

RESOLUTION NO. 18831

1
2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY
3 OF RIVERSIDE, CALIFORNIA, PROVIDING FOR THE
4 SUMMARY VACATION FOR STREET PURPOSES OF A
5 PORTION OF AN OFFER OF DEDICATION OF CERTAIN
6 REAL PROPERTY EXTENDING NORTHERLY AND
7 EASTERLY FROM THE INTERSECTION OF SUNRISE
8 PLACE AND KNOB HILL DRIVE EXCEPTING FROM SUCH
9 VACATION THE PERMANENT EASEMENTS AND RIGHTS
10 OF WAY FOR PUBLIC UTILITIES PREVIOUSLY
11 ACCEPTED.

13958

8 WHEREAS by that certain Dedication dated November 6,
9 1947, and recorded November 20, 1947, in Book 871, at page
10 420 thereof, Official Records of Riverside County,
11 California, HUGHES S. LITHERLAND and LYDIA M. LITHERLAND,
12 husband and wife, GEORGE READE and MARY ELIZABETH READE,
13 husband and wife, WALTER E. RUTLEDGE and AUGUSTA J. RUTLEDGE,
14 husband and wife, and ROBERT P. REXROTH and HILA M. REXROTH,
15 husband and wife, dedicated certain real property as more
16 particularly described therein for public use; and

17 WHEREAS the City of Riverside by Resolution
18 No. 18830, accepted the offer of Dedication for public
19 utility purposes and also accepted that portion of the offer
20 of Dedication for street purposes located within existing
21 Knob Hill Drive; and

22 WHEREAS that portion of said offer of Dedication
23 extending northerly and easterly from the intersection of
24 Sunrise Place and Knob Hill Drive to 2434 Knob Hill Drive not
25 accepted for public street purposes has been superseded by
26 relocation by the construction of the existing Knob Hill
27 Drive, has not been improved or used for a public roadway,

1 and is excess street right-of-way, and is no longer necessary
2 for present or prospective public use for public street
3 purposes and the right of the City of Riverside to accept
4 said portion of the offer of Dedication for public street
5 purposes can be terminated and abandoned; and

6 WHEREAS Section 7050 of the Government Code of the
7 State of California provides that an offer of dedication may
8 be terminated and the right to accept such offer abandoned in
9 the same manner as is prescribed for the summary vacation of
10 streets or highways by Part 3 (commencing with Section 8300)
11 of Division 9 of the Streets and Highways Code; and

12 WHEREAS Sections 8330 et seq. of the Streets and
13 Highways Code of the State of California provide for the
14 summary vacation of streets and public service easements
15 under certain conditions; and

16 WHEREAS Section 8330 of the Streets and Highways Code
17 provides that the legislative body of a local agency may
18 summarily vacate a street or highway that has been superseded
19 by relocation if such vacation would neither cut off all
20 access to a person's property which, prior to relocation,
21 adjoined the street or highway, nor terminated a public
22 service easement; and

23 WHEREAS Section 8331 of the Streets and Highways Code
24 provides that the legislative body of a local agency may
25 summarily vacate a street or highway if for a period of five
26 consecutive years, the street or highway has been impassable
27 for vehicular travel and no public money was expended for

1 maintenance on the street or highway during such period; and
2 WHEREAS Section 8334 of the Streets and Highways Code
3 provides in subsection (a) thereof that the legislative body
4 of a local agency may summarily vacate the excess right-of-
5 way of a street or highway not required for street or highway
6 purposes; and

7 WHEREAS the City Council wishes to proceed under the
8 provisions of Sections 8330 et seq. of the Streets and
9 Highways Code to summarily vacate for street purposes that
10 portion of the above-mentioned offer of Dedication
11 hereinafter described excepting therefrom the permanent
12 easements and rights of way for public utilities previously
13 accepted;

14 NOW, THEREFORE, BE IT RESOLVED, FOUND AND DETERMINED
15 by the City Council of the City of Riverside, California, as
16 follows:

17 Section 1: The vacation for public street purposes
18 of the hereinafter described portion of that certain
19 Dedication dated November 6, 1947, and recorded November 20,
20 1947, in Book 871, at page 420 thereof, Official Records of
21 Riverside County, California, HUGHES S. LITHERLAND and LYDIA
22 M. LITHERLAND, husband and wife, GEORGE READE and MARY
23 ELIZABETH READE, husband and wife, WALTER E. RUTLEDGE and
24 AUGUSTA J. RUTLEDGE, husband and wife, and ROBERT P. REXROTH
25 and HILA M. REXROTH, husband and wife, is undertaken pursuant
26 to the provisions of Chapter 4 (commencing with Section 8330)
27 of Part 3 of Division 9 of the Streets and Highways Code of

1 the State of California.

2 Section 2: That the hereinafter described portion
3 for street purposes of the Dedication dated November 6, 1947,
4 and recorded November 20, 1947, in Book 871, at page 420
5 thereof, Official Records of Riverside County, California,
6 made by HUGHES S. LITHERLAND and LYDIA M. LITHERLAND, husband
7 and wife, GEORGE READE and MARY ELIZABETH READE, husband and
8 wife, WALTER E. RUTLEDGE and AUGUSTA J. RUTLEDGE, husband and
9 wife, and ROBERT P. REXROTH and HILA M. REXROTH, husband and
10 wife, is no longer necessary for present or prospective
11 public use for public street purposes as that portion of the
12 aforementioned offer of Dedication: (a) has been superseded
13 by relocation by the construction of the existing Knob Hill
14 Drive, (b) for a period of five consecutive years has been
15 impassable for vehicular travel and no public money was
16 expended for maintenance on the street during such period,
17 and (c) the excess right-of-way is not required for street or
18 highway purposes.

19 Section 3: That the proposed project is exempt from
20 the provisions of the California Environmental Quality Act
21 pursuant to Section 15061(b)(3) of the Guidelines for
22 Implementation of the California Environmental Quality Act
23 (Title 15, California Code of Regulations, commencing with
24 Section 15000) as it can be seen with certainty that there is
25 no possibility that the activity will have a significant
26 effect on the environment.

27 Section 4: That the public convenience and necessity

1 require the exception from the summary vacation of the
2 hereinafter described Dedication for public street purposes
3 of those permanent easements and rights of way for public
4 utility purposes accepted by the City of Riverside by
5 Resolution No. 18830, and said easements for public utility
6 purposes are hereby reserved and excepted from the vacation
7 of the Dedication hereinafter described.

8 Section 5: The City Council hereby orders the
9 summary vacation of the following described portion of the
10 offer of Dedication dated November 6, 1947, and recorded
11 November 20, 1947, in Book 871, at page 420 thereof, Official
12 Records of Riverside County, California, made by HUGHES S.
13 LITHERLAND and LYDIA M. LITHERLAND, husband and wife, GEORGE
14 READE and MARY ELIZABETH READE, husband and wife, WALTER E.
15 RUTLEDGE and AUGUSTA J. RUTLEDGE, husband and wife, and
16 ROBERT P. REXROTH and HILA M. REXROTH, husband and wife, for
17 **public street purposes only:**

18 That portion of an offer of Dedication recorded in
19 Book 871, Page 420 of Official Records of Riverside
20 County, California, adjacent to Parcels 2, 3 and 7 as
21 shown on a Record of Survey in Book 8, Page 32 of
22 records of said County and lying northerly of a line
23 parallel with and 20 feet northerly, as measured at
24 right angles, from the southwesterly line of said
25 Parcel 7 and its westerly prolongation, said
26 southwesterly line shown on said Record of Survey as
27 having a bearing of North 68°06' West.

24 and the right of the City of Riverside to accept said portion
25 of said Dedication for public street purposes is hereby
26 terminated and abandoned.

27 Section 6: The City Clerk of the City of Riverside

1 shall cause a certified copy of this resolution to be
 2 recorded in the Office of the County Recorder of Riverside
 3 County, California, and said portion of the offer of
 4 Dedication dated November 6, 1947, and recorded November 20,
 5 1947, in Book 871, at page 420 thereof, Official Records of
 6 Riverside County, California, made by HUGHES S. LITHERLAND
 7 and LYDIA M. LITHERLAND, husband and wife, GEORGE READE and
 8 MARY ELIZABETH READE, husband and wife, WALTER E. RUTLEDGE
 9 and AUGUSTA J. RUTLEDGE, husband and wife, and ROBERT P.
 10 REXROTH and HILA M. REXROTH, husband and wife, for public
 11 street purposes as hereinabove described shall be and is
 12 hereby terminated and abandoned as of the date of said
 13 recordation.

14 ADOPTED by the City Council and signed by the Mayor
 15 and attested by the City Clerk this 19th day of December, 1995.

16
 17
 18 Mayor of the City of Riverside

19 Attest:

20 KAREN E. LINDQUIST
 21 City Clerk of the City of Riverside

22 BY
 23 ASSISTANT CITY CLERK

24
 25
 26 DESCRIPTION APPROVAL: 1220.75
 27
 SUPERVISOR CITY OF RIVERSIDE

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I, Karen E. Lindquist, City Clerk of the City of Riverside, California, hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a meeting of the City Council of said City at its meeting held on the 19th day of December, 1995, by the following vote, to wit:

Ayes: Councilmembers Beaty, Moore, Kane, Clifford, Thompson and Pearson.

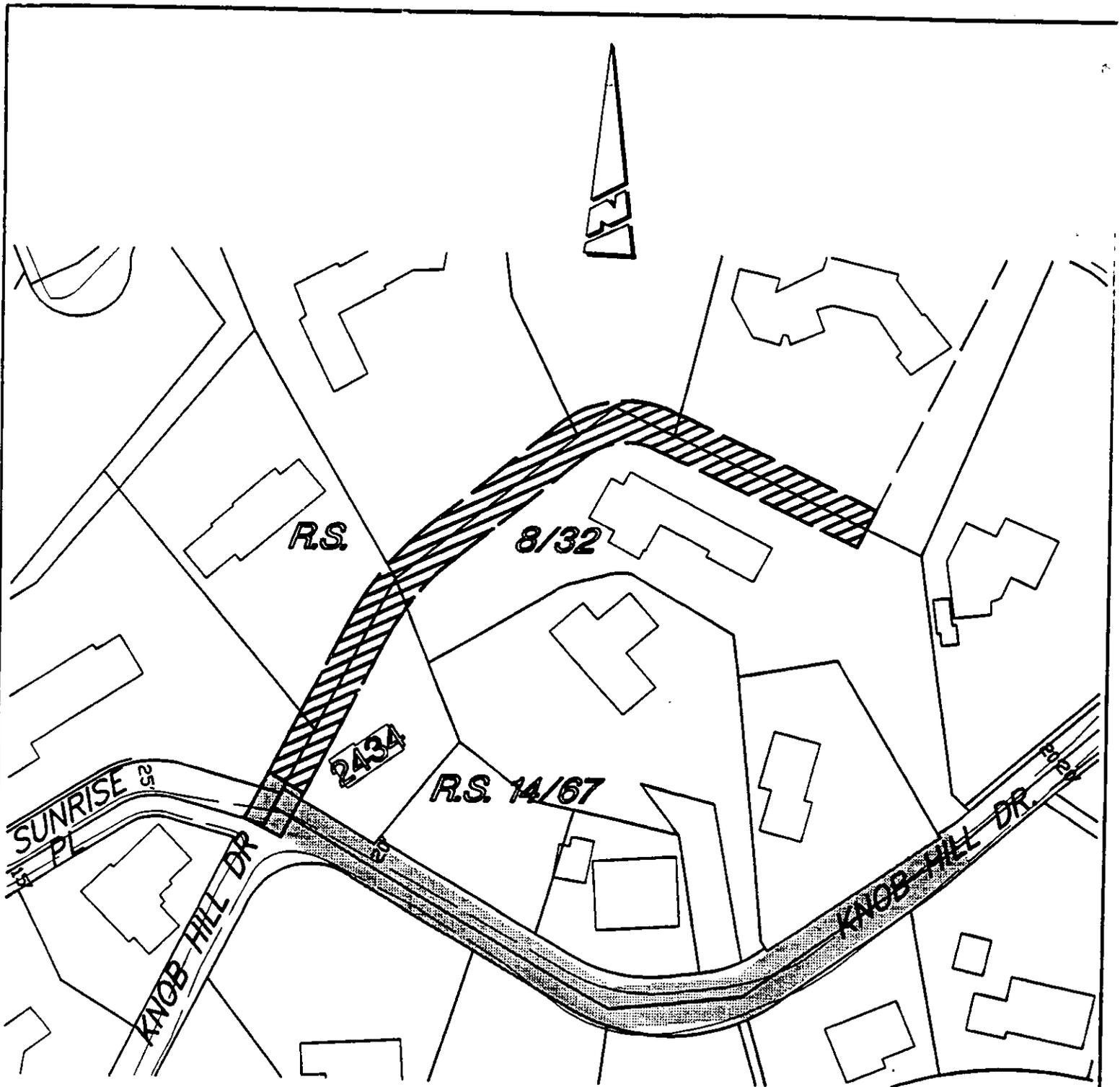
Noes: None.

Absent: Councilmember Defenbaugh.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this 19th day of December, 1995.

KAREN E. LINDQUIST
City Clerk of the City of Riverside

BY *Colleen Nicol*
ASSISTANT CITY CLERK



STREET AREA TO BE VACATED, UTILITY EASEMENTS ACCEPTED - O.R. BOOK 871 PAGE 420.



STREET AREA & UTILITY EASEMENTS ACCEPTED - O.R. BOOK 871 PAGE 420.

• 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

4/10-3
5573

SCALE: 1"=100'

DRAWN BY: CURT

DATE: 8/07/95

SUBJECT: KNOB HILL VACATION

ATTACHMENT "A"

13958

RECEIVED FOR RECORD
AT 8:00 O'CLOCK

JAN 23 1996

Recorded in Official Records
of Riverside County, California
Recorder
Fees \$

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RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

CITY CLERK
City of Riverside
City Hall, 3900 Main Street
Riverside, CA 92522

FREE RECORDING
Exempt Pursuant to
Government Code §6103

Case No. VC-002-956

FOR RECORDER'S OFFICE USE ONLY

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OF DEDICATION OF CERTAIN REAL PROPERTY EXTENDING
NORTHERLY AND EASTERLY FROM THE INTERSECTION OF
SUNRISE PLACE AND KNOB HILL DRIVE EXCEPTING FROM SUCH
VACATION THE PERMANENT EASEMENTS AND RIGHTS OF WAY FOR
PUBLIC UTILITIES PREVIOUSLY ACCEPTED.

