9
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder



S	R	U	PAGE	SIZE	DA	MISC	LONG	RFD	COPY
1			9						
M	A	L	465	426	PCOR	NCOR	SMF	NCHG	EXAM
MUSIC						T	CTY	UNI	500

SPACE ABOVE FOR RECORDERS USE ONLY

D 16406

C
508

RESOLUTION NO. 21905

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)

16406

RESOLUTION NO. 21905

1
2 A RESOLUTION OF THE CITY COUNCIL OF RIVERSIDE, CALIFORNIA,
3 MAKING ITS FINDINGS AND DETERMINATIONS IN THE MATTER OF
4 RESOLUTION OF INTENTION NO. 21892 AND MAKING ITS ORDER
5 VACATING APPROXIMATELY 2.4 ACRES OF PUBLIC RIGHT-OF-WAY
6 NEAR THE SOUTHERLY MARKET STREET ENTRANCE AND EXIT OF
7 FAIRMOUNT PARK, INCLUDING SEGMENTS OF FAIRMOUNT
8 BOULEVARD BETWEEN MARKET STREET AND FAIRMOUNT COURT,
9 PORTIONS OF FAIRMOUNT COURT BETWEEN MARKET STREET AND
10 FAIRMOUNT BOULEVARD, AND PORTIONS OF MARKET STREET
11 BETWEEN FAIRMOUNT COURT AND FAIRMOUNT BOULEVARD IN
12 RIVERSIDE, CALIFORNIA.

13 WHEREAS, on August 25, 2009, the City Council of the City of Riverside in Planning Case
14 No. P09-0239 adopted Resolution No. 21892 declaring its intention to order the vacation of
15 approximately 2.4 acres of public right-of-way near the Southerly Market Street entrance and exit of
16 Fairmount Park, including portions of Fairmount Boulevard between Market Street and Fairmount
17 Court, portions of Fairmount Court between Market Street and Fairmount Boulevard, and portions of
18 Market Street between Fairmount Court and Fairmount Boulevard, within the City of Riverside,
19 California, and fixing the time and place of hearing all persons interested in the proposed vacation
20 pursuant to the provisions of the Public Streets, Highways and Service Easements Vacation Law,
21 being Sections 8300 et seq. of Part 3, Division 9 of the Streets and Highways Code of the State of
22 California; and

23 WHEREAS, notice of hearing before the City Council on said resolution of intention was
24 duly given as provided by said Public Streets, Highways, and Services Easements Vacation Law;
25 and

26 WHEREAS, said proposed vacation had been previously submitted to and considered by the
27 Planning Commission of the City of Riverside at a duly noticed public hearing held on July 23,
28 2009, 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 Negative Declaration, and
recommended that Planning Case No. P09-0239 should be approved subject to all staff conditions;
and





1 WHEREAS, the recommendations of the Planning Commission were submitted to the City
2 Council for consideration together with the testimony, whether oral or in writing, presented at the
3 public hearing before said City Council; and

4 WHEREAS, the City Council heard and found and determined from all of the evidence
5 submitted to said Council on the day fixed for the hearing, on September 15, 2009, that the public
6 right-of-way near the Southerly Market Street entrance and exit of Fairmount Park, including
7 portions of Fairmount Boulevard between Market Street and Fairmount Court, portions of Fairmount
8 Court between Market Street and Fairmount Boulevard, and portions of Market Street between
9 Fairmount Court and Fairmount Boulevard, within the City of Riverside, proposed for vacation was
10 unnecessary for present or prospective public use.

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

13 Section 1: That the vacation of the public right-of-way near the Southerly Market Street
14 entrance and exit of Fairmount Park, including portions of Fairmount Boulevard between Market
15 Street and Fairmount Court, portions of Fairmount Court between Market Street and Fairmount
16 Boulevard, and portions of Market Street between Fairmount Court and Fairmount Boulevard,
17 within the City of Riverside, in Planning case P09-0239 is undertaken pursuant to the provisions of
18 and in accordance with the procedures set forth in the Public Streets, Highways, and Services
Easements Vacation Law and all notices required thereby have been duly given.

19 Section 2: That from all evidence submitted to the City Council at the September 15, 2009,
20 public hearing before it on Planning Case P09-0239, whether such evidence was oral or in writing,
21 including the findings in the staff reports which are incorporated herein by reference, together with
22 the recommendations from the Planning Commission, the public right-of-way near the Southerly
23 Market Street entrance and exit of Fairmount Park, including portions of Fairmount Boulevard
24 between Market Street and Fairmount Court, portions of Fairmount Court between Market Street and
25 Fairmount Boulevard, and portions of Market Street between Fairmount Court and Fairmount
26 Boulevard, within the City of Riverside, California, as hereinafter described and ordered vacated is
27 unnecessary for present or prospective public use as a public right-of-way.

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

16406



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Section 4: That the public right-of-way, within the City of Riverside, California, and described and depicted in attached Exhibit "A", and by this reference made a part hereof, be and the same is hereby ordered vacated.

Section 5: That the public convenience and necessity requires the exception of the following easements and rights-of-way from the vacation hereinabove ordered: an easement for electrical energy, underground facilities including water pipelines, gas lines, storm drains, sanitary sewers, electrical energy, telephone, telegraph and communications structures, and the right to construct, place, inspect, operate, maintain, repair, replace and remove such underground facilities unless said facilities are satisfactorily relocated and/or abandoned, further, that the public convenience and necessity require the exception and reservation from the vacation of those easements and rights-of-way in, under, across, upon, over and along the public right-of-way ordered to be vacated necessary to maintain, operate, remove or renew any in-place public utility facilities that are in use and not otherwise excepted and reserved hereinabove.

Section 6: That the vacation, termination and abandonment of the public right-of-way described and depicted 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 public right-of-way described and depicted in Exhibit "A" shall no longer constitute a public right-of-way from and after the date of recordation.

ADOPTED by the City Council this 15th day of September, 2009.


RONALD O. LOVERIDGE
Mayor of the City of Riverside

Attest:

COLLEEN J. NICOL
City Clerk of the City of Riverside

1104010

1
2 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the foregoing
3 resolution was duly and regularly introduced at a meeting of the City Council on the 15th day of
4 September, 2009, by the following vote, to wit:

5 Ayes: Councilmembers Gardner, Melendrez, Bailey, Davis, Mac Arthur, Hart, and Adams

6 Noes: None

7 Absent: None

8 Abstain: None

9 IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the
10 City of Riverside, California, this 21st day of September, 2009.

11 
12 COLLEEN J. NICOL
13 City Clerk of the City of Riverside

14 O:\Cycom\WPDocs\D003\P009\00016595.DOC
15 CA: 09-1696
08/03/09



2009-0556132
10/28/2009 08:00A
5 of 9

EXHIBIT A

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

Those portions of those parcels granted to the City of Riverside by Grant Deeds recorded July 7, 1893, in Book 3, Page 115, March 29, 1894, in Book 24, Page 106, March 29, 1894, in Book 24, Page 107, March 29, 1894, in Book 24, Page 110, October 9, 1914, in Book 402, Page 213, and Resolution No. 5829, executed May 8, 1953, recorded in Book 1476, Page 456 and Resolution No. 6074, recorded January 7, 1954, in Book 1541, Page 119, all of Official Records, and those portions of Fairmount Boulevard and Fairmount Court, both shown as Almond Street on the Map of the Overlook Ridge Tract, as shown by map filed in Book 4, Page 94, in the Office of the County Recorder of said County, lying within the following described parcel:

COMMENCING at the most northerly corner of Lot 39 of said Map of the Overlook Ridge Tract;

Thence South 58°43'45" East along the northeasterly line of said Lot 39, a distance of 10.07 feet to the **TRUE POINT OF BEGINNING**;

Thence continuing South 58°43'45" East along said northeasterly line of Lot 39, a distance of 140.19 feet to the beginning of a non-tangent curve, concave northeasterly, and having a radius of 660.00 feet, a radial bearing through said point bears South 53°36'36" West, said curve being on a line that is parallel and concentric with, and 60.00 feet southwesterly, measured at right angles, from the centerline of Market Street;

Thence northwesterly along said parallel line, along said curve, through a central angle of 35°11'15", an arc distance of 405.33 feet;

Thence North 48°36'09" West, leaving said parallel line, a distance of 34.08 feet;

Thence North 04°06'16" East, a distance of 43.89 feet;

Thence South 85°36'11" East, a distance of 10.82 feet;

Thence North 04°06'16" East, a distance of 48.32 feet;

Thence North 50°53'56" East, a distance of 23.24 feet to the beginning of a non-tangent curve, concave easterly and having a radius of 660.00 feet, a radial bearing through said point bears South 80°00'40" East, said point lying on said parallel line;

Thence northerly, along said parallel line, along said curve, through a central angle of 01°36'15", an arc distance of 18.48 feet;

2009-0556132
10/28/2009 08:00A
6 of 9



P09-0239, Exhibit 4 -
Legal Description and Plat Map

Thence North $11^{\circ}35'25''$ East, continuing along said parallel line, a distance of 226.35 feet to the beginning of a tangent curve, concave westerly and having a radius of 540.00 feet;

Thence northerly, continuing along said parallel line, along said tangent curve, through a central angle of $12^{\circ}56'25''$, an arc distance of 121.96 feet to a point on the northwesterly line of the parcel described in said Grant Deeds recorded July 7, 1893, in Book 3, Page 115 and March 29, 1894, in Book 24, Page 110, said point also lying on the northwesterly line of Fairmount Boulevard;

Thence South $29^{\circ}52'20''$ West along said northwesterly line of said last mentioned Grant Deeds, said northwesterly line of Fairmount Boulevard and the northwesterly line of the parcel described in said Grant Deed recorded March 29, 1894, in Book 24, Page 106, a distance of 683.76 feet to a point on a line that is parallel with, and 63.00 feet northeasterly, measured at right angles, from the northwesterly prolongation of the northeasterly line of Lot 34 of said Overlook Ridge Tract;

Thence South $59^{\circ}46'01''$ East along said last mentioned parallel line, and its southeasterly prolongation, a distance of 203.64 feet to the beginning of a tangent curve, concave northeasterly and having a radius of 85.00 feet;

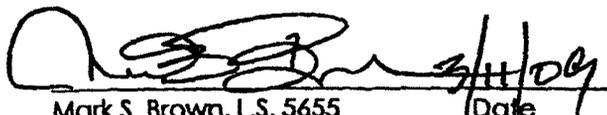
Thence southeasterly along said curve, through a central angle of $10^{\circ}00'00''$, an arc distance of 14.84 feet;

Thence South $69^{\circ}46'01''$ East, a distance of 43.50 feet to the beginning of a tangent curve, concave southwesterly and having a radius of 76.00 feet;

Thence southeasterly along said curve, through a central angle of $74^{\circ}28'50''$, an arc distance of 98.79 feet to the **TRUE POINT OF BEGINNING**;

Containing 2.42 acres, more or less

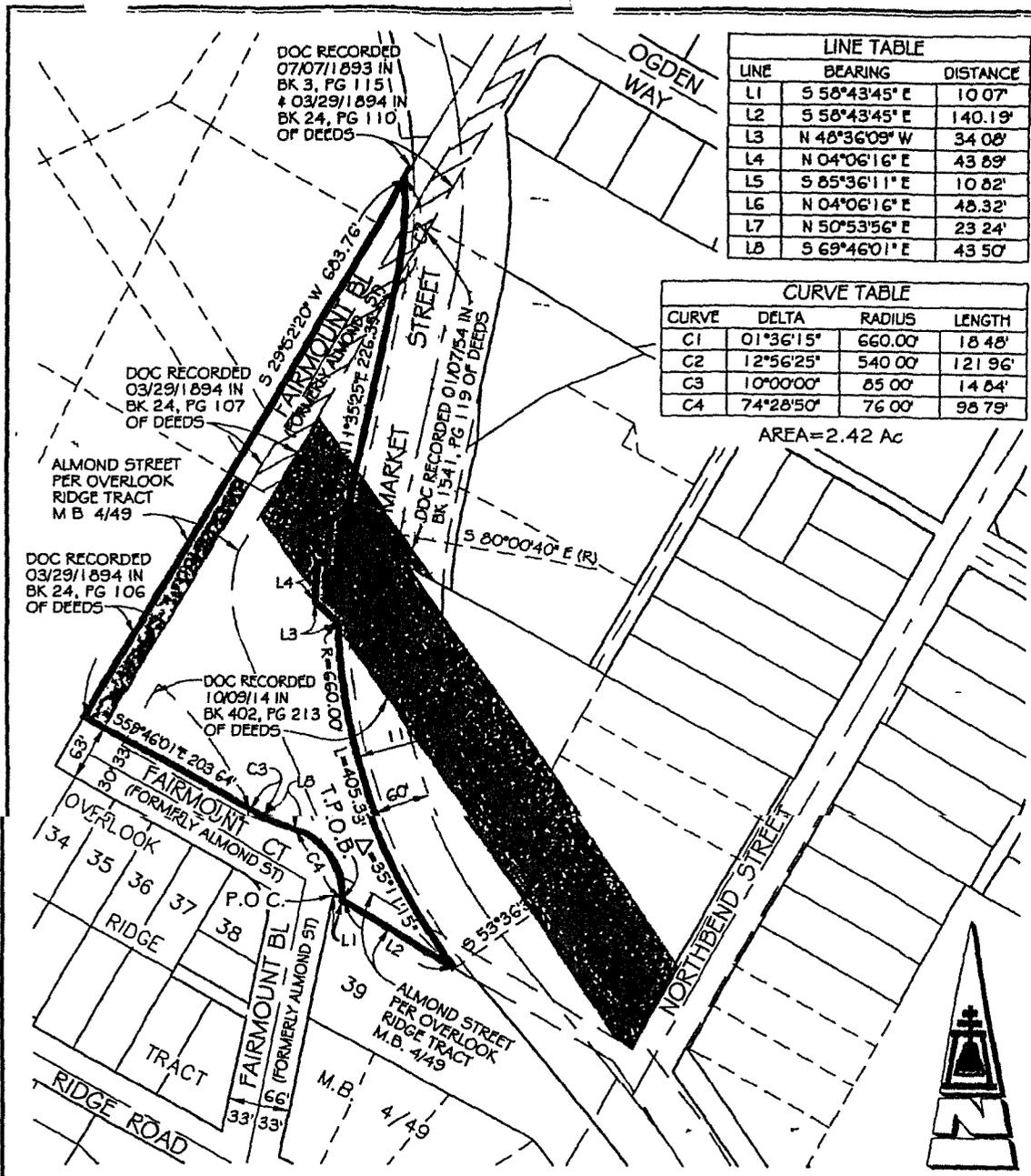
This description was prepared by me or under my direction in conformance with the requirements of the Land Surveyors Act.

 3/11/09
Mark S. Brown, L.S. 5655
License Expires 9/30/09
Date Prep. _____



2009-0556132
10/22/2009 02 06A
7 of 9

2009-0556132
10/28/2009 08:08A
8 of 9



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 58°43'45" E	10 07'
L2	S 58°43'45" E	140.19'
L3	N 48°36'09" W	34 08'
L4	N 04°06'16" E	43 89'
L5	S 85°36'11" E	10 82'
L6	N 04°06'16" E	48.32'
L7	N 50°53'56" E	23 24'
L8	S 69°46'01" E	43 50'

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	01°36'15"	660.00'	18 48'
C2	12°56'25"	540 00'	121 96'
C3	10°00'00"	85 00'	14 84'
C4	74°28'50"	76 00'	98 79'

AREA=2.42 Ac



• 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

SCALE: 1"=150' DRAWN BY: RICH DATE: 03/09/09 SUBJECT: MARKET ST/FAIRMOUNT BL VACATION

G:\COMMONSURV\ENDOCUMENTS\PUBLIC WORKS\FAIRMOUNT PARK VACATION PLAT

PO9-0239, EXHIBIT 4 - Legal Description and Plat Map

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 Oct 27 20 09 at
Riverside, California

16406



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

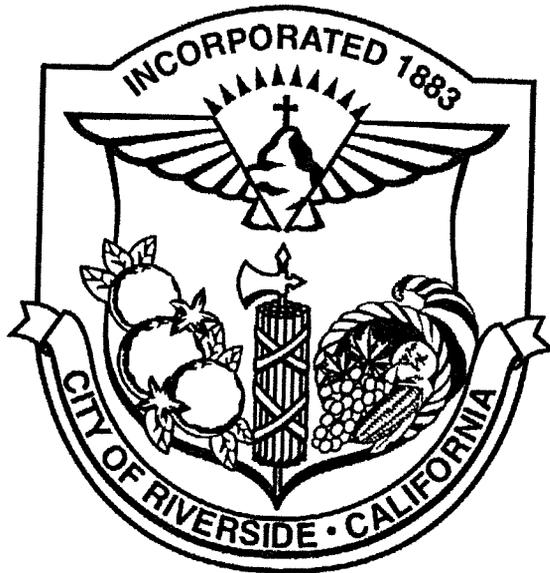
Recorder
 P.O. Box 751
 Riverside, CA 92502-0751
 (951) 486-7000

www.riversideacr.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):



Date: October 28, 2009

Signature: Laura A. Martinez

Print: Laura A. Martinez



2009-0556132
 10/28/2009 08:00
 9 of 9

16406