

REQUEST FOR RECORDATION
Request of City Clerk for recordation of instrument, and return to _____
City Clerk, City Hall, 3900 Main Street
Riverside, CA 92522

VAC-7-901

RESOLUTION NO. 18628

FREE RECORDING-
Exempt Pursuant to
Government Code §6103

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, MAKING ITS FINDINGS AND DETERMINATIONS IN THE MATTER OF RESOLUTION OF INTENTION NO. 18608; RESERVING PERMANENT EASEMENTS AND RIGHTS-OF-WAY FOR ELECTRICAL ENERGY DISTRIBUTION FACILITIES, FOR AERIAL AND UNDERGROUND TELEPHONE, TELEGRAPH AND COMMUNICATION FACILITIES AND FOR GAS LINE FACILITIES, AND DETERMINING THAT THE PUBLIC CONVENIENCE, AND NECESSITY REQUIRE THE RESERVATION OF SUCH EASEMENTS; AND MAKING ITS ORDER VACATING PORTIONS OF THE FORMER INDIANA AVENUE ALIGNMENT SITUATED NORTHWEST OF THE CURRENT ALIGNMENT OF INDIANA AVENUE OPPOSITE VALLEJO DRIVE, CURVING SOUTHERLY TO CROSS THE CURRENT ALIGNMENT OF INDIANA AVENUE TO INTERSECT WITH LA SIERRA AVENUE.

13787

WHEREAS, on November 22, 1994, the City Council of the City of Riverside in Vacation Case No. VC-007-901 adopted Resolution No. 18608 declaring its intention to order the vacation of 80-foot-wide portions of the former Indiana Avenue alignment, situated northwest of the current alignment of Indiana Avenue, opposite Vallejo Drive, curving southerly to cross the current alignment of Indiana Avenue to intersect with La Sierra Avenue, and fixing the time and place of hearing all persons interested in the proposed vacation pursuant to the provisions of the Public Streets, Highways and Service Easements Vacation Law, being Sections 8300 et seq. of Part 3, Division 9 of the Streets and Highways Code of the State of California; and

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

WHEREAS, said proposed vacation has been submitted

1 to and considered by the Planning Commission of the City of
2 Riverside at a duly noticed public hearing; and

3 WHEREAS, following the close of the public hearing,
4 the Planning Commission determined that the proposed project
5 would not have a significant adverse affect on the
6 environment and that Vacation Case VAC-7-901 should be
7 approved subject to all staff conditions; and

8 WHEREAS the recommendations of the Planning
9 Commission were submitted to the City Council for
10 consideration together with the testimony, whether oral or in
11 writing, presented at the public hearing before said City
12 Council;

13 NOW, THEREFORE, BE IT RESOLVED, FOUND AND DETERMINED
14 by the City Council of the City of Riverside, California, as
15 follows:

16 Section 1: That the vacation of the hereinafter
17 described 80-foot-wide portions of the former Indiana Avenue
18 alignment is undertaken pursuant to the provisions of and in
19 accordance with the procedures set forth in the Public
20 Streets, Highways, and Service Easements Vacation Law and
21 that all notices required thereby have been duly given.

22 Section 2: That from all of the evidence submitted
23 to the City Council at the public hearing before it on
24 Vacation Case VC-007-901, whether such evidence was oral or
25 in writing, together with the recommendations from the
26 Planning Commission, the 80-foot-wide portions of the public
27 street included within the former Indiana Avenue alignment

1 hereinafter described and ordered vacated are unnecessary for
2 present or prospective public use as a public street.

3 Section 3: That the 80-foot-wide portions of the
4 public street included within the former Indiana Avenue
5 alignment described in the document attached hereto, marked
6 Exhibit A, and by this reference made a part hereof, be and
7 the same are hereby ordered vacated.

8 Section 4: That the public convenience and
9 necessity require the exception from the vacation of those
10 easements and rights-of-way over, along and across portions
11 of the former Indiana Avenue alignment ordered to be vacated
12 as more particularly described in Exhibit A necessary for
13 electrical energy distribution facilities, aerial and
14 underground telephone, telegraph and communication facilities
15 and gas line facilities including the reservation of the
16 following: (a) an easement for and the right to construct,
17 maintain, operate, replace, remove, renew, and enlarge lines
18 of pipe, conduits, cables, wires, poles, and other convenient
19 structures, equipment, and fixtures for the distribution of
20 electrical energy; (b) an easement for and the right to
21 construct, place, operate, inspect, maintain, repair, replace
22 and remove aerial and underground telephone, telegraph and
23 communication structures as Pacific Bell, a Pacific Telesis
24 Company, may from time to time require consisting of poles,
25 anchors, wires, cables, conduits, manholes, markers and
26 necessary fixtures and appurtenances; and an easement for and
27 the right to construct, maintain, operate, replace, remove,

1 renew and enlarge lines of pipe, conduits, cables, wires,
 2 poles, and other convenient structures, equipment and
 3 fixtures for the operation of gas line facilities of the
 4 Southern California Gas Company.

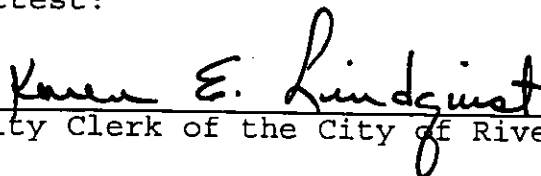
5 Section 5: That the vacation, termination and
 6 abandonment of the 80-foot-wide portions of the public street
 7 included within the former Indiana Avenue alignment
 8 hereinafter described in Exhibit A shall occur only after the
 9 applicable conditions contained in the Planning Department's
 10 report to the legislative body and on file with the City
 11 Clerk as approved or amended by the City Council have been
 12 satisfied, and the City Clerk is hereby directed not to
 13 record this resolution of vacation until the applicable
 14 conditions have been satisfied.

15 Section 6: That the City Clerk of the City of
 16 Riverside shall cause a certified copy of this resolution to
 17 be recorded in the Office of the County Recorder of Riverside
 18 County, California, upon the satisfaction of the applicable
 19 conditions, and the 80-foot-wide portions of the former
 20 Indiana Avenue alignment described in Exhibit A shall no
 21 longer constitute portions of a public street from and after
 22 said date of recordation.

23 ADOPTED by the City Council and signed by the Mayor
 24 and attested by the City Clerk this 20th day of December, 1994.

25 
 26 Mayor of the City of Riverside

27 Attest:


City Clerk of the City of Riverside

1 I, Karen E. Lindquist, City Clerk of the City of
2 Riverside, California, hereby certify that the foregoing
3 resolution was duly and regularly introduced and adopted at a
4 meeting of the City Council of said City at its meeting held
5 on the 20th day of December, 1994, by the following
6 vote, to wit:

7 Ayes: Councilmembers Moore, Defenbaugh, Kane, Clifford,
8 Thompson and Pearson.

9 Noes: None.

10 Absent: Councilmember Beaty.

11 IN WITNESS WHEREOF I have hereunto set my hand and
12 affixed the official seal of the City of Riverside,
13 California, this 20th day of December, 1994.

14 Karen E. Lindquist
15 City Clerk of the City of Riverside
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VC-007-901
Vacation of portion of Indiana Avenue
per Valley View Farms MB 11/58 and per
deed recorded December 31, 1906, B. 237/P.207
of Deeds, Riverside County, California

Parcel 1

That portion of Indiana Avenue as shown by Map of Valley View Farms as shown by map on file in Book 11 of Maps, page 58 thereof, records of Riverside County, California and that portion of Indiana Avenue within Lots 14 and 15 of Block 39 of the lands of the Riverside Land and Irrigating Company as shown by map on file in Book 1 of Maps, page 70 thereof, records of San Bernardino County, California, as conveyed to the City of Riverside by deed recorded December 31, 1906, in Book 237 of Deeds, page 207 et seq., records of Riverside County, California, lying northwesterly of the northwesterly line, and the southwesterly and northeasterly prolongation of said northwesterly line, of that certain parcel of land conveyed to the City of Riverside by deed recorded October 30, 1987, as Instrument No. 314036 of Official Records of Riverside County, California; said northwesterly line being 44.00 feet northwesterly, as measured at right angle, from the centerline of Indiana Avenue per said Instrument No. 314036.

EXCEPTING therefrom that portion of said Indiana Avenue as vacated by Resolution No. 17414 of the City Council of the City of Riverside and recorded December 5, 1990, as Instrument No. 441314 of Official Records of said Riverside County.

RESERVING therefrom permanent easement and right of way for electrical energy distribution facilities.

ALSO RESERVING THEREFROM a permanent easement and right of way to construct, place, operate, inspect, maintain, repair, replace and remove such aerial and underground telephone, telegraph and communication structures as the company may from time to time require, consisting of poles, anchors, wires, cables, conduits, manholes, markers and necessary fixtures and appurtenances.

ALSO RESERVING THEREFROM a permanent easement and right of way for gas line facilities.

Parcel 2

That portion of Indiana Avenue within Lots 3, 4 and 5 in Block 38 of the lands of the Riverside Land and Irrigating Company as shown by map on file in Book 1, page 70 of Maps, records of San Bernardino County, California, as conveyed to the City of Riverside by deed recorded December 31, 1906, in Book 237, of Deeds, page 207 et seq., records of Riverside County, California, lying southeasterly of the southeasterly line, and the southwesterly prolongation of said southeasterly line, of that certain

parcel of land conveyed to the City of Riverside by deed recorded October 30, 1987, as Instrument No. 314036 of Official Records of said Riverside County; said southeasterly line being 44.00 feet southeasterly, as measured at right angle, from the centerline of Indiana Avenue per said Instrument No. 314036.

RESERVING THEREFROM a permanent easement and right of way to construct, place, operate, inspect, maintain, repair, replace and remove such aerial and underground telephone, telegraph and communication structures as the company may from time to time require, consisting of poles, anchors, wires, cables, conduits, manholes, markers and necessary fixtures and appurtenances.

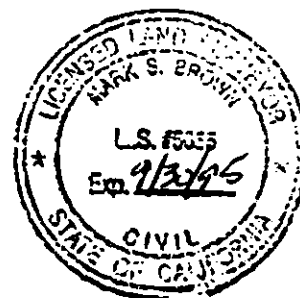
ALSO RESERVING THEREFROM a permanent easement and right of way for gas line facilities.

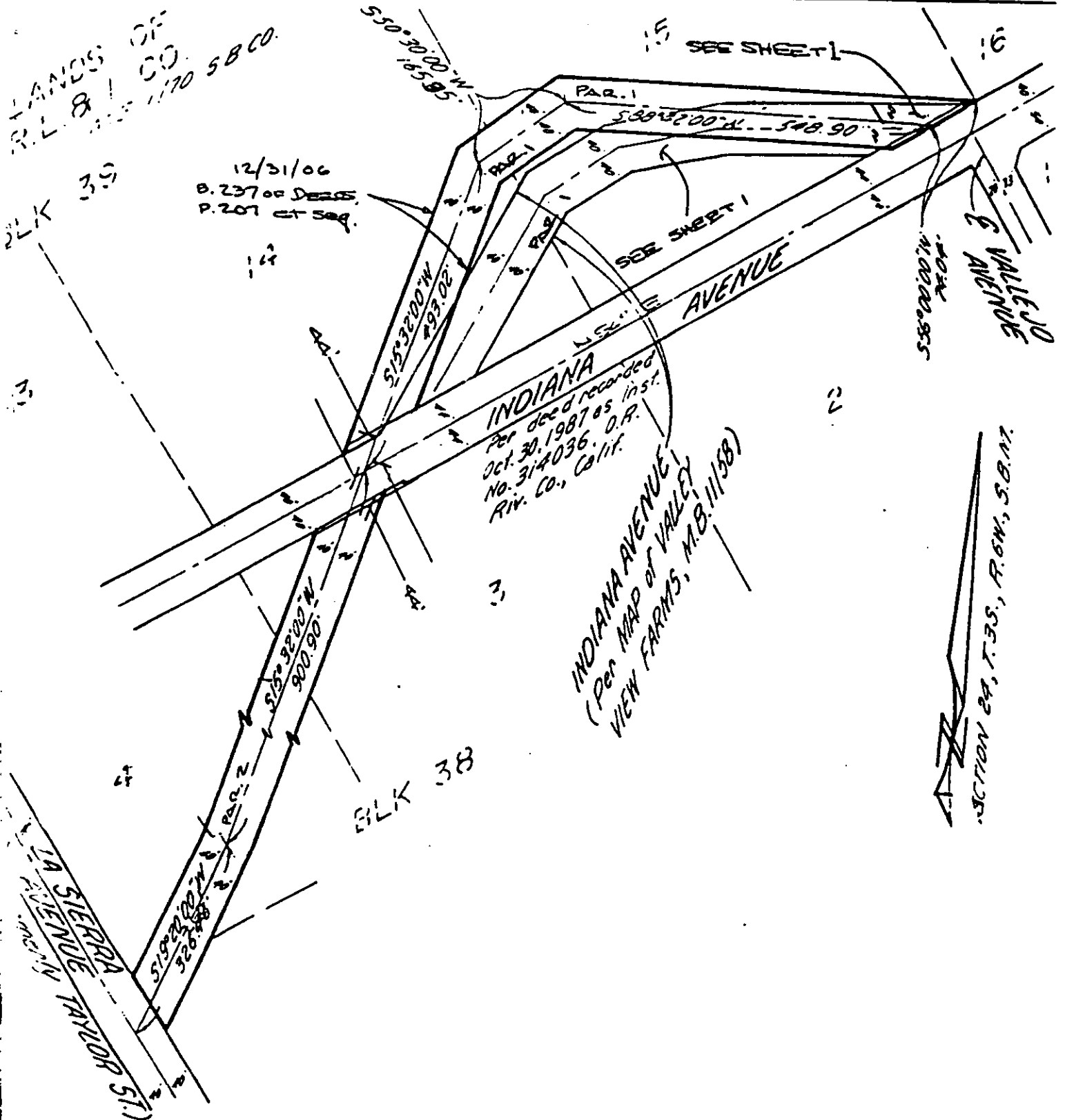
This description was prepared by me or under my direction in conformance with the requirements of the Land Surveyors Act.

Mark S. Brown 11/7/94 Prep. WF
 Mark S. Brown, L.S. 5655 Date

License Expires 9/30/95

vc007901.vac





• CITY OF RIVERSIDE, CALIFORNIA •

6/52 + 51

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 <u>2</u> OF <u>2</u>	89-11218(P)
SCALE: 1" = 200'	DRAWN BY <u>RL</u> DATE <u>6/1/90</u>	SUBJECT <u>VACATION OF A PORTION OF INDIANA AVE.</u>

