

DOC # 2011-0176073

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Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



PLEASE COMPLETE THIS INFORMATION
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

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RESOLUTION NO. 21760

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)

16635

1 RESOLUTION NO. 21760

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE,
3 CALIFORNIA, PROVIDING FOR THE SUMMARY VACATION (CASE NO.
4 P07-1076) OF A 33-FOOT WIDE BY A 127-FOOT LONG PORTION OF
5 UNUSED RIGHT-OF-WAY SITUATED NORTHERLY OF ARLINGTON
6 AVENUE BETWEEN NEIL AND WEAVER STREETS AND SOUTHERLY
7 OF GEMENDE DRIVE, IN THE CITY OF RIVERSIDE, CALIFORNIA.

8 WHEREAS, the City of Riverside proposes to vacate a thirty-three (33) foot wide by one
9 hundred twenty-seven (127) foot long portion of unused right-of-way situated northerly of
10 Arlington Avenue between Neil and Weaver Streets and southerly of Gemende Drive, as
11 described and depicted in Exhibit "A", attached hereto and incorporated by reference (hereinafter
12 "the Property"); and

13 WHEREAS, the Property is excess right-of-way and is not required for street or highway
14 purposes; and

15 WHEREAS, the adjoining properties and public service easements will not be affected by
16 the vacation of the Property; and

17 WHEREAS, the Property has been closed and impassable as a public road, has never
18 been developed as a road, and no funds have been expended on its maintenance for the last five
19 years; and;

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

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

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

27 Section 1: The vacation of the Property is undertaken pursuant to the provisions of
28 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:

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(a) The Property is excess right-of-way and is not required for street or highway purposes.

(b) The vacation of the Property will not cut off all access of any parcel of property and will not affect any public service easement.

(c) The Property has been closed and impassable as a public road, has never been developed as a road, and no public funds have been expended on its maintenance for the last five years.

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

Section 4: The City Council hereby orders the Summary Vacation of a a thirty-three (33) foot wide by one hundred twenty-seven (127) foot long portion of unused right-of-way situated northerly of Arlington Avenue between Neil and Weaver Streets and southerly of Gemende Drive, particularly described and depicted in Exhibit "A", attached hereto and incorporated herein by this reference, subject to the Recommended Conditions contained in the Council Report, and further, reserving and excepting the following easements and rights-of-way from the vacation herein above ordered: an easement for, and right to construct, maintain, operate, inspect, replace, remove, renew, repair and enlarge lines of pipe, conduits, cables, wires, poles, vaults, manholes, markers, equipment, fixtures and other convenient and appurtenant structures, for the distribution and/or transmission of electrical energy, water pipelines, gas lines, storm drains, sanitary sewers, telephone, telegraph, cable television and other communication facilities, as may from time to time be required.

Section 5: The City Clerk of the City of Riverside shall assign a deed number hereto and cause a certified copy of this resolution to be recorded in the Office of the County Recorder of Riverside County, California, of the public right-of-way described and depicted in Exhibit "A"

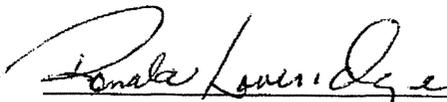
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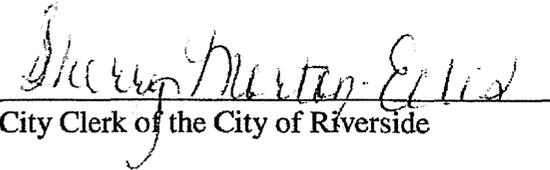


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1 shall be and is hereby terminated as of the date of said recordation and shall no longer constitute
2 a public street or right-of-way from and after said date of recordation.

3 ADOPTED by the City Council and this 2nd day of December, 2008.

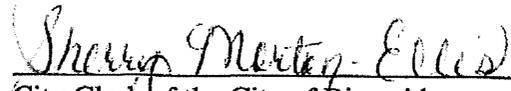
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5 
6 Mayor of the City of Riverside

6 ATTEST:
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8 
9 City Clerk of the City of Riverside

10 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the
11 foregoing resolution was duly and regularly introduced at a meeting of the City Council on the
12 2nd day of December, 2008, by the following vote, to wit:

- 13 Ayes: Councilmembers Gardner, Melendrez, Bailey, Schiavone, Mac Arthur, and Hart
14 Noes: None
15 Absent: Councilmember Adams
16 Abstain: None

17 IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of
18 the City of Riverside, California, this 3rd day of December, 2008.

19
20 
21 City Clerk of the City of Riverside

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24 O:\Cyc\com\WPDocs\D024\P008\00023761.DOC
25 CA: 08-2589
26 11/24/08



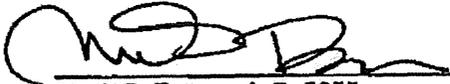
EXHIBIT "A"

Vacation Case
P07-1076

That certain real property located in the City of Riverside, County of Riverside, State of California, described as follows:

. . . The westerly rectangular 33.00 feet of Lots 45 and 46 of Gafford Gardens, as shown by map on file in Book 12, Page 97 of Maps, records of Riverside County, California.

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
License Expires 9/30/09

Date

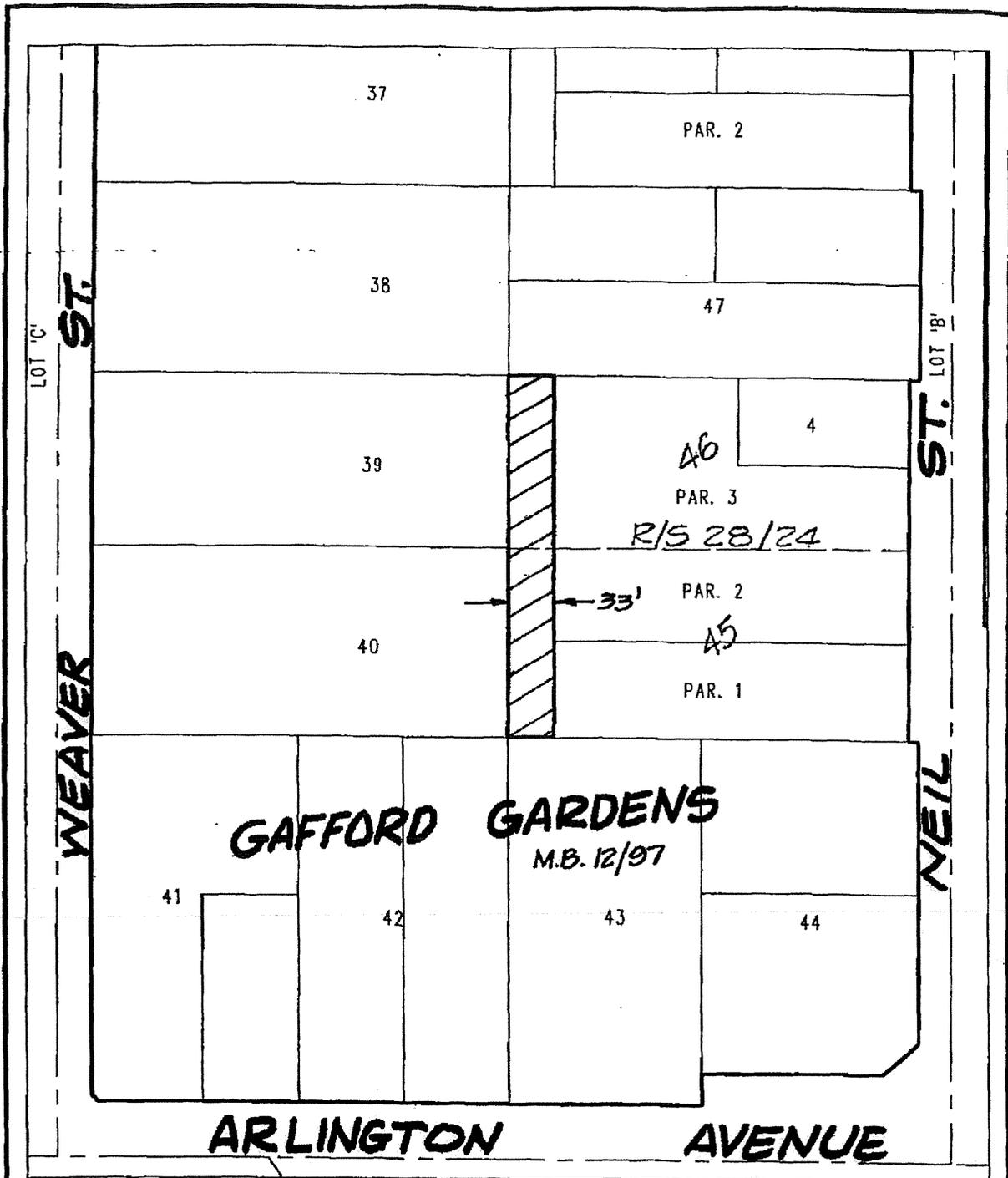
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◆ CITY OF RIVERSIDE, CALIFORNIA ◆

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



Scale: 1" = 100'

Drawn by: skn

Date: 10/31/08

Subject: VACATION CASE P07-1076

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 April 20, 2011 at
Riverside, California

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