

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

80988

RESOLUTION NO. 14381

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, AUTHORIZING AND PROVIDING FOR THE SALE OF PARKING LOT NO. 4 AND THE ACQUISITION OF REPLACEMENT FACILITIES.

14381

WHEREAS the City of Riverside (the "City") is a municipal corporation duly organized and existing under its Charter and the laws of the State of California; and

WHEREAS the Parking Authority of the City of Riverside, California (the "Authority") is a public body corporate and politic created under and exercising its powers pursuant to the Parking Law of 1949, Part 2 of Division 18 of the Streets and Highways Code of the State of California (commencing with Section 32500); and

WHEREAS said Authority has issued \$3,450,000 1974 Lease Revenue Bonds pursuant to that certain resolution entitled "Resolution of the Parking Authority of the City of Riverside, California, Authorizing the Issuance of \$3,450,000 1974 Lease Revenue Bonds of Said Authority and Providing the Terms and Conditions for the Issuance of Said Bonds" (the "Resolution") for the purpose of acquiring, constructing and financing certain public parking facilities (the "Facilities") in the City of Riverside; and

WHEREAS the Facilities have been leased to the City pursuant to that certain lease entitled "Riverside Parking Facilities Lease" dated as of August 15, 1974 (the "Lease"), by and between the Authority and the City; and

WHEREAS by Resolution No. 13701, the City Council of the City of Riverside found and determined that the portion of the Facilities located on West as more particularly described on the map attached hereto is more useful for the purpose of parking and authorized the amendment of the map attached hereto to include the portion of the Facilities located on West therefrom; and

4 B

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RECEIVED FOR RECORD AT 9:00 O'CLOCK A.M. At Request of FIRST AMERICAN TITLE COMPANY OF RIVERSIDE 80988 Book 1981, Page MAY - 5 1981 Recorded in Official Records of Riverside County, California D. S. S. Recorder FEES \$

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WHEREAS the City of Riverside (the "City") is a municipal corporation duly organized and existing under its Charter and the laws of the State of California; and

WHEREAS the Parking Authority of the City of Riverside, California (the "Authority") is a public body corporate and politic created under and exercising its powers pursuant to the Parking Law of 1949, Part 2 of Division 18 of the Streets and Highways Code of the State of California (commencing with Section 32500); and

WHEREAS said Authority has issued \$3,450,000 1974 Lease Revenue Bonds pursuant to that certain resolution entitled "Resolution of the Parking Authority of the City of Riverside, California, Authorizing the Issuance of \$3,450,000 1974 Lease Revenue Bonds of Said Authority and Providing the Terms and Conditions for the Issuance of Said Bonds" (the "Resolution") for the purpose of acquiring, constructing and financing certain public parking facilities (the "Facilities") in the City of Riverside; and

WHEREAS the Facilities have been leased to the City pursuant to that certain lease entitled "Riverside Parking Facilities Lease" dated as of August 15, 1974 (the "Lease"), by and between the Authority and the City; and

WHEREAS by Resolution No. 13701, the City Council of the City of Riverside found and determined that the portion of the Facilities designated as Parking Lot 4 West as more particularly described therein was not necessary or useful for the purpose of providing public parking in the City and authorized the amendment of the Lease to release Parking Lot 4 West therefrom; and

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1 WHEREAS by said Resolution No. 13701, the City Council  
2 of the City of Riverside found and determined that the acqui-  
3 sition, construction and improvement of Parking Lot 31 as more  
4 particularly described therein would provide the City with  
5 replacement parking facilities better suited to the purpose of  
6 providing public parking in the City and authorized the amendment  
7 of the Lease to place Parking Lot 31 under the same terms and  
8 conditions as the remaining Facilities; and

9 WHEREAS the sale of Parking Lot 4 West to H. Frank  
10 Dominguez dba Vanir Research Company, as assignee of the General  
11 Services Administration as approved by the Authority was not  
12 completed; and

13 WHEREAS the Authority has now approved the sale of all  
14 its right, title and interest in that certain portion of the  
15 Facilities commonly described as Parking Lot No. 4 located  
16 between Ninth and Tenth Streets and Lime and Lemon Streets and  
17 more particularly described in Exhibit A attached hereto and by  
18 this reference made a part hereof, to the Daon Corporation, a  
19 Delaware corporation, for the sum of \$2,115,640, which sum, less  
20 certain closing costs, will be held by the Authority in a special  
21 trust account for the purposes of acquiring or constructing  
22 suitable replacement facilities for parking in the City in  
23 accordance with the provisions of Section 17 of the Resolution;  
24 and

25 WHEREAS the sale of Parking Lot No. 4 as hereinabove  
26 described includes that portion thereof previously described as  
27 Parking Lot 4 West; and

28 WHEREAS the City Council of the City has reviewed a  
29 report from the City Manager of City dated April 21, 1981,  
30 recommending that Parking Lot No. 31 as described in Resolution  
31 No. 13701 not be acquired but rather that other properties be  
32 acquired and improved as replacement facilities for the parking

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1 facilities formerly provided by Parking Lot No. 4; and  
2 WHEREAS said report dated April 21, 1981 from the City  
3 Manager was also presented to the Authority on said date; and  
4 WHEREAS the Authority has approved, in accordance with  
5 the recommendations for replacement parking facilities made in  
6 said report, the acquisition of certain properties on the  
7 westerly side of Orange Street between Fifth and Sixth Streets  
8 which together with Parking Lot No. 2 will comprise that property  
9 described in Exhibit B, attached hereto and by this reference  
10 made a part hereof; and  
11 WHEREAS said property described in Exhibit B will be  
12 available for public parking purposes including the construction  
13 thereon of a parking structure to be known as Parking Garage  
14 No. 4; and  
15 WHEREAS the City Council of the City finds that the fair  
16 market rental value of the Facilities following the sale of  
17 Parking Lot No. 4 and the acquisition and improvement of the  
18 properties to be known as Parking Garage No. 4 will be at least  
19 equal to the fair market rental value of the Facilities exist-  
20 ing prior to or at the time of sale of said Parking Lot No. 4;  
21 NOW, THEREFORE, BE IT RESOLVED by the City Council of  
22 the City of Riverside, California, that in accordance with the  
23 provisions of Section 17 of the Resolution, the Council hereby  
24 finds and determines that the portion of the Facilities desig-  
25 nated as Parking Lot No. 4 is not necessary or useful for the  
26 purpose of providing public parking for the City of Riverside.  
27 BE IT FURTHER RESOLVED that in accordance with the  
28 provisions of Section 17 of the Resolution, the City Council  
29 of the City hereby finds and determines that the acquisition,  
30 construction and improvement of Parking Garage No. 4, as  
31 recommended in the April 21, 1981 report from the City Manager,  
32 will provide the City with replacement parking facilities better

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1 suited to the purpose of providing public parking in the City  
2 of Riverside and that the acquisition of Parking Lot No. 31 as  
3 described in Exhibit C, attached hereto and made a part thereof,  
4 will not be necessary and is hereby abandoned.

5 BE IT FURTHER RESOLVED that the Mayor (or in his absence,  
6 the Mayor Pro Tempore) is hereby authorized and directed, in the  
7 name and on behalf of the City, to enter into such amendments to  
8 the Lease, to execute, deliver and record all such certificates,  
9 deeds, instruments and other documents and to perform such other  
10 acts as he determines to be necessary or appropriate, and the  
11 City Clerk is authorized and directed to attest to any of such  
12 actions and to affix the official seal of the City to any of  
13 such documents, to release Parking Lot No. 4 from the Lease and  
14 to substitute therefor, upon the same terms and conditions as  
15 the remaining Facilities, Parking Garage No. 4, with such  
16 determination to be conclusively evidenced by the making of  
17 such amendments, the execution, delivery or recording of such  
18 certificates, deeds, instruments, or other documents or the  
19 performance of such acts.

20 BE IT FURTHER RESOLVED that the appropriate officials of  
21 the City are hereby authorized and directed in the name and  
22 behalf of the City, to make all such arrangements, to perform  
23 all such acts, and to execute and deliver all such certificates,  
24 deeds, instruments and other documents as they may determine to  
25 be necessary or appropriate in order to fully effectuate the  
26 purpose of each and all of the foregoing resolutions, with such  
27 determination to be conclusively evidenced by the making of such  
28 arrangements, the performance of said acts, or the execution and  
29 delivery of such certificates, deeds, instruments or documents.

30 BE IT FURTHER RESOLVED that any and all actions hereto-  
31 fore taken by any of the officials of the City with respect to  
32 the sale of Parking Lot No. 4 and the acquisition of Parking

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1 Garage No. 4 are hereby ratified, confirmed and approved.

2 ADOPTED by the City Council and signed by the Mayor and  
3 attested by the City Clerk this 28th day of April, 1981.

4  
5  
6 *Al Brown*  
7 Mayor of the City of Riverside

8 Attest:

9  
10 *Alice A. Hare*  
11 City Clerk of the City of Riverside

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15  
16 I, Alice A. Hare, City Clerk of the City of Riverside,  
17 California, hereby certify that the foregoing resolution was  
18 duly and regularly introduced and adopted by the City Council  
19 of said City at its meeting held on the 28th day of April,  
20 1981, by the following vote, to wit:

21 Ayes: Councilmembers Loveridge, Shepard, Bowers, Buster,  
22 Digati and Frizzel.

23 Noes: None.

24 Absent: Councilmember Mansfield.

25 IN WITNESS WHEREOF I have hereunto set my hand and  
26 affixed the official seal of the City of Riverside, California,  
27 this 28th day of April, 1981.

28  
29 *Alice A. Hare*  
30 City Clerk of the City of Riverside

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CITY ATTORNEY  
RIVERSIDE  
CALIFORNIA

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All of Block 9, Range 4 of the TOWN OF RIVERSIDE,  
as per Map recorded in Book 7, Page 17, Records  
of San Bernardino County, California.

EXCEPT therefrom Lots "A", "B" and "C" of Parcel Map  
No. 11829, on file in Book 48 of Parcel Maps, Page  
8, Records of Riverside County, California.

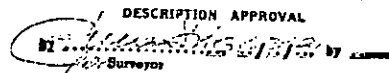
DESCRIPTION APPROVAL  
  
Surveyor

EXHIBIT A

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Lots 1 thru 5 inclusive, of Block 5, Range 6 of  
The Town of Riverside, as shown by map recorded  
in Book 7 of Maps at Page 17 thereof, records of  
San Bernardino, California;

Excepting therefrom the northwesterly 10 feet  
conveyed to the City of Riverside for a public  
alley.

DESCRIPTION APPROVAL  
*[Signature]*  
Surveyor

EXHIBIT B

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That portion of Block 8, Range 4 of THE TOWN OF RIVERSIDE, recorded in Book 7 of Maps, at Page 17 thereof, records of San Bernardino County, California, more particularly described as follows:

BEGINNING at the most southerly corner of said Block;

THENCE Northwesterly along the southwesterly line of said Block, a distance of 131 feet, more or less to the most southerly corner of that certain parcel of land conveyed to First Baptist Church of Riverside, by Deed recorded October 5, 1955, as Instrument No. 64026 of Official Records of said Riverside County, California; said corner being 199.01 feet southeasterly from the most westerly corner of said Block;

THENCE Northeasterly along the southeasterly line of said parcel 160 feet to the southwesterly line of that certain alley, as conveyed to the City of Riverside by deed recorded June 19, 1902 in Book 147 of Deeds, Page 54, et seq., records of said Riverside County;

THENCE Southeasterly along said southwesterly line of said alley 131 feet, more or less, to the southeasterly line of said Block;

THENCE Southwesterly along said southeasterly line of said Block a distance of 160 feet to the point of beginning.

EXCEPTING therefrom that certain parcel of land conveyed to the City of Riverside by Deed recorded June 13, 1969 as Instrument No. 59405 of Official Records of said Riverside County.

DESCRIPTION APPROVAL  
*[Signature]*  
For City of Riverside

EXHIBIT C

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