

RESOLUTION NO. 18736

1
2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY
3 OF RIVERSIDE, CALIFORNIA, MAKING ITS FINDINGS
4 AND DETERMINATIONS IN THE MATTER OF THE
5 SUMMARY VACATION OF THE APPROXIMATELY 1200-
6 FOOT LONG UNIMPROVED SECTION OF INDUSTRIAL
7 AVENUE RIGHT-OF-WAY SITUATED ON THE EAST SIDE
8 OF FREMONT STREET AND NORTHERLY OF JURUPA
9 AVENUE; RESERVING AN AVIGATION EASEMENT AND
10 DETERMINING THAT THE PUBLIC CONVENIENCE AND
11 NECESSITY REQUIRE THE RESERVATION OF SUCH
12 EASEMENT; AND MAKING ITS ORDER VACATING SAID
13 PORTION OF INDUSTRIAL AVENUE. 13950

9 WHEREAS on July 3, 1994, the Planning Commission of
10 the City of Riverside approved Parcel Map Waiver Case PW-001-
11 945 to consolidate seven vacant parcels generally situated
12 northerly of Jurupa Avenue between Fremont Street and the
13 Union Pacific Railroad right-of-way within the City of
14 Riverside, California, into one parcel approximately 20-acres
15 in size for future industrial development; and

16 WHEREAS as condition for the approval of the parcel
17 map waiver case, the applicant is required to complete a
18 summary vacation of the portion of Industrial Avenue located
19 to the east of Fremont Street that would have served the
20 seven parcels to be consolidated in said Parcel Map Waiver
21 Case PW-001-945;

22 WHEREAS this unimproved 1,200-foot-long, 66-foot wide
23 portion of Industrial Avenue would be incorporated into the
24 approximately 20 acre parcel created by Parcel Map Waiver
25 Case PW-001-945; and

26 WHEREAS Sections 8330 et seq. of the Streets and
27 Highways Code of the State of California provide for the

1 summary vacation of streets and public service easements
2 under certain conditions; and

3 WHEREAS the City Council wishes to proceed under the
4 provisions of Sections 8330 et seq. of the Streets and
5 Highways Code to summarily vacate the hereinafter described
6 unimproved portion of Industrial Street situated on the east
7 side of Fremont Street, northerly of Jurupa Avenue;

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

10 Section 1: The vacation of the hereinafter described
11 unimproved portion of Industrial Avenue is undertaken
12 pursuant to the provisions of Chapter 4 (commencing with
13 Section 8330) of Part 3 of Division 9 of the Streets and
14 Highways Code of the State of California.

15 Section 2: The City Council finds and determines
16 that the hereinafter described portion of Industrial Avenue,
17 an unimproved right-of-way approximately 66-feet wide and
18 1,200-feet long, has for a period of five consecutive years
19 has been impassable for vehicular travel and that no public
20 money was expended for maintenance on the street during such
21 period.

22 Section 3: That the public convenience and necessity
23 requires the exception from the vacation for the use and
24 benefit of the public of an avigation easement and right of
25 flight for the passage of aircraft by whomsoever owned and
26 operated in the airspace above the surface of the real
27 property hereinafter described to vacated herein, together

1 with the right to cause in said airspace such noise, sound or
2 shock waves, vibrations, dust, smoke, odors, fumes, fuel
3 particles and other related conditions that may be inherent
4 in the operation of aircraft landing at, taking off from or
5 operating at or on the Riverside Municipal Airport.

6 "Aircraft" as used herein shall mean any contrivance now
7 known or hereinafter invented, used or designed for
8 navigation of or flight in the air.

9 Section 4: That the proposed project is exempt from
10 the provisions of the California Environmental Quality Act
11 pursuant to Section 15061(b)(3) of the Guidelines for
12 Implementation of the California Environmental Quality Act
13 (Title 15, California Code of Regulations, commencing with
14 section 15000) as it can be seen with certainty that there is
15 no possibility that the activity will have a significant
16 effect on the environment.

17 Section 5: The City Council hereby orders the
18 summary vacation of that portion of Industrial Avenue
19 described in Exhibit A, attached hereto and incorporated
20 herein by this reference.

21 Section 5: The City Clerk of the City of Riverside
22 shall cause a certified copy of this resolution to be
23 recorded in the Office of the County Recorder of Riverside
24 County, California, and the aforementioned street right-of-
25 way shall be and is hereby terminated as of the date of said
26 recordation and shall no longer constitute a street from and
27 after said date of recordation.

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ADOPTED by the City Council and signed by the Mayor
and attested by the City Clerk this 11th day of July, 1995.

Ronald Lovensky
Mayor of the City of Riverside

Attest:

Karen E. Lindquist
City Clerk of the City of Riverside

I, Karen E. Lindquist, City Clerk of the City of
Riverside, California, hereby certify that the foregoing
resolution was duly and regularly introduced and adopted at a
meeting of the City Council of said City at its meeting held
on the 11th day of July, 1995 , by the following
vote, to wit:

Ayes: Councilmembers Beaty, Moore, Defenbaugh, Kane, Clifford
and Thompson.

Noes: None.

Absent: Councilmember Pearson.

IN WITNESS WHEREOF I have hereunto set my hand and
affixed the official seal of the City of Riverside,
California, this 11th day of July, 1995.

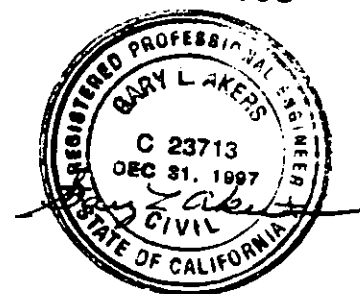
Karen E. Lindquist
City Clerk of the City of Riverside

EXHIBIT A

JAN 03 1995

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INDUSTRIAL AVE
TO BE VACATED
PW - 001-945
VC - 001-945



That portion of Block A and that portion of Block 21, 23 and 24, as shown by map of Tract No. 2 of the Riverview Addition to the City of Riverside, on file in Book 6, Page 63 of Maps, records of Riverside County, California together with that portion of those certain streets and alleys as shown by said map and as vacated by Resolution No. 4176 of the City Council of the City of Riverside, and portion of Fremont Street as shown by said map and as shown by map of Tract No. 3 of the Riverview Addition to the City of Riverside, on file in Book 7, Page 5 of Maps, records of said Riverside County, which was vacated by the City Council of the City of Riverside by Resolution No. 14605 recorded September 22, 1982 as Instrument No. 163982 of Official Records of said Riverside County, described as follows:

Commencing at the intersection of the centerline of Fremont Street and Liberty Street as shown on said map of Tract No. 3 of the Riverview Addition to the City of Riverside;

Thence North 00° 07' 15" East along the centerline of said Fremont Street, a distance of 409.01 feet;

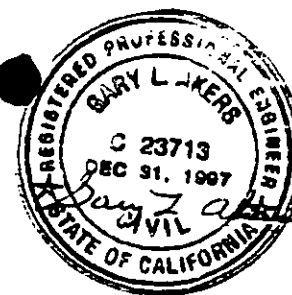
Thence South 89° 52' 45" East 33.00 feet to the Southeast corner of that certain parcel of land conveyed to the City of Riverside by deed recorded December 11, 1981 as Instrument No. 229741 of Official records of said County;

Thence along the East line of said Parcel North 00° 07' 15" East a distance of 107.18 feet;

Thence continuing North 00° 07' 15" East along said east line, a distance of 36.44 feet to the beginning of a curve, concave to southwest having a radius of 76.01 feet;

Thence northerly and northwesterly along said curve through a central angle of 55° 32' 19" an arc distance of 73.68 feet to a point on the centerline of that portion of Fremont Street as vacated by the City Council of the City of Riverside by Resolution No. 14605 recorded September 22, 1982, as instrument No. 163982 of Official records of said County, a radial line to said point bears North 34° 34' 56" East,

Thence along said last mentioned centerline North 00° 07' 15" East, 6.33 feet to the beginning of a non-tangent curve concave to the south having a radius of 702.92 feet, a radial line to said points bears North 12° 28' 08" East;



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Thence easterly along said curve through a central angle of $00^{\circ} 37' 07''$, an arc distance of 7.59 feet;

Thence South $76^{\circ} 54' 45''$ East a distance of 93.00 feet to the TRUE POINT OF BEGINNING;

Thence South $76^{\circ} 54' 45''$ East, a distance of 432.00 feet to the beginning of a curve concave to the west having a radius of 333.00 feet;

Thence southerly along said curve through a central angle of $120^{\circ} 37' 29''$ an arc distance of 701.06 feet;

Thence South $43^{\circ} 42' 44''$ West a distance of 100.88 feet to the beginning of a curve concave to the southeast having a radius of 267.00 feet;

Thence southwesterly along said curve, through a central angle of $00^{\circ} 09' 16''$ an arc distance of 0.72 feet to a point in the north line of that certain parcel of land conveyed to Livingstone Material Company by deed recorded December 16, 1953 as Instrument No. 59937, Official Records of Riverside County, California, the radial line at said point bears North $46^{\circ} 26' 32''$ West;

Thence North $89^{\circ} 52' 45''$ West along said north line, a distance of 59.94 feet to the northwest corner thereof;

Thence South $00^{\circ} 07' 15''$ West along the west line of said parcel, a distance of 249.88 feet to the southwest corner thereof, said point being in a curve concave to the north having a radius of 548.94 feet, said point also lying on the northerly line of Parcel No. 1 as conveyed to Rohr Aircraft Corporation by deed recorded July 29, 1953 as Instrument No. 37239, Official Records of Riverside County, California, the radial line at said point bears South $02^{\circ} 42' 57''$ East;

Thence westerly along said northerly line and along said curve through a central angle of $15^{\circ} 04' 19''$ an arc distance of 144.40 feet to a point in a non-tangent curve concave to the east having a radius of 1033.00, the radial line at said point having a radius of 548.94 feet bears South $12^{\circ} 21' 22''$ West, the radial line at said point having a radius of 1033.00 feet bears North $65^{\circ} 06' 20''$ West;

Thence northeasterly along said last mentioned curve, through a central angle of $01^{\circ} 21' 20''$, a arc distance of 24.44 feet;

Thence North $26^{\circ} 15' 00''$ East, a distance of 199.48 feet to the beginning of a curve concave to the southeast having a radius of 333.00 feet;

13950

Thence northeasterly along said curve through a central angle of 17° 27' 44", an arc distance of 101.49 feet;

Thence North 43° 42' 44" East, a distance of 100.88 feet to the beginning of a curve concave to the west having a radius of 267.00 feet;

Thence northerly along said curve, through a central angle of 120° 37' 29", an arc distance of 562.11 feet ;

Thence North 76° 54' 45" West, a distance of 453.38 feet, the preceding eighteen courses being along the boundary of that certain parcel of land described in deed to the City of Riverside by document recorded August 18, 1989, as Instrument No. 281989 of Official Records of said Riverside County;

Thence North 51° 36' 15" East, along the northerly prolongation of that certain course having a bearing of South 51° 36' 15" West in said last mentioned deed, a distance of 34.33 feet;

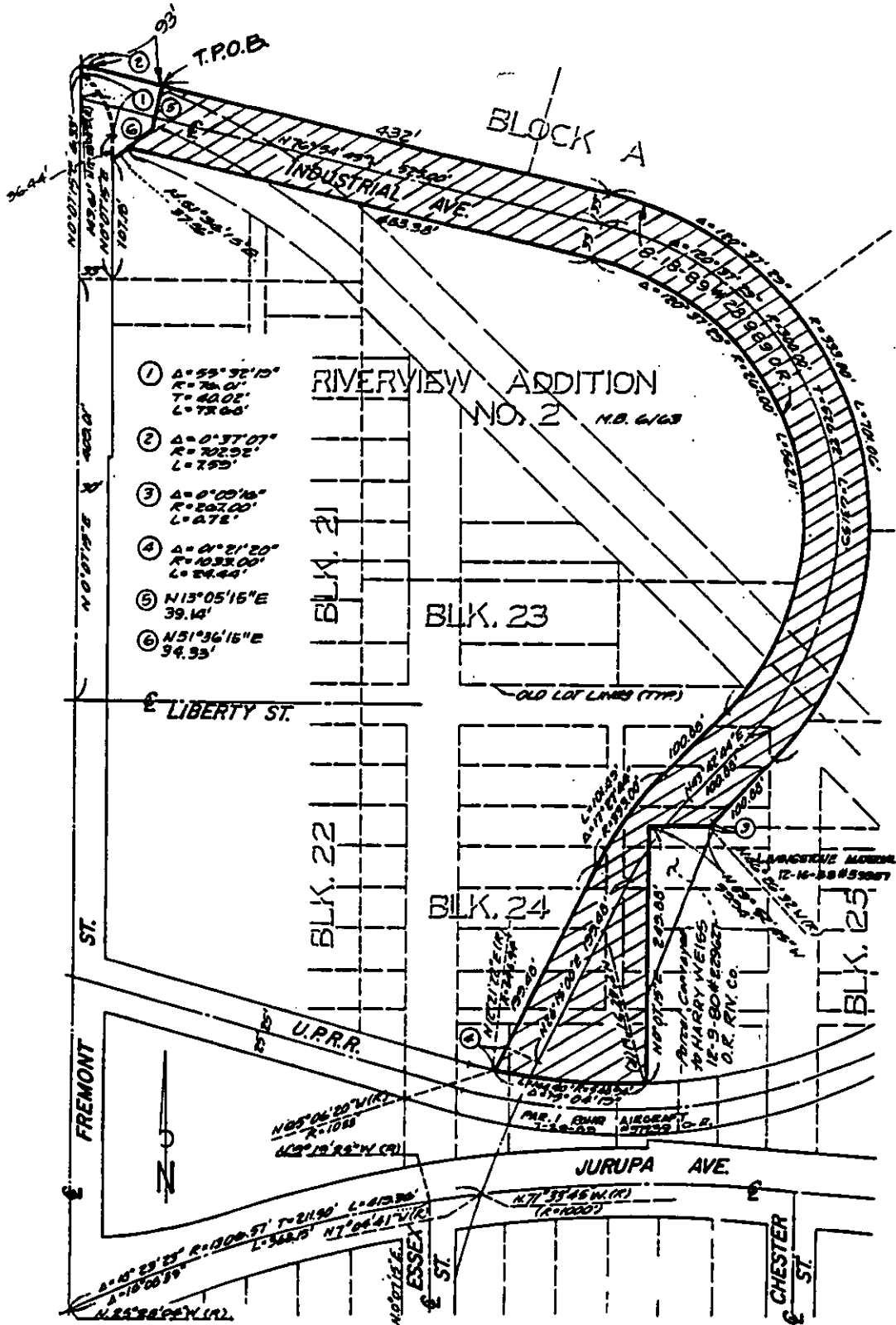
Thence North 13° 05' 15" East, a distance of 39.14 feet to the TRUE POINT OF BEGINNING;

RESERVING THEREFROM for the use and benefit of the public, an easement and right of flight for the passage of aircraft in the airspace above the surface of the above described parcel of land.



DESCRIPTION APPROVAL 1/17/95
And S. [Signature]
 SURVEYOR, CITY OF RIVERSIDE by *Kgo*

C:\WORKS\4549\DEEDA.WPS



• 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

4/3
36-6

SCALE: 1" = NTS

DRAWN BY K95 DATE 1/11/95

SUBJECT VC-001-945