

DOC # 2011-0336637

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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

D-16685

RESOLUTION NO. 21807

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)

16685

1 RESOLUTION NO. 21807

2 A RESOLUTION OF THE CITY COUNCIL OF RIVERSIDE,
3 CALIFORNIA, MAKING ITS FINDINGS AND DETERMINATIONS IN
4 THE MATTER OF RESOLUTION OF INTENTION NO. 21793; AND
5 MAKING ITS ORDER VACATING A PEDESTRIAN WALKWAY,
6 CONNECTING SAN MARCOS AVENUE AND MADISON STREET, IN
7 RIVERSIDE, CALIFORNIA.

8 WHEREAS, on March 3, 2009, the City Council of the City of Riverside in Planning
9 Case No. P08-0946 adopted Resolution No. 21793 declaring its intention to order a pedestrian
10 walkway vacated, connecting San Marcos Avenue to Madison Street, located between 3907 and
11 3917 San Marcos Avenue and 3908 and 3918 Madison Street, westerly of Madison Street and
12 easterly of San Marcos Avenue, within the City of Riverside, California, and fixing the time and
13 place of hearing all persons interested in the proposed vacation pursuant to the provisions of the
14 Public Streets, Highways and Service Easements Vacation Law, being Sections 8300 et seq. of
15 Part 3, Division 9 of the Streets and Highways Code of the State of California; and

16 WHEREAS, notice of hearing before the City Council on said resolution of intention was
17 duly given as provided by said Public Streets, Highways, and Service Easements Vacation Law;
18 and

19 WHEREAS, said proposed vacation had been previously submitted to and considered by
20 the Planning Commission of the City of Riverside at a duly noticed public hearing held on
21 February 5, 2009; and

22 WHEREAS, following the close of the public hearing before the Planning Commission,
23 the Planning Commission determined that the proposed vacation would not have a significant
24 effect on the environment, recommended that the City Council should adopt a Mitigated
25 Negative Declaration, and recommended that Planning Case No. P08-0946 should be approved
26 subject to all staff conditions; and

27 WHEREAS, the recommendations of the Planning Commission were submitted to the
28 City Council for consideration together with the testimony, whether oral or in writing, presented
at the public hearing before said City Council; and

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1 WHEREAS, the City Council heard and found and determined from all of the evidence
2 submitted to said Council on the day fixed for the hearing, on March 24, 2009, that the
3 pedestrian walkway connecting San Marcos Avenue to Madison Street, located between 3907
4 and 3917 San Marcos Avenue and 3908 and 3918 Madison Street, westerly of Madison Street
5 and easterly of San Marcos Avenue, within the City of Riverside, proposed for vacation was
6 unnecessary for present or prospective public use;

7 NOW, THEREFORE, IT IS RESOLVED, FOUND and DETERMINED by the City
8 Council of the City of Riverside, California, as follows:

9 Section 1: That the pedestrian walkway connecting San Marcos Avenue to Madison
10 Street, located between 3907 and 3917 San Marcos Avenue and 3908 and 3918 Madison Street,
11 westerly of Madison Street and easterly of San Marcos Avenue, within the City of Riverside, in
12 Planning case P08-0946 is undertaken pursuant to the provisions of and in accordance with the
13 procedures set forth in the Public Streets, Highways, and Service Easements Vacation Law and
14 all notices required thereby have been duly given.

15 Section 2: That from all evidence submitted to the City Council at the March 24, 2009,
16 public hearing before it on Planning Case P08-0946, whether such evidence was oral or in
17 writing, together with the recommendations from the Planning Commission, the pedestrian
18 walkway connecting San Marcos Avenue to Madison Street, located between 3907 and 3917 San
19 Marcos Avenue and 3908 and 3918 Madison Street, westerly of Madison Street and easterly of
20 San Marcos Avenue within the City of Riverside, California, as hereinafter described and
21 ordered vacated is unnecessary for present or prospective public use as a public street.

22 Section 3: That the proposed vacation will not have a significant effect on the
23 environment and adopts a Mitigated Negative Declaration.

24 Section 4: That the pedestrian walkway located between connecting San Marcos Avenue
25 to Madison Street, located between 3907 and 3917 San Marcos Avenue and 3908 and 3918
26 Madison Street, westerly of Madison Street and easterly of San Marcos Avenue, within the City
27 of Riverside, California, and described and depicted in attached Exhibit "A", and by this
28 reference made a part hereof, be and the same is hereby ordered vacated.

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1 Section 5: That the public convenience and necessity requires the exception of the
2 following easements and rights-of-way from the vacation hereinabove ordered: an easement for
3 electrical energy underground facilities; including water pipelines, gas lines, storm drains,
4 sanitary sewers, telephone, telegraph and communications structures, the right to construct,
5 place, inspect, operate, maintain, repair, replace and remove such underground facilities unless
6 said facilities are satisfactorily relocated and/or abandoned, further, that the public convenience
7 and necessity require the exception and reservation from the vacation of those easements and
8 rights-of-way in, under, across, upon, over and along that portion of the pedestrian walkway
9 ordered to be vacated necessary to maintain, operate, remove or renew any in-place public utility
10 facilities that are in use and not otherwise excepted and reserved hereinabove.

11 Section 6: That the vacation, termination and abandonment of the pedestrian walkway
12 described and depicted in Exhibit "A" shall occur only after the applicable conditions contained
13 in the Planning Department's report to the City Council and on file with the City Clerk, as
14 approved or amended by the City Council, have been satisfied, and the City Clerk is hereby
15 directed not to record this resolution of vacation until the applicable conditions have been
16 satisfied.

17 Section 7: That the City Clerk of the City of Riverside shall cause a certified copy of this
18 resolution to be recorded in the Office of the County Recorder of the County of Riverside,
19 California, upon the satisfaction of the applicable conditions, and the pedestrian walkway
20 described and depicted in Exhibit "A" shall no longer constitute a pedestrian walkway from and
21 after the date of recordation.
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ADOPTED by the City Council this 7th day of April, 2009.

Ronda Louveridge
Mayor of the City of Riverside

ATTEST:

Colleen J. Nicol
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 at a meeting of the City Council on the 7th day of April, 2009, by the following vote, to wit:

Ayes: Councilmembers Gardner, Melendrez, Bailey, Schiavone, Mac Arthur, Hart,
and Adams

Noes: None

Absent: None

Abstain: None

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this 10th day of April, 2009.

Colleen J. Nicol
City Clerk of the City of Riverside

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EXHIBIT "A"

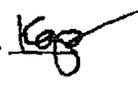
Walkway Vacation Case P08-0946
Bet. San Marcos & Madison
N'ly of Magnolia

That certain pedestrian way, Lot "F" offered for dedication and accepted by map of Heers Subdivision No. 4, filed in Book 24, Page 74 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

2/11/09 Date

Prep. 

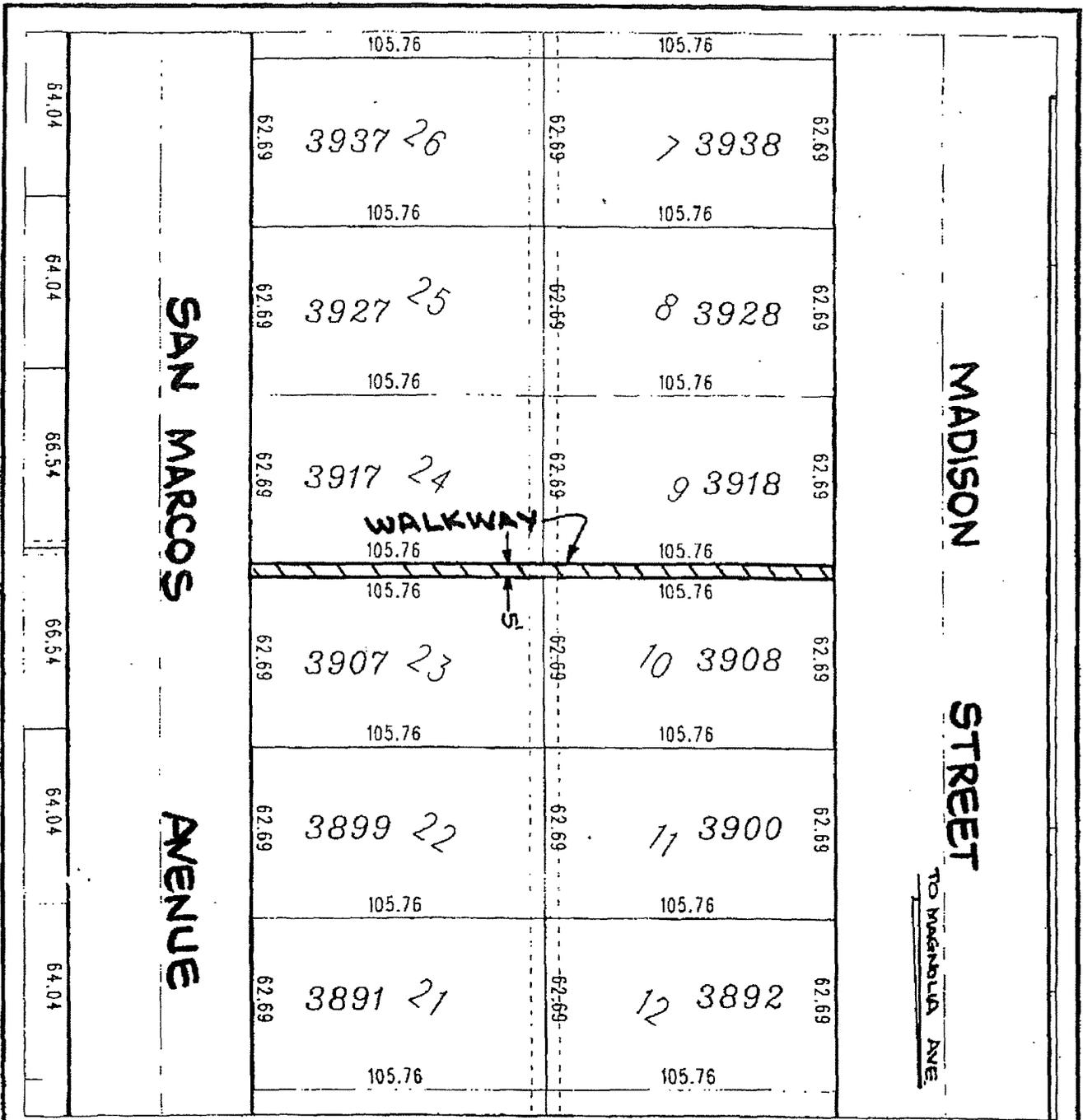


P08-0946 - SAN MARCOS WALKWAY VACATION.DOC



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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.

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
Colleen J. Nicol, City Clerk
City of Riverside, California.

Subject: PEDESTRIAN WALKWAY VACATION CASE Sheet 1 of 1

Scale: 1" = 50' Drawn by: skn Date: 11/25/08

Executed on July 27, 2011 at
Riverside, California.



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