

PLEASE COMPLETE THIS INFORMATION
RECORDING REQUESTED BY:

Colleen J. Nicol, CMC

AND WHEN RECORDED MAIL TO:

City Clerk
City of Riverside
3900 Main St.
Riverside, CA 92522
FREE RECORDING-
Exempt Pursuant to
Government Code S6103

N
I

Recorded Date: 9-26-03
Instrument: 2003-753776
Initials: CS

MF	MISC.
CHG	EXAM

SPACE ABOVE FOR RECORDER'S USE ONLY

VC-007-001

RESOLUTION NO. 20021

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)

SEE ID 15626
ASSIGNED IN ERROR → ID 10478 (R)

2 RESOLUTION NO. 20021

3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE,
4 CALIFORNIA, MAKING ITS FINDINGS AND DETERMINATIONS
5 IN THE MATTER OF RESOLUTION OF INTENTION NO. 20012; RE-
6 SERVING AN EASEMENT AND RIGHT TO CONSTRUCT, MAINTAIN,
7 OPERATE, REPLACE, REMOVE, RENEW AND ENLARGE LINES OF PIPE,
8 CONDUITS, CABLES, WIRES, POLES, AND OTHER CONVENIENT
9 STRUCTURES, EQUIPMENT AND FIXTURES, FOR THE OPERATION OF
10 SANITARY SEWERS, GAS LINE FACILITIES, RAILROAD FACILITIES AND
11 ANY IN-PLACE PUBLIC UTILITY FACILITIES THAT ARE IN USE AND
12 DETERMINING THAT THE PUBLIC CONVENIENCE AND NECESSITY
13 REQUIRE THE RESERVATION OF SUCH EASEMENT; AND MAKING ITS
14 ORDER VACATING THE EASTERLY THIRTY-THREE FEET OF NORTHGATE
15 STREET LOCATED BETWEEN COLUMBIA AVENUE AND PALMYRITA
16 AVENUE.

17 WHEREAS, on May 3, 2001, the Planning Commission of the City of Riverside held a
18 properly noticed public hearing in Vacation Case No. VC-007-001 to consider the vacation of the
19 easterly thirty-three feet of Northgate Street located between Columbia Avenue and Palmyrita
20 Avenue in the City of Riverside, California, and thereafter determined the following: 1) that the
21 proposed project would not have a significant adverse affect on the environment and that the City
22 Council should adopt a Negative Declaration; 2) that substantial evidence supports the conclusion
23 that this thirty-three foot segment of public street right-of-way is unnecessary for present of
24 prospective public use; and 3) that Vacation Case VC-007-001 should be approved subject to all
25 staff conditions; and

26 WHEREAS, on October 2, 2001, the City Council of the City of Riverside in Vacation
27 Case No. VC-007-001 adopted Resolution No. 20012 declaring its intention to order the vacation
of the easterly thirty-three feet of Northgate Street located between Columbia Avenue and Palmyrita
Avenue in the City of Riverside, California, and fixing the time and place of hearing by 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

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 at
3 the public hearing before said City Council; and

4 WHEREAS, on October 9, 2001, the City Council conducted a properly noticed public
5 hearing wherein they heard, found and determined from all of the evidence submitted to, said Council
6 that the easterly thirty-three feet of Northgate Street between Columbia Avenue and Palmyrita
7 Avenue within the City of Riverside, California, was unnecessary for present or prospective public
8 use;

9 NOW, THEREFORE, BE IT RESOLVED, FOUND AND DETERMINED by the City
10 Council of the City of Riverside, California, as follows:

11 Section 1: That the vacation of the easterly thirty-three feet of Northgate Street between
12 Columbia Avenue and Palmyrita Avenue within the City of Riverside, California, is undertaken
13 pursuant to the provisions of and in accordance with the procedures set forth in the Public Streets,
14 Highways, and Service Easements Vacation Law and that all notices required thereby have been duly
15 given.

16 Section 2: That from all of the evidence submitted to the City Council at the public
17 hearing before it on Vacation Case VC-007-001, whether such evidence was oral or in writing,
18 together with the recommendations from the Planning Commission, the easterly thirty-three feet of
19 Northgate Street between Columbia Avenue and Palmyrita Avenue within the City of Riverside,
20 California as hereinafter described and ordered vacated is unnecessary for present or prospective
21 public use as a public street right-of-way.

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

24 Section 4: That the easterly thirty-three feet of Northgate Street between Columbia
25 Avenue and Palmyrita Avenue within the City of Riverside, California and more particularly
26 described and depicted in Exhibit A, attached hereto and incorporated herein by this reference, be
27 and the same is hereby ordered vacated subject to the reservation of easements as hereinafter set

1 forth.

2 Section 5: That the public convenience and necessity requires the exception from the
3 vacation hereinabove ordered of an easement and right to construct, maintain, operate, replace,
4 remove, renew and enlarge lines of pipe, conduits, cables, wires, poles, and other convenient
5 structures, equipment and fixtures, for the operation of sanitary sewers, gas line facilities, railroad
6 facilities and any in-place public utility facilities that are in use over, under, along and across said
7 public street right-of-way ordered to be vacated.

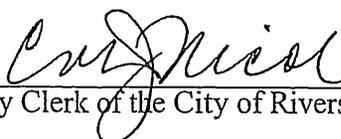
8 Section 6: That the vacation, termination and abandonment of the easterly thirty-three
9 feet of Northgate Street between Columbia Avenue and Palmyrita Avenue within the City of
10 Riverside, California shall occur only after the applicable conditions contained in the Planning
11 Department's report to the legislative body and on file with the City Clerk as approved or amended
12 by the City Council have been satisfied, and the City Clerk is hereby directed not to record this
13 resolution of vacation until the Public Works Director certifies that all applicable conditions have
14 been satisfied.

15 Section 7: That the City Clerk of the City of Riverside shall cause a certified copy of this
16 resolution to be recorded in the Office of the County Recorder of Riverside County, California, upon
17 the satisfaction of the applicable conditions, and the easterly thirty-three feet of public street right-of-
18 way situated on Northgate Street between Columbia Avenue and Palmyrita Avenue within the City
19 of Riverside, California, as described in Exhibit A shall no longer constitute a public street right-of-
20 way from and after said date of recordation.

21 ADOPTED by the City Council and signed by the Mayor and attested by the City Clerk
22 this 16th day of October, 2001.

23
24 
25 Mayor of the City of Riverside

25 Attest:

26
27 
City Clerk of the City of Riverside

1 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the
2 foregoing resolution was duly and regularly introduced and adopted at a meeting of the City Council
3 of said City at its meeting held on the 16th day of October, 2001 , by the following
4 vote, to wit:

5 Ayes: Councilmembers Beaty, Moore, Defenbaugh, Kane, Adkison,
6 Thompson, and Pearson.

7 Noes: None.

8 Absent: None.

9 Abstain: None.

10 IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the
11 City of Riverside, California, this 16th day of October, 2001.

12
13 
14 City Clerk of the City of Riverside

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EXHIBIT "A"

Northgate Street
Vacation Case No. VC-007-001

Those portions of Northgate Street (formerly California Avenue), 30 feet wide, and Lots 8 and 9 in Section 17, Township 2 South, Range 4 West, San Bernardino Base and Meridian, as shown by map of Lands of the East Riverside Land Co., on file in Book 6 of Maps, Page 44 thereof, Records of San Bernardino County, California, being described as follows:

COMMENCING at the centerline intersection of Northgate Street and Columbia Avenue;

Thence N.00°09'38"W. along said centerline Northgate Street, a distance of 55.00 feet, to a line parallel and 55.00 feet northerly of said centerline of Columbia Avenue, being the **POINT OF BEGINNING**;

Thence N.89°53'03"E. along said parallel line, a distance of 33.00 feet, to the Easterly line of said Northgate Street, also being the Westerly line of said Lot 9;

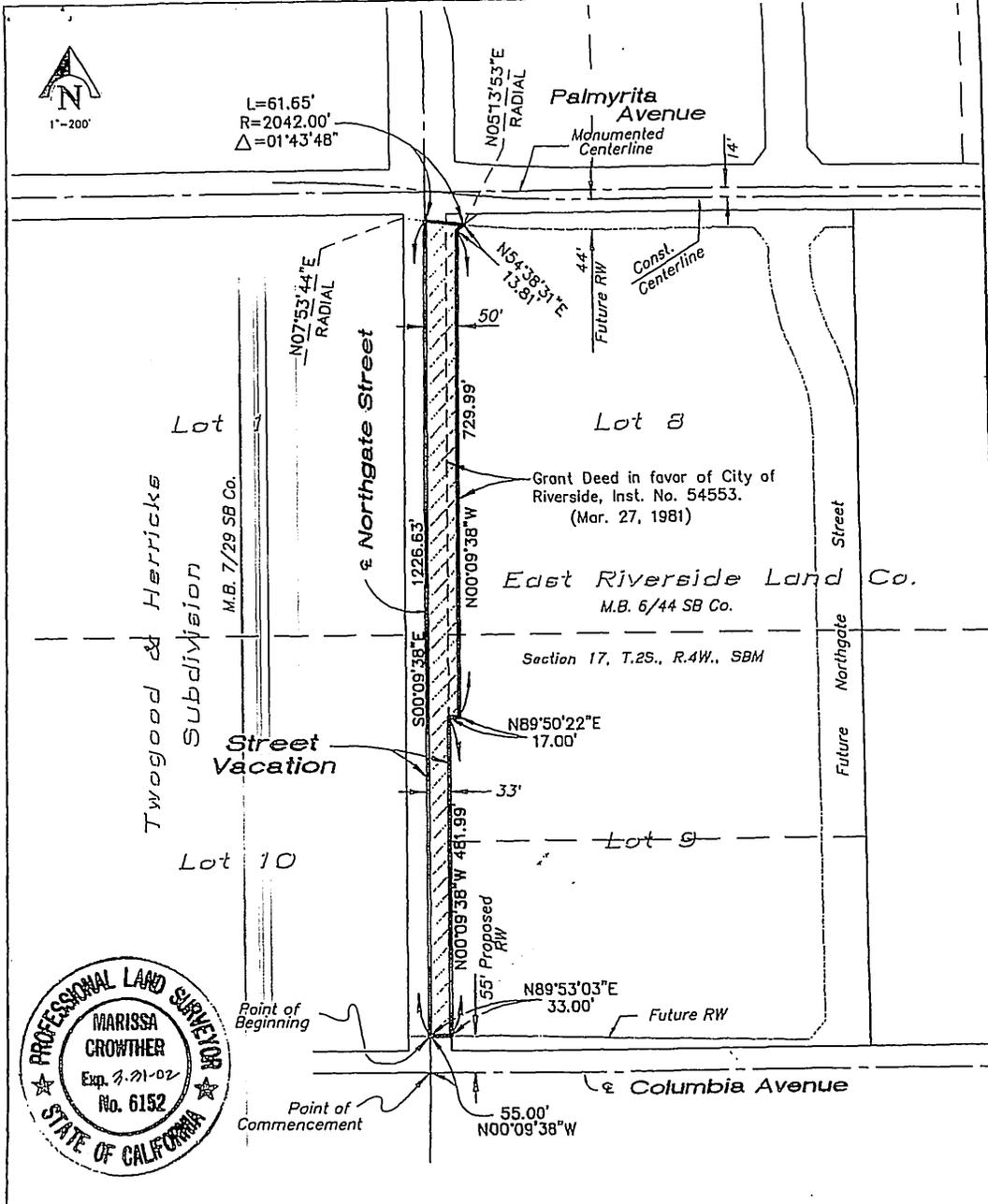
Thence N.00°09'38"W., along said Easterly line, a distance of 481.99 feet, to the Southwest corner of that certain parcel of land described in Grant Deed to the City of Riverside, recorded March 27, 1981 as Instrument No. 54553;

Thence N.89°50'22"E. along Southerly line of said parcel conveyed to the City of Riverside, a distance of 17.00 feet, to a line parallel and 50.00 feet Easterly of the centerline of said Northgate Street, also being the Southeast corner of said parcel of land conveyed to the City of Riverside;

Thence N.00°09'38"W., along said parallel line, also being along the Easterly line said parcel of land conveyed to the City of Riverside, a distance of 729.99 feet, to an angle point therein;

 KCT

Exhibit "B"



Prepared under the supervision of:

 MARISSA CROWTHER, PLS6152
 DATE Aug. 21st 2001

City of Riverside, CA.
 VACATION -- NORTHGATE STREET
KCT CONSULTANTS, INC.
 Civil Engineers - Surveyors - Planners
 P.O. Box 5705 Riverside, CA 92517-5705 Phone: 909/341-8940 Fax: 909/341-8945
 4344 Latham St., Suite 200, Riverside, CA 92501

Sheet 1 of 1
 Scale: 1"=200'
 June 2001
 WO 1188-01

11/8 12/7
 26/2 22/1

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, City Clerk
 City of Riverside, California

Executed on Sept. 23 2003, at
 Riverside, California

D10478(R)