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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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SPACE ABOVE FOR RECORDERS USE ONLY

P04-0653

15503



RESOLUTION NO. 20803

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)

15503

RESOLUTION NO. 20803

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, PROVIDING FOR THE SUMMARY VACATION OF AN APPROXIMATELY 83 FOOT WIDE BY 325 FOOT LONG RIGHT-OF-WAY BETWEEN INDIANA AVENUE AND SAYWARD CIRCLE AND AN APPROXIMATELY 7 FOOT WIDE BY 350 FOOT LONG PORTION ON THE NORTHERLY SIDE OF SAYWARD CIRCLE

WHEREAS, the City of Riverside proposes to vacate an approximately 83 foot wide by 325 foot long right-of-way between Indiana Avenue and Sayward Circle and an approximately 7 foot wide by 350 foot long portion on the northerly side of Sayward Circle as described in Exhibit "A" and depicted in Exhibit "B," attached hereto and incorporated by reference (hereinafter "the Property"); and

WHEREAS, the Property is excess right-of-way not used nor required to be used for street, highway, landscape or sidewalk purposes; and

WHEREAS, the adjoining properties will not be affected by the vacation of the Property; and

WHEREAS, the Property has been closed and impassable as a public street and no public funds have been expended on its maintenance for the last five (5) years; and

WHEREAS, Section 8334 of the Streets and Highways Code provides that the legislative body of a local agency may summarily vacate the excess right-of-way of a street or highway not required for street or highway purposes; and

WHEREAS, the City Council wishes to proceed under the provisions of Section 8330, *et seq.* of the Street and Highways Code to summarily vacate the described Property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riverside, California, as follows:

Section 1: That the vacation of the described Property is undertaken pursuant to the provisions of Chapter 4 (commencing with Section 8330) of Part 3 of the Streets and Highways Code of the State of California.

Section 2: The City Council finds and determines as follows:



1 a. The described Property is excess right-of-way and is not required for street or public  
2 pedestrian walkway purposes.

3 b. The vacation of the Property will not cut off access to adjoining properties and will  
4 not affect any public service easement.

5 c. For a period of five (5) consecutive years the Property has never been improved or  
6 used as public streets, nor has any public money be expended to maintain it as a public street or  
7 public pedestrian walkway.

8 Section 3: The proposed summary street vacation project is exempt from the provisions  
9 of the California Environmental Quality Act pursuant to Section 15061 (b) (3) of the Guidelines for  
10 Implementation of the California Environmental Quality Act (Title 15, California Code of  
11 Regulations, commencing with Section 15000) as it can be seen with certainty that there is no  
12 possibility that the activity will have a significant effect on the environment.

13 Section 4: The City Council hereby orders the summary vacation of an approximately 83  
14 foot wide by 325 foot long right-of-way between Indiana Avenue and Sayward Circle and an  
15 approximately 7 foot wide by 350 foot long portion on the northerly side of Sayward Circle  
16 described in Exhibit "A" and depicted in Exhibit "B," attached hereto and incorporated herein by  
17 reference, subject to the Recommended Conditions contained in the Council Report.

18 Section 5: The City Clerk of the City of Riverside, upon compliance of all the conditions  
19 herein, shall assign a deed number hereto, and cause a certified copy of this resolution to be  
20 recorded in the Office of the County Recorder of Riverside County, California, and the right-of-  
21 entry described in Exhibit "A" and depicted in Exhibit "B" shall be and are hereby terminated as of  
22 the date of said recordation and shall no longer constitute a public street or right-of-way from and  
23 after said date of recordation.



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ADOPTED by the City Council and signed by the Mayor and attested by the City Clerk

this 19th day of October, 2004.

  
\_\_\_\_\_  
Mayor of the City of Riverside

Attest:

  
\_\_\_\_\_  
City Clerk of the City of Riverside

I, Colleen J. Nicol, 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 October, 2004, by the following vote, to wit:

Ayes: Councilmembers Betro, Moore, Gage, Adkison, and Hart

Noes: None

Absent: Councilmembers Schiavone and Adams

Abstain: None

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this 19th day of October, 2004.

  
\_\_\_\_\_  
City Clerk of the City of Riverside

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**EXHIBIT A**

Project: Vacation of Indiana Ave and Sayward Cr.

IN THE CITY OF RIVERSIDE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF INDIANA AVENUE (ABANDONED) AND INDIANA AVENUE NOW KNOWN AS SAYWARD CIRCLE AS SHOWN BY RECORD OF SURVEY ON FILE IN RECORD OF SURVEY BOOK 41 PAGE 65 THEREOF, AND RECORD OF SURVEY BOOK 4 PAGE 19 THEREOF, BOTH RECORDS OF RIVERSIDE COUNTY, AND LYING WITHIN AND ABUTTING LOTS 14 AND 15 IN BLOCK 46 AS SHOWN BY MAP OF THE RIVERSIDE LAND AND IRRIGATING COMPANY ON FILE IN MAP BOOK 1 PAGE 72 THEREOF (KNOWN IN THE CITY OF RIVERSIDE AS MAP BOOK 1 PAGE 70) RECORDS OF SAN BERNARDINO COUNTY CALIFORNIA.

SAID PORTIONS OF INDIANA AVENUE AND SAYWARD CIRCLE BEING:

BOUNDED ON THE SOUTH BY A LINE THAT IS PARALLEL AND 33.00 FEET NORTHERLY, AS MEASURED AT RIGHT ANGLES FROM THE CENTERLINE OF SAYWARD CIRCLE AS SHOWN BY MAP OF TRACT 7503 ON FILE IN MAP BOOK 130, PAGES 41 AND 42 THEREOF RECORDS OF RIVERSIDE COUNTY CALIFORNIA;

AND:

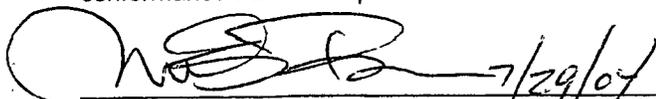
BOUNDED ON THE NORTH BY A LINE THAT IS PARALLEL AND 88.00 FEET SOUTHERLY, AS MEASURED AT RIGHT ANGLES FROM THE SOUTHERLY LINES OF TRACT 19568 AS SHOWN BY MAP ON FILE IN MAP BOOK 149, PAGE 31 AND 32 THEREOF, RECORDS OF RIVERSIDE COUNTY CALIFORNIA AND TRACT 17734 AS SHOWN BY MAP ON FILE IN MAP BOOK 130, PAGES 17 THROUGH 19, RECORDS OF RIVERSIDE COUNTY CALIFORNIA.

AND:

BOUNDED ON THE EAST BY THE WESTERLY LINE OF LOT I OF TRACT 6756 ON FILE IN MAP BOOK 113, PAGES 57 THROUGH 60 THEREOF RECORDS OF RIVERSIDE COUNTY CALIFORNIA;

SUBJECT TO THE RIGHT OF WAY OF THE RIVERSIDE WATER COMPANY CANAL.

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

  
\_\_\_\_\_  
Mark S. Brown, L.S. 5655                      Date 7/29/07                      Prep. \_\_\_\_\_  
License Expires 9/30/05



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