

DOC # 2008-0447410
08/14/2008

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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
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Larry W Ward
County of Riverside
Assessor, County Clerk & Recorder

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SPACE ABOVE FOR RECORDERS USE ONLY

D-16257

RESOLUTION NO. 21692

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)

16257

RESOLUTION NO. 21692

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, PROVIDING FOR THE SUMMARY VACATION (CASE NO. P08-0329) OF A 53-FOOT WIDE PORTION OF UNUSED RIGHT-OF-WAY LOCATED ALONG THE EASTERLY SIDE OF COMMERCE STREET BETWEEN MISSION INN AVENUE AND UNIVERSITY AVENUE, IN THE CITY OF RIVERSIDE, CALIFORNIA.

WHEREAS, the City of Riverside proposes to vacate an approximately 53-foot wide portion of unused right-of-way located on the easterly side of Commerce Street, between Mission Inn Avenue and University Avenue, as described and depicted in Exhibit "A", attached hereto and incorporated by reference (hereinafter "the Property"); and

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

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

WHEREAS, the Property has been closed and impassable as a public road and no funds have been expended on its maintenance for the last five 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 Property.

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

Section 1: The vacation of the 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:

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

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

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

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

Section 1: The vacation of the 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 Property is excess right-of-way and is not required for street or
2 highway purposes.

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

5 (c) The Property has been closed and impassable as a public road and no
6 public funds have been expended on its maintenance for the last five years.

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

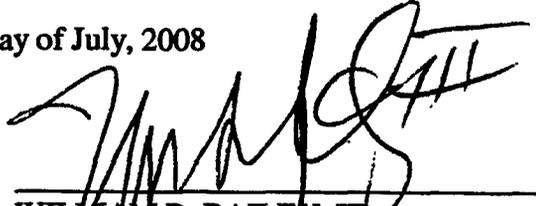
12 Section 4: The City Council hereby orders the Summary Vacation of an approximately
13 53-foot wide portion of unused right-of-way located on the easterly side of Commerce Street,
14 between Mission Inn Avenue and University Avenue, particularly described and depicted in
15 Exhibit "A", attached hereto and incorporated herein by this reference, subject to the
16 Recommended Conditions contained in the Council Report, and further, reserving and excepting
17 the following easements and rights-of-way from the vacation herein above ordered: an easement
18 for, and right to construct, maintain, operate, inspect, replace, remove, renew, repair and enlarge
19 lines of pipe, conduits, cables, wires, poles, vaults, manholes, markers, equipment, fixtures and
20 other convenient and appurtenant structures, for the distribution and/or transmission of electrical
21 energy, water pipelines, gas lines, storm drains, sanitary sewers, telephone, telegraph, cable
22 television and other communication facilities, as may from time to time be required.

23 Section 5: The City Clerk of the City of Riverside shall assign a deed number hereto and
24 cause a certified copy of this resolution to be recorded in the Office of the County Recorder of
25 Riverside County, California, portion of a public alley described and depicted in Exhibit "A"
26 shall be and is hereby terminated as of the date of said recordation and shall no longer constitute
27 a public street or right-of-way from and after said date of recordation.

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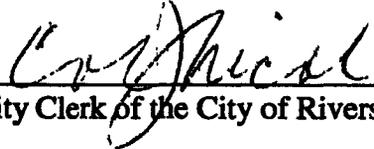
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ADOPTED by the City Council this 22nd day of July, 2008



WILLIAM R. BAILEY, II
Mayor Pro Tempore 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 at a meeting of the City Council on the 22nd day of July, 2008, by the following vote, to wit:

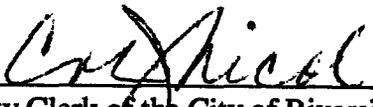
Ayes: Councilmembers Gardner, Melendrez, Bailey, Schiavone, Mac Arthur, Hart,
and Adams

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 23rd day of July, 2008



City Clerk of the City of Riverside

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CA: 08-1520
06/24/08

EXHIBIT "A"

PO8-0329

Street Vacation of a portion of Commerce Street

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

That portion of Commerce Street (formerly Pachappa Avenue) adjoining Block 10 all being a subdivision of White's Addition, as shown by map on file in Book 6, Page 48 of Maps, records of San Bernardino County, California, being bounded as follows:

ON the northeast by a line that is parallel with and distant 49.50 feet southwesterly, as measured at right angles, from the centerline of Mission Inn Avenue (formerly 7th Street); said Mission Inn Avenue being shown by map of Parcel Map No. 26301, on file in Book 176, Pages 72 through 81 of Parcel Maps, records of Riverside County, California;

ON the southeast by the northwesterly line of Lots 1, 2, 25 through 35, inclusive, all in Block 10 of said map of White's Addition;

ON the southwest by the northwesterly line of University Avenue (formerly 8th Street) as shown by State Highway Right-of-Way Map VIII-RIV-19-RIV Sheet 2 of 2 Sheets, on file with the County Surveyor of Riverside County, California; a portion of said northwesterly line being described as follows:

COMMENCING at the most westerly corner of Lot 35 in Block 10 of said White's Addition;

THENCE along the northwesterly line of said Lot 35 and along the northwesterly line of Lot 34 in said Block 10, North 29°43'55" West, a distance of 36.58 feet to said northwesterly line of University Avenue as shown on said State Highway Right-of-Way Map, and the POINT OF BEGINNING of this portion of said northwesterly line;

THENCE along said northwesterly line of University Avenue, North 56°29'57" West, a distance of 52.11 feet to a line that is parallel with and distant 38.00 feet southeasterly, as measured at right angles, from the centerline of Commerce Street as shown on Sheet 7 of 10 Sheets of said Parcel Map No. 26301, and the END of this portion of said northwesterly line;

ON the northwest by a line that is parallel with and distant 38.00 feet southeasterly, as measured at right angles, from the centerline of Commerce Street as shown on said Sheet 7 of 10 Sheets of Parcel Map No. 26301;

EXCEPTING FROM the above bounded parcel of land, that portion of said Commerce Street (formerly Pachappa Avenue) described as follows:

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COMMENCING at the intersection of the centerline of said Mission Inn Avenue with the centerline of said Commerce Street as shown on said Sheet 7 of 10 Sheets of Parcel Map No. 26301;

THENCE along said centerline of Commerce Street, South 29°43'55" West, a distance of 49.50 feet to a line that is parallel with and distant 49.50 feet southwesterly, as measured at right angles, from said centerline of Mission Inn Avenue;

THENCE along said parallel line, South 60°13'41" East, a distance of 38.00 feet to said line that is parallel with and distant 38.00 feet southeasterly, as measured at right angles, from said centerline of Commerce Street as shown on Sheet 7 of 10 Sheets of said Parcel Map No. 26301, and the POINT OF BEGINNING of the parcel of land being described;

THENCE along said last mentioned parallel line, South 29°43'55" West, a distance of 25.52 feet;

THENCE North 71°48'12" East, a distance of 34.35 feet to a point in said line that is parallel with and 49.50 feet southwesterly from the centerline of Mission Inn Avenue, distant southeasterly, 23.02 feet from the Point of Beginning;

THENCE along said last mentioned parallel line, North 60°13'41" West, a distance of 23.02 feet to the POINT OF BEGINNING.

Area 0.34 of an acre, more or less.

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

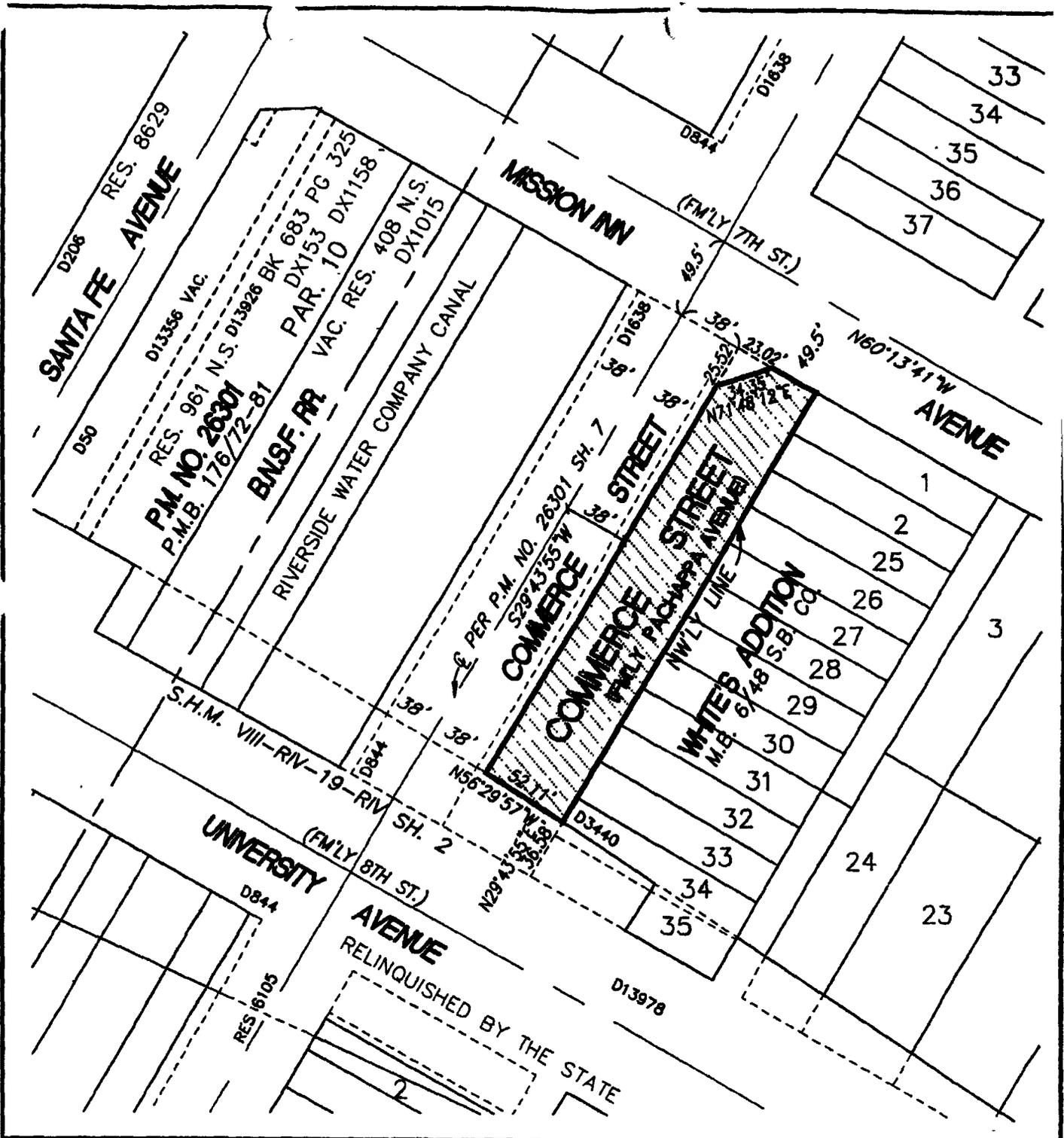


Mark S. Brown, L.S. 5655
License Expires 9/30/09

5/19/09
Date

Prep.





● CITY OF RIVERSIDE, CALIFORNIA ●

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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: N.T.S.

DRAWN BY: *Kgs* DATE: 5/21/08

SUBJECT: VACATION OF A PORTION OF COMMERCE STREET

The hereon described plat is certified under the provisions of the 1907 Act, Chapter 107, Section 1, of the Statutes of this State, and is a true and correct copy of the original on file in the office of the City Engineer.

Official

August 13, 08 116257