

DOC # 2012-0246430

05/30/2012 10:14A Fee:NC

Page 1 of 9

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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RESOLUTION NO. 22383

D-16802



Title of Document

TRA: \_\_\_\_\_

DTT: 0.00 \_\_\_\_\_

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION  
(\$3:00 Additional Recording Fee Applies)

RESOLUTION NO. 22383

1  
2 A RESOLUTION OF THE CITY COUNCIL OF RIVERSIDE,  
3 CALIFORNIA, MAKING ITS FINDINGS AND DETERMINATIONS IN  
4 THE MATTER OF RESOLUTION OF INTENTION NO. 22376; AND  
5 MAKING ITS ORDER VACATING A PORTION OF THE PUBLIC  
6 RIGHT-OF-WAY SITUATED ALONG THE FRONTAGE OF 7431 AND  
7 7451 MAGNOLIA AVENUE, IN RIVERSIDE, CALIFORNIA.

8  
9 WHEREAS, on May 1, 2012, the City Council of the City of Riverside in Planning Case  
10 No. P11-0543 adopted Resolution No. 22377 declaring its intention to set a public hearing in the  
11 vacation of a portion of public right-of-way situated along the frontage of 7431 and 7451  
12 Magnolia Avenue, on the north side of Magnolia Avenue, east of Madison Street, within the City  
13 of Riverside California, and fixing the time and place of hearing all persons interested in the  
14 proposed vacation pursuant to the provisions of the Public Streets, Highways and Service  
15 Easements Vacation Law, being Sections 8300 et seq. of Part 3, Division 9 of the Streets and  
16 Highways Code of the State of California; and

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

20 WHEREAS, said proposed vacation had been previously submitted to and considered by  
21 the Planning Commission of the City of Riverside at a duly noticed public hearing held on  
22 January 19, 2012; and

23 WHEREAS, following the close of the public hearing before the Planning Commission,  
24 the Planning Commission determined that the proposed vacation would not have a significant  
25 effect on the environment, recommended that the City Council should adopt a Negative  
26 Declaration, and recommended that Planning Case No. P11-0543 should be approved subject to  
27 all staff conditions; and

28 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



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 May 22, 2012, that the vacation of  
3 a portion of public right-of-way situated along the frontage of 7431 and 7451 Magnolia Avenue,  
4 on the north side of Magnolia Avenue, east of Madison Street, within the City of Riverside,  
5 California, proposed for vacation is unnecessary for present or prospective public use.

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

8 Section 1: That the vacation of a portion of public right-of-way situated along the  
9 frontage of 7431 and 7451 Magnolia Avenue, on the north side of Magnolia Avenue, east of  
10 Madison Street, in Planning Case P11-0543 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 being Sections 8300 et seq. of the Streets and Highway Code, and all  
13 notices required thereby have been duly given.

14 Section 2: That from all evidence submitted to the City Council at the May 22, 2012,  
15 public hearing before it on Planning Case P11-0543, whether such evidence was oral or in  
16 writing, together with the recommendations from the Planning Commission, that a portion of  
17 public right-of-way situated along the frontage of 7431 and 7451 Magnolia Avenue, on the north  
18 side of Magnolia Avenue, east of Madison Street, within the City of Riverside, California, as  
19 hereinafter described and ordered vacated is unnecessary for present or prospective public use as  
20 a public right-of-way.

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

23 Section 4: That the vacation of a portion of public right-of-way situated along the  
24 frontage of 7431 and 7451 Magnolia Avenue, on the north side of Magnolia Avenue, east of  
25 Madison Street, within the City of Riverside, California, and described and depicted in attached  
26 Exhibit "A", and by this reference made a part hereof, be and the same is hereby ordered  
27 vacated.  
28



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

11           Section 6: That the vacation, termination and abandonment of a portion of public right-  
12 of-way situated along the frontage of 7431 and 7451 Magnolia Avenue described and depicted in  
13 Exhibit "A" shall occur only after the applicable conditions contained in the Planning  
14 Department's report to the City Council and on file with the City Clerk, as approved or amended  
15 by the City Council, have been satisfied, and the City Clerk is hereby directed not to record this  
16 resolution of vacation until the applicable conditions have been satisfied.

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

22           ADOPTED by the City Council this 22nd day of May, 2012.

23  
24   
25 \_\_\_\_\_  
26 PAUL DAVIS  
27 Mayor Pro Tem of the City of Riverside

28 ATTEST:

26   
27 \_\_\_\_\_  
28 COLLEEN J. NICOL  
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 adopted at a meeting of the City Council on the 22nd day of May, 2012, by the following vote, to wit:

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

Noes: None

Absent: None

Disqualified: 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 May, 2012.

  
COLLEEN J. NICOL  
City Clerk of the City of Riverside

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CA: 12-0363





**EXHIBIT A  
LEGAL DESCRIPTION**

**Parcel 1**

The real property in the City of Riverside, County of Riverside, State of California, as described in a grant deed to the City of Riverside recorded May 28, 1970, as Instrument No. 50272 of Official Records of said County, described in said document as follows:

That portion of Lot 13 in Block 17 of the Lands of the Riverside Land and Irrigating Company, as shown by Map on file in Book 1, page 72 (formerly known in Riverside County as Book 1, page 70) of maps, Records of San Bernardino County, California, described as follows:

Beginning at a point on the northwesterly line of Magnolia Avenue, a distance of 263.50 feet northeasterly from the most southerly corner of said Lot, said point being the intersection of said northwesterly line of Magnolia Avenue with the centerline of the abandoned lower canal of the Riverside Water Company;

Thence North 56°00'00" East, along said northwesterly line of Magnolia Avenue, a distance of 116.50 feet to the most southerly corner of that certain parcel of land conveyed to the City of Riverside, a municipal corporation, by deed recorded November 29, 1962, as Instrument No. 110086 of Official Records of Riverside County, California;

Thence North 34°00'00" West, along the southwesterly line of said parcel, a distance of 42.00 feet to the most westerly corner thereof, said corner being on a line parallel with and 42.00 feet northwesterly, measured at right angles, from said northwesterly line of Magnolia Avenue;

Thence South 56°00'00" West, along said parallel line, a distance of 116.48 feet to a line which bears North 33°58'00" West from the Point of Beginning and is parallel with the southwesterly line of said Lot 13;

Thence South 33°58'00" East, along said parallel line, a distance of 42.00 feet to the Point of Beginning;

Reserving therefrom a permanent easement and right-of-way for public pedestrian sidewalk facilities.

**Parcel 2**

The real property in the City of Riverside, County of Riverside, State of California as described in a grant deed to the City of Riverside recorded November 29, 1962, as Instrument No. 110086 of Official Records of said County described in said document as follows:

A strip of land 42 feet in width lying northwesterly of and contiguous with the northwesterly line of Magnolia Avenue (132 feet wide) and being the southeasterly 42 feet of the northeasterly 281.0 feet of Lot 13, Block 17 of the lands of the Riverside Land and Irrigating Company, as shown on Map on file in Book 1, page 72 (formerly known in Riverside County as Book 1, page 70) of Maps, Records of San Bernardino County, California;

Excepting therefrom that portion of said deed lying northeasterly of the following described line:

Commencing at a point on the northwesterly line of Magnolia Avenue (132 feet wide), distant thereon 530 feet northeasterly from the most southerly corner of said Lot 13;

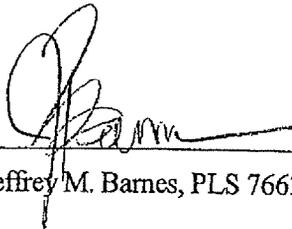
Thence North 34°00'00" West, a distance of 42 feet to the northwesterly line of said real property described in said grant deed and being the Point of Beginning of this line description;

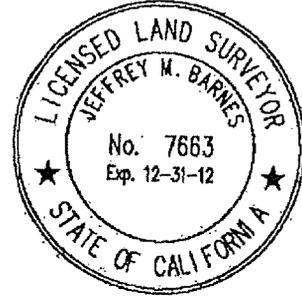
Thence southeasterly at right angle to said northwesterly line of Magnolia Avenue, a distance of 42 feet to said northwesterly line of Magnolia Avenue and the End of this line description;

APRIL 9, 2012

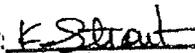
Reserving therefrom a permanent easement and right-of-way for public pedestrian sidewalk facilities.

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

  
 \_\_\_\_\_ 4/2/2012  
 Jeffrey M. Barnes, PLS 7663, Exp. 12-31-12      Date

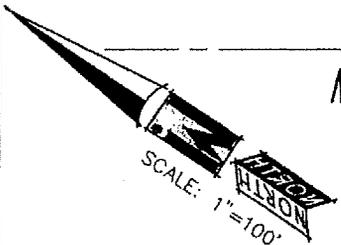
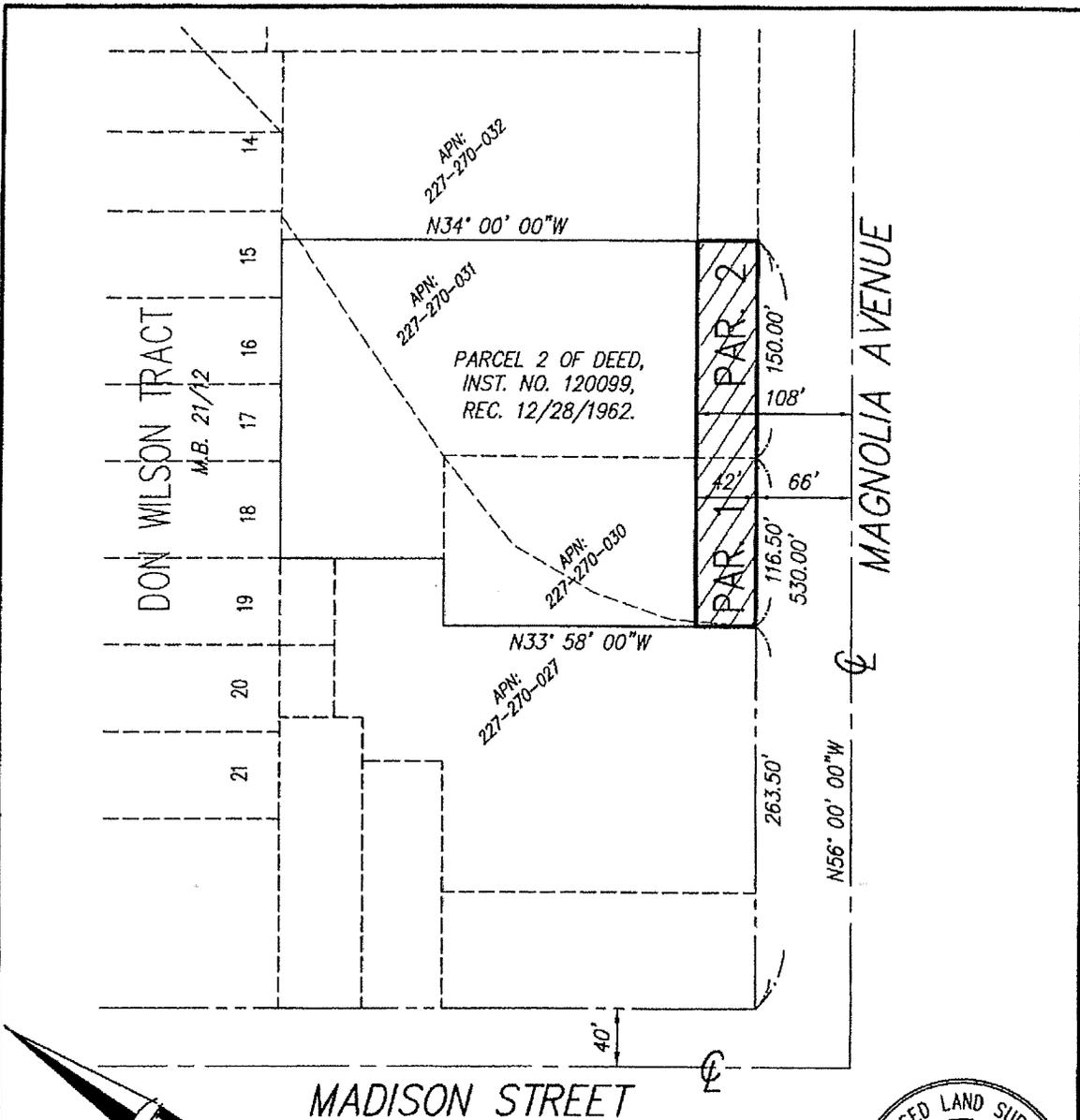


DESCRIPTION APPROVAL:

BY:  4/10/2012  
 \_\_\_\_\_ DATE  
 FOR: MARK S. BROWN  
 CITY SURVEYOR



2012-0246430  
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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.



**W CONSULTING ENGINEERS, INC.**

- CIVIL ENGINEERING
- LAND PLANNING
- AERIAL MAPPING
- SURVEYING
- ENTITLEMENTS
- GOVERNMENT RELATIONS

8544 UNIVERSITY AVENUE TEL: 951.905.5300  
 RIVERSIDE, CA 92501 FAX: 951.905.5302  
 WWW.WCEI.COM

**STREET VACATION**  
**MAGNOLIA AVENUE VACATION**  
 IN THE CITY OF RIVERSIDE

W.D.: 351.004
BY: J.B.
DATE: 4/2012
SCALE: 1"=100'
PAGE: 1 OF 1

Drawing: G:\351.004\Drawings\Final\Exhibits\351004-PLAT-VACATION.dwg  
 Plotted By: jorgec  
 Layout: Layout1  
 Last Saved: Mon Apr 09, 2012 - 1:50pm  
 Last Plotted: Mon Apr 09, 2012 - 2:27pm



2012-0246430  
 05/30/2012 10:14A  
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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.

*Sherry Maxwell*  
 Colleen J. Nicol, City Clerk  
 City of Riverside, California

Executed on May 29, 2012 at  
 Riverside, California

16802



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):

Correct this office

2012-0248438  
05/30/2012 10:14A  
9 of 9



Date:

5-30-12

Signature:

*Nancy Bolt*

Print Name:

Nancy Bolt, City Clerk Specialist