

REQUEST FOR RECORDATION

Request of City Clerk for recordation of this
Instrument, and return to,
City Clerk, City Hall, 3900 Main Street
Riverside, CA 92522

RESOLUTION NO. 15808

172516

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, MAKING ITS FINDINGS AND DETERMINATIONS IN THE MATTER OF RESOLUTION OF INTENTION NO. 15108; RESERVING PERMANENT EASEMENTS AND RIGHTS OF WAY FOR STORM DRAIN, SANITARY SEWER AND WATER LINE FACILITIES AND FOR UNDERGROUND ELECTRIC ENERGY DISTRIBUTION FACILITIES AND DETERMINING THAT THE PUBLIC CONVENIENCE AND NECESSITY REQUIRE THE RESERVATION OF SUCH EASEMENTS; MAKING ITS ORDER VACATING A PORTION OF FILLMORE STREET LYING BETWEEN THE NORTHERLY RIGHT-OF-WAY OF THE RIVERSIDE COUNTY FLOOD CONTROL CHANNEL AND THE SOUTHERLY RIGHT-OF-WAY OF THE RIVERSIDE FREEWAY (HIGHWAY 91); AND REPEALING RESOLUTION NO. 15145.

11256

VAC-16-823

WHEREAS the initial application in connection with the vacation proceeding identified as VAC-16-823 was expanded by the City to include certain property which would permit the closure of Fillmore Street across the railroad tracks at Queensborough Street, thereby avoiding unnecessary maintenance by the City; and

WHEREAS on September 6, 1983, the City Council of the City of Riverside adopted Resolution No. 15108 declaring its intention to order the vacation of a portion of Fillmore Street, approximately 330 feet long and 80 feet wide, situated southerly of the Riverside Freeway and extending to Queensborough Street, 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 said proposed vacation was submitted to and acted upon by the Planning Commission of the City of Riverside and notice of hearing said resolution was given as provided

7-19-85
BP/h

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1 by said Public Streets, Highways, and Service Easements Vacation
2 Law; and

3 WHEREAS on the day fixed for the hearing the City Council
4 heard and found from all of the evidence submitted that the
5 portion of Fillmore Street ordered vacated was unnecessary for
6 present or prospective public use; and

7 WHEREAS problems in obtaining hold harmless agreements
8 from property owners abutting the property to be vacated within
9 the expanded portion of the vacation proceeding cannot be
10 resolved; and

11 WHEREAS said property owners also refuse to accept the
12 property following its vacation by the City; and

13 WHEREAS the City desires to expedite the finalization of
14 that portion of the vacation originally requested by the appli-
15 cant; and

16 WHEREAS the City can accomplish this by repealing Resolution
17 No. 15145 and adopting a new resolution containing only the portion
18 of property contained in the initial application for said vacation;

19 NOW, THEREFORE, BE IT RESOLVED by the City Council of
20 the City of Riverside that the portion of Fillmore Street in the
21 City of Riverside, County of Riverside, State of California,
22 described in the document attached hereto, marked Exhibit A,
23 and by this reference made a part hereof, be and the same is
24 hereby vacated.

25 BE IT FURTHER RESOLVED that the City Council does hereby
26 determine that the public convenience and necessity require
27 the reservation of permanent easements and rights of way for

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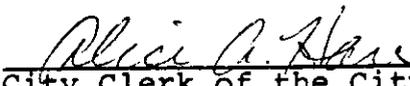
1 storm drain, sanitary sewer and water line facilities, and for
 2 underground electric energy distribution facilities, and
 3 reserving the right to construct, maintain, operate, replace,
 4 remove, renew and enlarge lines of pipe, conduits, cables, wires,
 5 poles and other convenient structures, equipment and fixtures
 6 for the operation of storm drain and sanitary sewer facilities
 7 and for the transportation or distribution of electric energy
 8 and water; including access and the right to keep the property
 9 free from inflammable materials and wood growth that would
 10 interfere with the use of said permanent easements and rights
 11 of way.

12 BE IT FURTHER RESOLVED that Resolution No. 15145 of the
 13 City Council of the City of Riverside is hereby repealed.

14 BE IT FURTHER RESOLVED that the vacation shall occur
 15 only after the applicable conditions contained in the Planning
 16 Department's report to the legislative body dated March 29, 1983,
 17 and on file with the City Clerk have been satisfied; and the
 18 City Clerk is hereby directed not to record this resolution
 19 of vacation until the applicable conditions have been satisfied.

20 ADOPTED by the City Council and signed by the Mayor and
 21 attested by the City Clerk this 23rd day of July, 1985.

22
 23 
 Mayor of the City of Riverside

24 Attest:
 25
 26 
 City Clerk of the City of Riverside

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I, Alice A. Hare, City Clerk of the City of Riverside, California, hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the City Council of said City at its meeting held on the 23rd day of July, 1985, by the following vote, to wit:

Ayes: Councilmembers Loveridge, Shepard, Mansfield, Renck, Digati and Peterson.

Noes: None.

Absent: Councilmember Bowers.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this 23rd day of July, 1985.

Alice A. Hare
City Clerk of the City of Riverside

172516

CASE VAC-16-823 - PORTION OF FILLMORE STREET

All that portion of Fillmore Street, as shown by map of Riverside Land and Irrigating Company, on file in Book 1, Page 70 of Maps, records of San Bernardino County, California, lying southeasterly of the southwesterly right-of-way line of the State Highway 91, and lying northwesterly of the northeasterly prolongation of the southeasterly boundary of Parcel Map 12,957, as shown by Map on file in Book 73, Page 93 of Parcel Maps, records of Riverside County;

RESERVING therefrom permanent easements and rights-of-way for sanitary sewer facilities, water line facilities, and for underground electric energy distribution facilities;

ALSO RESERVING AN EASEMENT for the construction, operation and maintenance of a flood control channel, including ingress and egress thereto and to its appurtenant works in that portion of Fillmore Street as shown on said Parcel Map 12,957, described as follows:

BEGINNING at the northerly right-of-way line granted to Riverside County Flood Control and Water Conservation District by Deed recorded May 5, 1949, as Instrument No. 512 of Official Records, Riverside County, said point being on the westerly right-of-way line of Fillmore Street as shown on said Parcel Map 12,957;

THENCE North $67^{\circ} 32' 16''$ East, a distance of 81.65 feet to a point on the easterly right-of-way of Fillmore Street and said northerly right-of-way granted to Riverside County Flood Control and Water Conservation District;

THENCE North $34^{\circ} 00' 32''$ West, along said easterly right-of-way line of Fillmore Street, a distance of 20.41 feet;

THENCE South $67^{\circ} 32' 16''$ West, a distance of 81.65 feet to a point on the westerly right-of-way line of Fillmore Street;

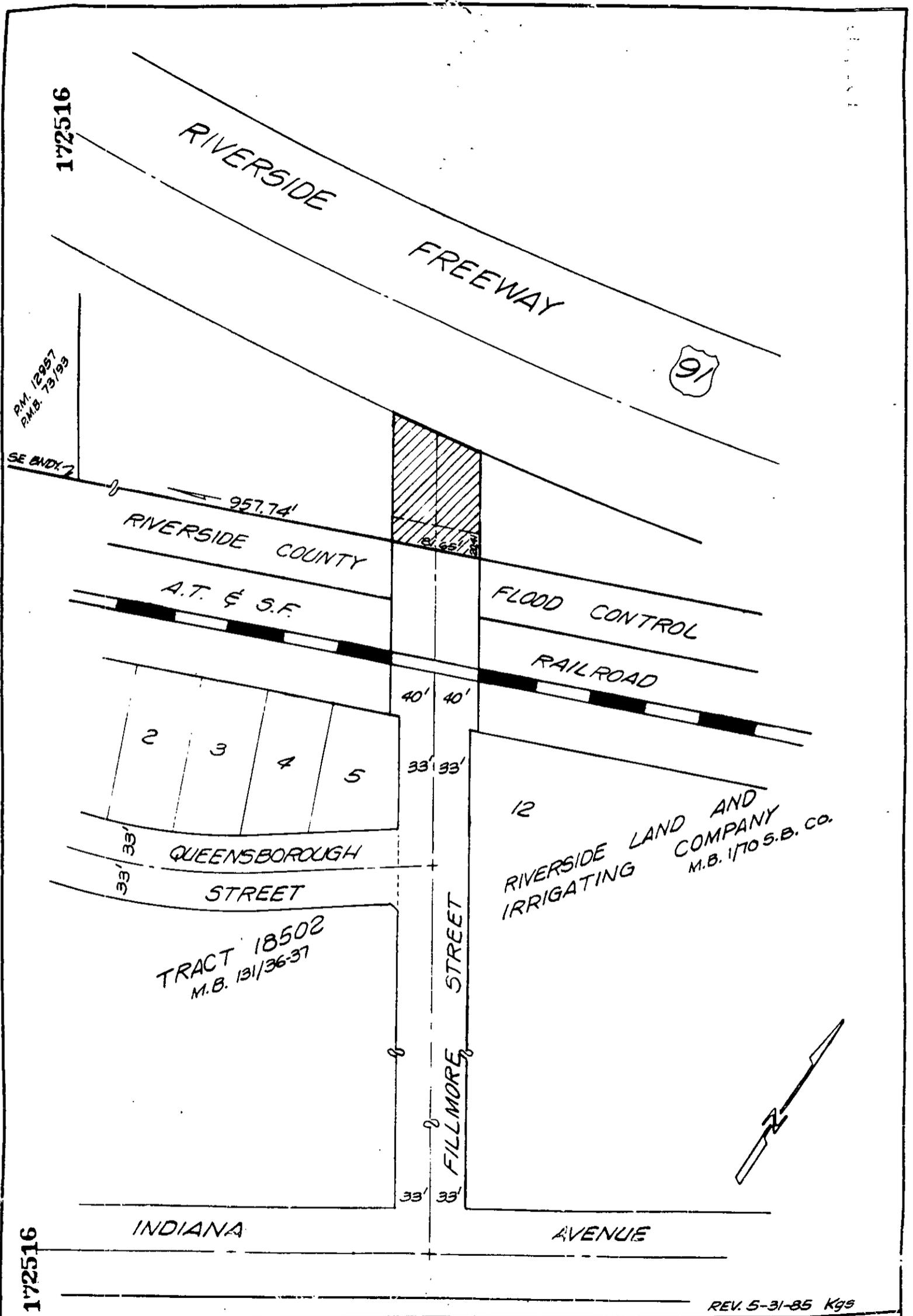
THENCE South $34^{\circ} 00' 32''$ East, along the said westerly right-of-way line, a distance of 20.41 feet to the POINT OF BEGINNING.

4214M/c

George P. H. [Signature]
[Stamp]

EXHIBIT A

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172516

RIVERSIDE
FREEWAY



P.M. 12257
P.M.B. 73/193

SE BNDY 7

957.74'

RIVERSIDE COUNTY

A.T. & S.F.

FLOOD CONTROL

RAILROAD

2 3 4 5

40' 40'

33' 33'

QUEENSBOROUGH
STREET

12
RIVERSIDE LAND AND
IRRIGATING COMPANY
M.B. 170 S.B. CO.

TRACT 18502
M.B. 131/36-37

FILLMORE STREET

33' 33'

INDIANA

AVENUE

172516

REV. 5-31-85 Kgs

• 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

6/50-173

SCALE: 1" = 100'

DRAWN BY Kgs DATE 5/18/83

SUBJECT VAC-16-823

11256