

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

246150

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RECEIVED FOR RECORD
AT 8:00 O'CLOCK

JUL - 2 1996

AND WHEN RECORDED MAIL TO:

City Clerk's Office
3900 MAIN ST.
RIVERSIDE CA 92522

Recorded in Official Records
of Riverside County, California

Recorder
Fees \$

THIS SPACE FOR RECORDER'S USE ONLY

ORDINANCE NO. 6289

TITLE of DOCUMENT

D. 11 11

DATE RECORDED:
Exempt pursuant to
Government Code 59103

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

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION
(Additional recording fee applies)

VAC-1-801

ORDINANCE NO. 6289

1
2 AN ORDINANCE OF THE CITY OF RIVERSIDE, CALIFORNIA,
3 MAKING ITS FINDINGS AND DETERMINATIONS IN THE
4 MATTER OF RESOLUTION OF INTENTION NO. 14187;
5 RESERVING PERMANENT EASEMENTS AND RIGHTS-OF-WAY
6 FOR GAS LINE FACILITIES AND FOR AERIAL AND
7 UNDERGROUND TELEPHONE, TELEGRAPH, COMMUNICATION
8 AND ELECTRIC DISTRIBUTION FACILITIES AND
9 DETERMINING THAT THE PUBLIC CONVENIENCE AND
10 NECESSITY REQUIRE THE RESERVATION OF SUCH
11 EASEMENTS AND RIGHTS-OF-WAY; AND MAKING ITS ORDER
12 VACATING A PORTION OF MAGNOLIA AVENUE IN THE
13 VICINITY WHERE SAID STREET CURVES TOWARDS THE
14 INTERSECTION OF MAIN AND FOURTEENTH STREETS.

15 WHEREAS on July 3, 1980, the Planning Commission of the
16 City of Riverside in Vacation Case VAC-1-801 considered and
17 approved the request to vacate an approximately 100 by 200-foot-
18 long section of Magnolia Avenue situated where Magnolia Avenue
19 curves towards the intersection of Main Street and Fourteenth
20 Street; and

21 WHEREAS on September 23, 1980, the City Council of the City
22 of Riverside adopted Resolution No. 14187 declaring its intention
23 to order the vacation of a portion of Magnolia Avenue in the
24 vicinity where said street curves towards the intersection of Main
25 and Fourteenth Streets, and fixing the time and place of hearing
26 all persons interested in the proposed vacation, pursuant to the
27 provisions of the Street Vacation Act of 1941, 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 said resolution was duly given as
provided by said Street Vacation Act of 1941; and

WHEREAS on October 21, 1980, the day fixed for the hearing,
the City Council heard and considered the evidence offered by

1 persons interested and found and hereby finds from all of the
2 evidence submitted that the portion of Magnolia Avenue ordered
3 vacated is unnecessary for present or prospective public use;

4 NOW, THEREFORE, BE IT ORDAINED, FOUND AND DETERMINED by the
5 City Council of the City of Riverside, California, as follows:

6 Section 1: That the vacation of the hereinafter described
7 portion of Magnolia Avenue in the vicinity where said street curves
8 towards the intersection of Main and Fourteenth Streets is
9 undertaken pursuant to the provisions of and in accordance with the
10 procedures set forth in the Street Vacation Act of 1941 and that
11 all notices required thereby have been duly given.

12 Section 2: That from all of the evidence submitted to the
13 City Council at the public hearing before it on Vacation
14 Case VAC-1-801, whether such evidence was oral or in writing,
15 together with the recommendations from the Planning Commission,
16 that portion of Magnolia Avenue in the vicinity where said street
17 curves towards the intersection of Main and Fourteenth Streets
18 hereinafter described and ordered vacated is unnecessary for
19 present or prospective public use as a public street and highway.

20 Section 3: That the portion of Magnolia Avenue in the
21 vicinity where said street curves towards the intersection of Main
22 and Fourteenth Streets within the City of Riverside as described in
23 the document attached hereto, marked Exhibit "A", and by this
24 reference made a part hereof, be and the same is hereby ordered
25 vacated.

26 Section 4: That the public convenience and necessity
27 require the exception from the vacation of those easements and

1 rights-of-way over, along and across that portion of Magnolia
2 Avenue ordered to be vacated as more particularly described in
3 Exhibit "A" necessary for gas line facilities and aerial and
4 underground telephone, telegraph and communication facilities and
5 electric energy distribution facilities and the reservation of the
6 following: (a) an easement for and the right to construct,
7 maintain, operate, replace, remove, renew and enlarge lines of
8 pipe, conduits, cables, wires, poles, and other convenient
9 structures, equipment and fixtures for the operation of gas line
10 facilities; (b) an easement for and the right to construct, place,
11 operate, inspect, maintain, repair, replace and remove aerial and
12 underground telephone, telegraph and communication structures as
13 may from time to time be required consisting of poles, anchors,
14 wires, cables, conduits, manholes, markers and necessary fixtures
15 and appurtenances; and (c) an easement for and the right to
16 construct, maintain, operate, replace, remove, renew, and enlarge
17 lines of pipe, conduits, cables, wires, poles and other convenient
18 structures, equipment and fixtures for the distribution of electric
19 energy; .

20 Section 5: That the City Clerk of the City of Riverside
21 shall cause a certified copy of this ordinance to be recorded in
22 the Office of the County Recorder of Riverside County, California,
23 upon the satisfaction of the applicable conditions, and that
24 portion of Magnolia Avenue described in Exhibit "A" shall no longer
25 constitute a public street and highway from and after said date of
26 recordation.

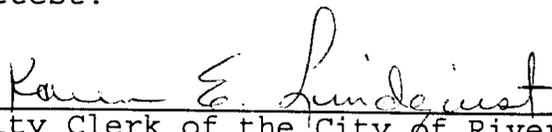
27 Section 6: The City Clerk shall certify to the adoption of

1 this ordinance and cause publication once in a newspaper of general
2 circulation in accordance with Section 414 of the Charter of the
3 City of Riverside. This ordinance shall become effective on the
4 30th day after the date of its adoption.

5 ADOPTED by the City Council and signed by the Mayor and
6 attested by the City Clerk this 28th day of May, 1996.

7
8 
9 Pamela Lowrey
Mayor of the City of Riverside

10 Attest:

11 
12 Karen E. Lindquist
City Clerk of the City of Riverside

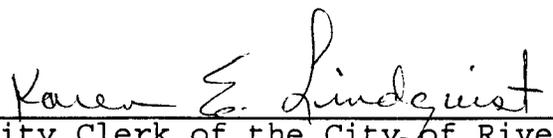
13 I, Karen E. Lindquist, City Clerk of the City of Riverside,
14 California, hereby certify that the foregoing ordinance was duly
15 and regularly introduced at a meeting of the City Council on the
16 21st day of May, 1996, and that thereafter the said ordinance was
17 duly and regularly adopted at a meeting of the City Council on the
18 28th day of May, 1996, by the following vote, to wit:

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

21 Noes: None.

22 Absent: None.

23 IN WITNESS WHEREOF I have hereunto set my hand and affixed
24 the official seal of the City of Riverside, California, this 28th
25 day of May, 1996.

26
27 
Karen E. Lindquist
City Clerk of the City of Riverside

210100

EXHIBIT "A"
VACATION DESCRIPTION
VC-001-801

All that portion of Magnolia Avenue lying within Lots 4 and 5 of the lands of the S.C.C. Association, as shown by map on file in Book 7, Page 3 of Maps, records of San Bernardino County, California, lying easterly of a line parallel with and distant 50.00 feet southeasterly, as measured at right angles, from the southwesterly prolongation of the centerline of that certain parcel of land, (now known as Market Street), described in deed to the City of Riverside by document recorded July 23, 1914, in Book 400, Page 135, et seq., of Deeds, records of said Riverside County;

EXCEPTING THEREFROM that portion lying easterly and northerly of the following described line:

COMMENCING at the intersection of the centerline of Fifteenth Street with the centerline of Main Street as shown by Parcel Map on file in Book 19, Page 98 of Parcel Maps, records of Riverside County, California;

THENCE North $29^{\circ}30'01''$ East (shown as N $28^{\circ}47'10''$ E by said Parcel Map), along said centerline of Main Street, a distance of 568.52 feet to the beginning of a tangent curve concaving southeasterly and having a radius of 500.00 feet;

THENCE North $60^{\circ}29'59''$ West, a distance of 33.00 feet to the southwesterly terminus of that certain curve having a radius of 533.00 feet as described in deed to the City of Riverside by document recorded February 3, 1978, as Instrument No. 22413 of Official Records of said Riverside County;

THENCE North $29^{\circ}30'01''$ East, parallel with the northeasterly prolongation of the previously described portion of said centerline of Main Street and along the westerly boundary of that certain parcel of land described in Grant Deed to the City of Riverside by document recorded January 22, 1996, as Instrument No. 23151 of Official Records of said Riverside County, a distance of 68.71 feet to the beginning of a non-tangent curve concaving westerly, having a radius of 41.50 feet and from which the radius bears North $74^{\circ}57'08''$ West;

THENCE northerly to the left along said curve through a central angle of $6^{\circ}06'40''$ an arc length of 4.43 feet to the southerly line of that certain parcel of land described in deed to the City of Riverside by document recorded May 24, 1911, in Book 327, Page 340, et seq., of Deeds, records of said Riverside County, and the **POINT OF BEGINNING** of this line description;

THENCE northerly continuing along said curve through a central angle of $2^{\circ}39'01''$ an arc length of 1.92 feet to a line parallel with and distant 72.00 feet southwesterly, as measured at right angles, from the centerline of Fourteenth Street as shown by said Parcel Map;

THENCE North $60^{\circ}17'09''$ West, along said parallel line, a distance of 126.89 feet to the northeasterly prolongation of the northwesterly line of Lot 2 in Block 3 of Victoria Place, as shown by map on file in Book 5, Page 55 of Maps, records of said San Bernardino County;

THENCE North 29°30'05" East, along said northeasterly prolongation of said northwesterly line, a distance of 22.00 feet to a line parallel with and distant 50.00 feet southwesterly, as measured at right angles, from said centerline of Fourteenth Street;

THENCE North 60°17'09" West, along said last mentioned parallel line, a distance of 35.80 feet to the northerly line of that certain parcel of land described in deed to the City of Riverside by document recorded July 26, 1909, in Book 288, Page 390 of Deeds, records of said Riverside County, and the **END** of this line description;

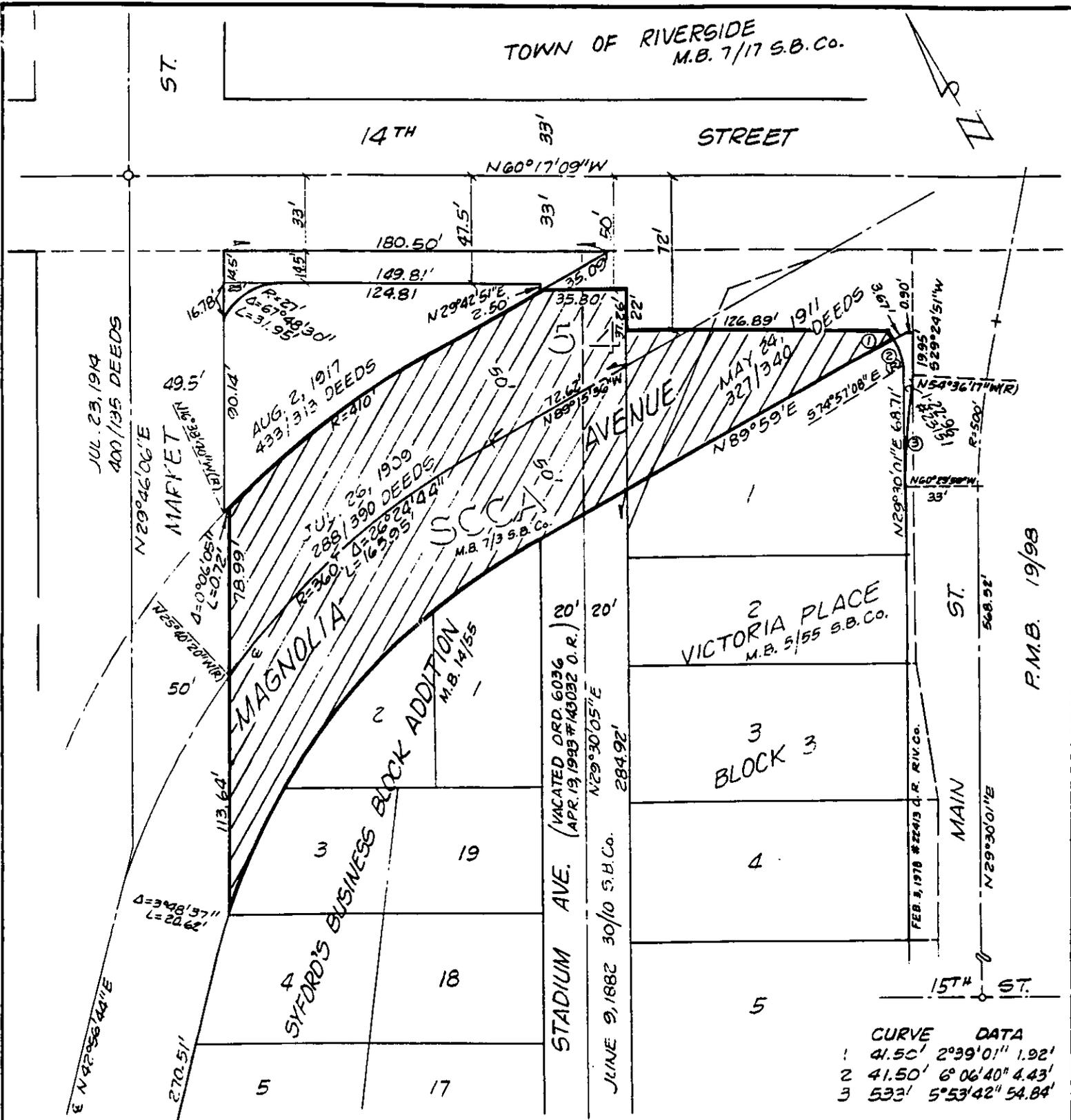
RESERVING THEREFROM permanent easements and rights-of-way for gas line facilities and for aerial and underground telephone, telegraph and communication facilities;

ALSO RESERVING THEREFROM permanent easements and rights-of-way for electric energy distribution facilities over that portion lying northerly of the centerline of Magnolia Avenue as shown by map of Syford's Business Block Addition, on file in Book 14, Page 55 of Maps, records of said Riverside County.

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

Mark S. Brown 4/30/99 Prep. Kap
Mark S. Brown, L.S. 5655 Date
License Expires 9/30/99





• 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 2

2/13 39-2

SCALE: 1" = NTS

DRAWN BY Kes DATE 3/17/95

SUBJECT VAC-1-801 - 14TH ST. WIDENING