

DOC # 2013-0228401

05/14/2013 08:26A 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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RESOLUTION NO. 22254

Title of Document

D- 16880

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

RESOLUTION NO. 22254

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. 22232; AND  
5 MAKING ITS ORDER VACATING APPROXIMATELY 12,588 SQUARE-  
6 FEET OF FAIRMOUNT BOULEVARD, LOCATED BETWEEN  
7 UNIVERSITY AVENUE AND WHITTIER PLACE AND  
8 APPROXIMATELY 1,000 SQUARE-FeET OF A PUBLIC ALLEY  
9 CONTIGUOUS AND PERPENDICULAR TO AND WEST OF  
10 FAIRMOUNT BOULEVARD, IN RIVERSIDE, CALIFORNIA.

11  
12 WHEREAS, on June 21, 2011, the City Council of the City of Riverside in Planning Case  
13 No. P11-0199 adopted Resolution No. 22232 declaring its intention to set a public hearing in the  
14 vacation of an approximately 12,588 square-foot segment of Fairmount Boulevard,  
15 approximately 66 feet in width and approximately 180 feet in length, located between University  
16 Avenue and Whittier Place, and a contiguous 10-foot wide by 100-foot long (1,000 square-foot)  
17 segment of public alley perpendicular to and west of the subject segment of Fairmount  
18 Boulevard, for a total area of 13,588 square-feet, within the City of Riverside, California, and  
19 fixing the time and place of hearing all persons interested in the proposed vacation pursuant to  
20 the provisions of the Public Streets, Highways and Service Easements Vacation Law, being  
21 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  
27 the Planning Commission of the City of Riverside at a duly noticed public hearing held on May  
28 19, 2011; and

WHEREAS, following the close of the public hearing before the Planning Commission,  
the Planning Commission determined that the proposed vacation should be approved; and



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1 WHEREAS, the recommendations of the Planning Commission were submitted to the  
2 City Council for consideration together with the testimony, whether oral or in writing, presented  
3 at the 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 July 26, 2011, that the vacation of  
6 an approximately 12,588 square-foot segment of Fairmount Boulevard, approximately 66 feet in  
7 width and approximately 180 feet in length, located between University Avenue and Whittier  
8 Place, and a contiguous 10-foot wide by 100-foot long (1,000 square-foot) segment of public  
9 alley perpendicular to and west of the subject segment of Fairmount Boulevard, for a total area  
10 of 13,588 square-feet, within the City of Riverside, proposed for vacation is unnecessary for  
11 present or prospective public use.

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

14 Section 1: That the vacation of an approximately 12,588 square-foot segment of  
15 Fairmount Boulevard, approximately 66 feet in width and approximately 180 feet in length,  
16 located between University Avenue and Whittier Place, and a contiguous 10-foot wide by 100-  
17 foot long (1,000 square-foot) segment of public alley perpendicular to and west of the subject  
18 segment of Fairmount Boulevard, for a total area of 13,588 square-feet, in Planning Case P11-  
19 0199 is undertaken pursuant to the provisions of and in accordance with the procedures set forth  
20 in the Public Streets, Highways, and Services Easements Vacation Law being Sections 8300 et  
21 seq. of the Streets and Highway Code, and all notices required thereby have been duly given.

22 Section 2: That from all evidence submitted to the City Council at the July 26, 2011,  
23 public hearing before it on Planning Case P11-0199, whether such evidence was oral or in  
24 writing, together with the recommendations from the Planning Commission, that approximately  
25 12,588 square-foot segment of Fairmount Boulevard, approximately 66 feet in width and  
26 approximately 180 feet in length, located between University Avenue and Whittier Place, and a  
27 contiguous 10-foot wide by 100-foot long (1,000 square-foot) segment of public alley  
28 perpendicular to and west of the subject segment of Fairmount Boulevard, for a total area of



1 13,588 square-feet, within the City of Riverside, California, as hereinafter described and ordered  
2 vacated is unnecessary for present or prospective public use as a public street and public alley.

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

5 Section 4: That the vacation of approximately 12,588 square-foot segment of Fairmount  
6 Boulevard, approximately 66 feet in width and approximately 180 feet in length, located between  
7 University Avenue and Whittier Place, and a contiguous 10-foot wide by 100-foot long (1,000  
8 square-foot) segment of public alley perpendicular to and west of the subject segment of  
9 Fairmount Boulevard, for a total area of 13,588 square-feet, within the City of Riverside,  
10 California, and described and depicted in attached Exhibit "A", and by this reference made a part  
11 hereof, be and the same is hereby ordered vacated.

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

22 Section 6: That the vacation, termination and abandonment of approximately 12,588  
23 square-foot segment of Fairmount Boulevard, approximately 66 feet in width and approximately  
24 180 feet in length, located between University Avenue and Whittier Place, and a contiguous 10-  
25 foot wide by 100-foot long (1,000 square-foot) segment of public alley perpendicular to and west  
26 of the subject segment of Fairmount Boulevard, for a total area of 13,588 square-feet, described  
27 and depicted in Exhibit "A" shall occur only after the applicable conditions contained in the  
28 Planning Department's report to the City Council and on file with the City Clerk, as approved or

1 amended by the City Council, have been satisfied, and the City Clerk is hereby directed not to  
2 record this resolution of vacation until the applicable conditions have been satisfied.

3 Section 7: That the City Clerk of the City of Riverside shall cause a certified copy of this  
4 resolution to be recorded in the Office of the County Recorder of the County of Riverside,  
5 California, upon the satisfaction of the applicable conditions, and the approximately 12,588  
6 square-foot segment of Fairmount Boulevard, approximately 66 feet in width and approximately  
7 180 feet in length, located between University Avenue and Whittier Place, and a contiguous 10-  
8 foot wide by 100-foot long (1,000 square-foot) segment of public alley perpendicular to and west  
9 of the subject segment of Fairmount Boulevard, for a total area of 13,588 square-feet, within the  
10 City of Riverside, California, and described and depicted in Exhibit "A" shall no longer  
11 constitute a public street and public alley from and after the date of recordation.

12 ADOPTED by the City Council this 26th day of July, 2011.

13   
14 \_\_\_\_\_  
15 RONALD O. LOVERIDGE  
16 Mayor of the City of Riverside

16 Attest:

17   
18 \_\_\_\_\_  
19 COLLEEN J. NICOL  
20 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 adopted at a meeting of the City Council on the 26th  
3 day of July, 2011, by the following vote, to wit:

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

6 Noes: None

7 Absent: None

8 Disqualified: None

9  
10 IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of  
11 the City of Riverside, California, this 29th day of July, 2011.

12  
13 

14 COLLEEN J. NICOL  
15 City Clerk of the City of Riverside  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



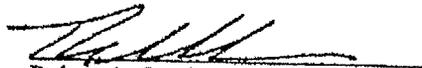
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27  
28 O:\Cycrom\WPDocs\D026\P012\00069363.doc  
CA: 11-1468

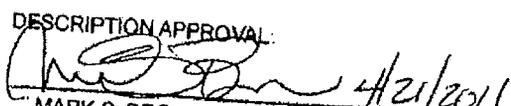
**EXHIBIT "A"**  
**STREET VACATION # P11-0199**

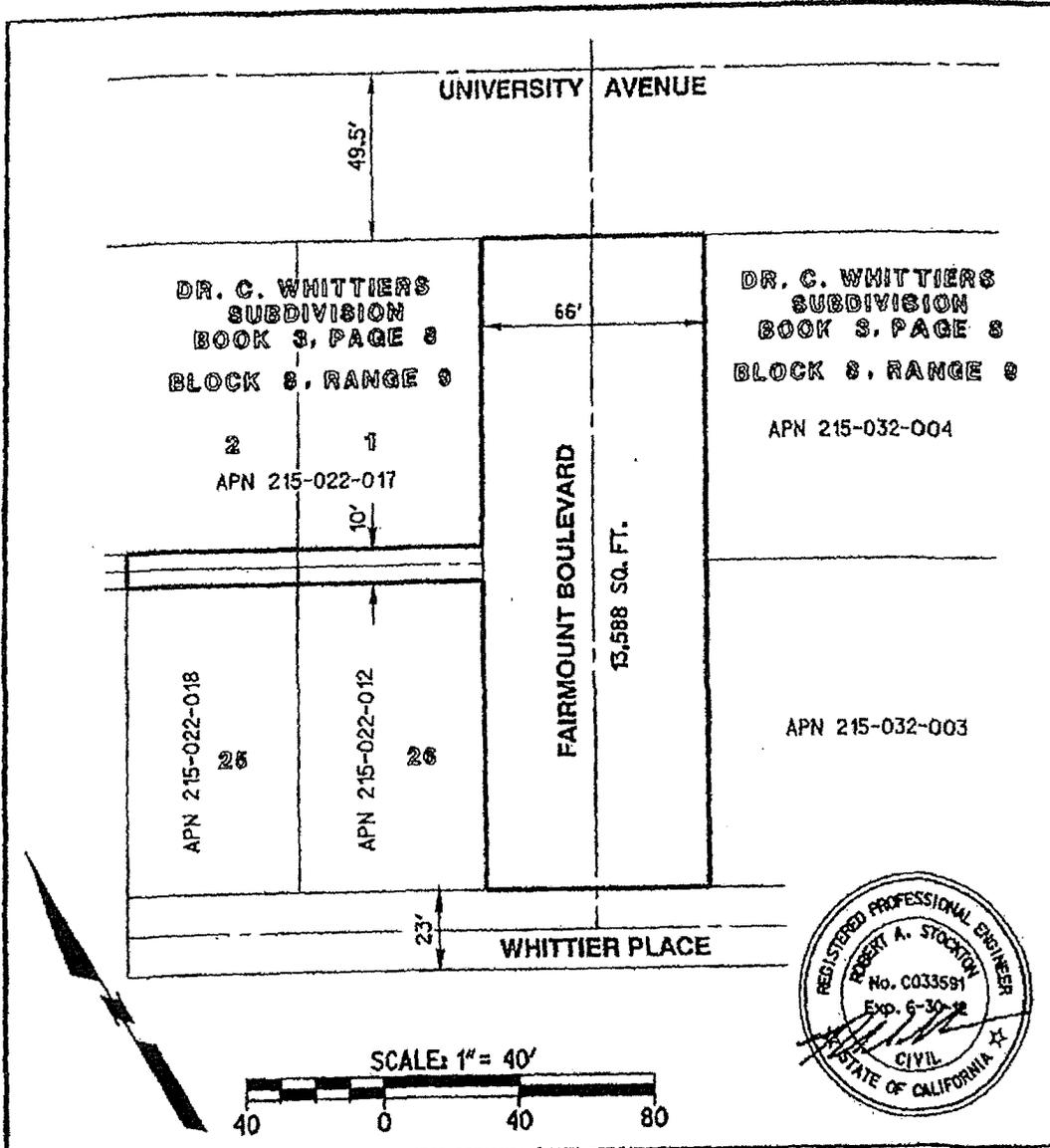
All that portion of Fairmount Boulevard (formerly Almond Street) in Block 2 of Dr. Whittier's Subdivision as shown by map recorded in Book 3, Page 8 of maps, in the City of Riverside, records of San Bernardino County, State of California, lying Southwesterly of the Southwesterly 49.50 foot half width sideline of University Avenue and Northeasterly of the Northeasterly 11.50 foot half width sideline of Whittier Place as shown on said map. Together with a portion of that certain 10.00 foot Alley lying Northwesterly of the Northwesterly 33.00 foot half width sideline of said Fairmount Boulevard and Southeasterly of the Northeasterly prolongation of the Northwesterly line of Lot 25 as shown on said map

The above described parcel contains 13,588 square feet, more or less.

  
Robert A. Stockton, RCE 33591  
Expiration June 30, 2012  
3/24/11  
Date



DESCRIPTION APPROVAL:  
  
MARK S. BROWN  
CITY SURVEYOR  
DATE 4/21/2011



**CITY OF RIVERSIDE**

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL (S) DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT PART OF THE WRITTEN DESCRIPTION THEREIN.



1770 IOWA AVENUE - SUITE 100  
RIVERSIDE, CA 92507  
951.782.0707  
(FAX) 951.782.0723

rickengineering.com

San Diego - Orange - San Luis Obispo - Bakersfield - Sacramento - Phoenix - Tucson

**STREET VACATION**

SCALE: 1"=40' DATE: MARCH 21, 2011

PLOT DATE: 24-MAR-2011 JN 16359

G:\16359\Survey\16359p1\01\_StreetVacation.dgn

©2011 Rick Engineering Company

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 May 13, 2013 at  
Riverside, California



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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

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):

San Diego Orange. San Luis Obispo. Berkeleyfield, Sacramento.  
Phoenix. Tucson  
  
Colleen J. Nicol  
City of Riverside  
  
Executed on  
Riverside, California

Date:

5-14-13

Signature:

N. Bort

Print Name:

Nancy Bort

