

Recording Requested By
CHICAGO TITLE COMPANY

074571

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

CITY CLERK
City of Riverside
City Hall, 3900 Main Street
Riverside, CA 92522

FREE RECORDING
Exempt Pursuant to
Government Code §6103

Case No. VC-001-934

RECEIVED FOR RECORD
AT 2:00 O'CLOCK

MAR -5 1997

Recorded in Official Records
of Riverside County, California

Recorder *[Signature]*
Fees \$ *[Signature]*

FOR RECORDER'S OFFICE USE ONLY

RESOLUTION NO. 19040

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. 18377; RESERVING PERMANENT EASEMENTS AND RIGHTS-OF-WAY FOR SANITARY SEWER FACILITIES, FOR STORM DRAIN FACILITIES, FOR AERIAL AND UNDERGROUND TELEPHONE, TELEGRAPH AND COMMUNICATION STRUCTURES, FOR ELECTRICAL ENERGY FACILITIES, FOR WATERLINE FACILITIES, AND FOR LANDSCAPE FACILITIES AND SIDEWALKS AND DETERMINING THAT THE PUBLIC CONVENIENCE AND NECESSITY REQUIRE THE RESERVATION OF SUCH EASEMENTS; MAKING ITS ORDER VACATING A PORTION OF FORMER BOX SPRINGS BOULEVARD [NOW SYCAMORE CANYON BOULEVARD], SOUTHEASTERLY OF ITS INTERSECTION WITH FAIR ISLE DRIVE; AND REPEALING RESOLUTION NO. 18513.

Chicago Title Insurance Company has recorded this instrument and by recording it in the public records, it is deemed to have notice of any and all claims which may be asserted thereon.

City Attorney's Office
3900 Main Street
Riverside, CA 92522
(951) 782-5567

RESOLUTION NO. 19040

1
2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
3 RIVERSIDE, CALIFORNIA, MAKING ITS FINDINGS AND
4 DETERMINATIONS IN THE MATTER OF RESOLUTION OF
5 INTENTION NO. 18377; RESERVING PERMANENT
6 EASEMENTS AND RIGHTS-OF-WAY FOR SANITARY SEWER
7 FACILITIES, FOR STORM DRAIN FACILITIES, FOR
8 AERIAL AND UNDERGROUND TELEPHONE, TELEGRAPH AND
9 COMMUNICATION STRUCTURES, FOR ELECTRICAL ENERGY
10 FACILITIES, FOR WATERLINE FACILITIES, AND FOR
11 LANDSCAPE FACILITIES AND SIDEWALKS AND
12 DETERMINING THAT THE PUBLIC CONVENIENCE AND
13 NECESSITY REQUIRE THE RESERVATION OF SUCH
14 EASEMENTS; MAKING ITS ORDER VACATING A PORTION
15 OF FORMER BOX SPRINGS BOULEVARD [NOW SYCAMORE
16 CANYON BOULEVARD], SOUTHEASTERLY OF ITS
17 INTERSECTION WITH FAIR ISLE DRIVE; AND REPEALING
18 RESOLUTION NO. 18513.

11
12 WHEREAS, on November 16, 1993, the City Council of the City
13 of Riverside, California, in Vacation Case VC-001-934, adopted
14 Resolution No. 18377 declaring its intention to order the vacation
15 of a portion of Box Springs Boulevard approximately 100 feet wide
16 by 1,100 feet long, southeasterly of its intersection with Fair
17 Isle Drive, and fixing the time and place of hearing all persons
18 interested in the proposed vacation, pursuant to the provisions of
19 the Public Streets, Highways, and Service Easements Vacation Law,
20 being Sections 8300 et seq. of Part 3, Division 9 of the Streets
21 and Highways Code of the State of California; and

22 WHEREAS, said proposed vacation had been previously
23 submitted to and considered by the Planning Commission of the City
24 of Riverside at a duly noticed public hearing; and

25 WHEREAS, following the close of the public hearing before
26 the Planning Commission, the Planning Commission determined that
27 the proposed project would not have a significant adverse affect on

1 the environment and that the City Council should adopt a Negative
2 Declaration, and that Vacation Case VC-001-934 should be approved
3 subject to all staff conditions as modified by the Planning
4 Commission; and

5 WHEREAS, notice of hearing before the City Council on said
6 Resolution of Intention No. 18377 was given as provided by said
7 Public Streets, Highways, and Service Easements Vacation Law; and

8 WHEREAS, the hearing before the City Council on said
9 Resolution of Intention No. 18377 was duly continued from time to
10 time; and

11 WHEREAS, the recommendations of the Planning Commission
12 were submitted to the City Council, and the City Council duly
13 considered such recommendations together with the testimony,
14 whether oral or in writing, presented at the continued public
15 hearing; and

16 WHEREAS, the City Council heard and found and determined
17 from all of the evidence submitted to said City Council at said
18 continued public hearing that the portion of Box Springs Boulevard
19 approximately 100 feet wide by 1,100 feet long situated
20 southeasterly of its intersection with Fair Isle Drive was
21 unnecessary for present or prospective public use for street
22 purposes; and

23 WHEREAS, on June 7, 1994 the City Council adopted
24 Resolution No. 18513 making its findings and determinations in the
25 matter of Resolution of Intention No. 18377 including findings and
26 determinations regarding the reservation of easements and ordering
27 the vacation of that portion of Box Springs Boulevard approximately

1 100 feet wide by 1,100 feet long situated southeasterly of its
2 intersection with Fair Isle Drive as more specifically described in
3 said Resolution No. 18513, and ordering said portion of Box Springs
4 Boulevard shall occur only after the applicable conditions
5 contained in the Planning Department's report to the legislative
6 body on file with the City Clerk have been satisfied, and directing
7 the City Clerk not to record the resolution of vacation until the
8 applicable conditions had been satisfied; and

9 WHEREAS, by Resolution No. 18494 adopted on May 10, 1994,
10 the City Council changed the name of all that portion of Box
11 Springs Boulevard within the City of Riverside located between
12 Martin Luther King Boulevard (formerly known as Pennsylvania
13 Avenue) and Quail Valley Court to **Sycamore Canyon Boulevard**; and

14 WHEREAS, on June 10, 1994, the City of Riverside, Wells
15 Fargo National Bank, a national banking association ("Wells
16 Fargo"), Raceway Ford, Inc., a California corporation ("Raceway")
17 and Desert Outdoor Advertising, Inc., a California corporation
18 ("Desert") entered into that certain agreement entitled "Agreement
19 Regarding Proposed Realignment of Box Springs Boulevard Near Fair
20 Isle Drive and Vacation of the Existing Right-of-Way" relating to
21 the proposed realignment of former Box Springs Boulevard, which
22 agreement was amended in its entirety by the document entitled
23 "First Amendment to Agreement Regarding Proposed Realignment of
24 Sycamore Canyon Boulevard (Formerly Known as Box Springs Boulevard)
25 Near Fair Isle Drive and Vacation of the Existing Right-of-Way"
26 dated April 16, 1996 ("First Amendment"); and

27 WHEREAS, by the First Amendment, the City agreed, among

1 other items, to cause the facilities of the Southern California Gas
2 Company to be abandoned with the existing roadway, for which an
3 easement had previously been reserved in Resolution No. 18513; and

4 WHEREAS certain changes have been made in the easements
5 necessary to be reserved and in the description of the area to be
6 vacated thereby reducing the area to be vacated on the
7 northwesterly end; and

8 WHEREAS it would be appropriate to adopt a new resolution
9 reflecting the reduction in the area to be vacated and in the
10 easements which must be reserved;

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

13 Section 1: That the vacation of the hereinafter described
14 portion of former Box Springs Boulevard (now known as Sycamore
15 Canyon Boulevard) in the City of Riverside, County of Riverside,
16 State of California, is undertaken pursuant to the provisions of
17 and in accordance with the procedures set forth in the Public
18 Streets, Highways, and Service Easements Vacation Law and that all
19 notices required thereby have been duly given.

20 Section 2: That from all of the evidence submitted to the
21 City Council at the public hearing before it on Vacation
22 Case VC-001-934, whether such evidence was oral or in writing,
23 together with the recommendations from the Planning Commission, the
24 approximately 100 feet wide by 1,100 feet long portion of former
25 Box Springs Boulevard (now known as Sycamore Canyon Boulevard)
26 situated southeasterly of Fair Isle Drive within the City of
27 Riverside as hereinafter described and ordered vacated is

1 unnecessary for present or prospective public use as a public
2 street.

3 Section 3: That the proposed project will not have a
4 significant adverse effect on the environment and adopts a Negative
5 Declaration.

6 Section 4: That the approximately 100 feet wide by 1,100
7 feet long portion of former Box Springs Boulevard (now known as
8 Sycamore Canyon Boulevard) situated southeasterly of Fair Isle
9 Drive within the City of Riverside, California and described in the
10 document attached hereto, marked Exhibit A, and by this reference
11 made a part hereof, be and the same is hereby ordered vacated.

12 Section 5: That the public convenience and necessity
13 requires the exception from the vacation of former Box Springs
14 Boulevard (now known as Sycamore Canyon Boulevard) hereinabove
15 described those easements and rights-of-way, including the right of
16 access, as more particularly described in Exhibit A necessary for
17 sanitary sewer facilities, for storm drain facilities, for aerial
18 and underground telephone, telegraph and communication facilities,
19 for electrical energy facilities, for waterline facilities, and for
20 landscape facilities and sidewalks, and the reservation of the
21 following: (a) an easement for and the right to construct,
22 maintain, operate, replace, remove and renew sanitary sewer and
23 appurtenant structures; (b) an easement for and the right to
24 construct, maintain, operate, replace, remove and renew storm
25 drains and appurtenant structures; (c) an easement for and the
26 right to construct, place, operate, inspect, maintain, repair,
27 replace and remove aerial and underground telephone, telegraph and

1 communication structures as may from time to time be required
2 consisting of poles, anchors, wires, cables, conduits, manholes,
3 markers and necessary fixtures and appurtenances; (d) an easement
4 for and the right to construct, maintain, operate, replace, remove,
5 renew, and enlarge lines of pipe, conduits, cables, wires, poles
6 and other convenient structures, equipment and fixtures for the
7 transportation or distribution of electric energy; (e) an easement
8 for and the right to construct, place, operate, inspect, maintain,
9 repair, replace and remove water pipelines and appurtenant
10 facilities as may from time to time be required; and (f) an
11 easement for and the right to use, install, construct, maintain,
12 repair, re-install, remove, and renew landscape facilities and
13 sidewalks. The rights hereinabove reserved include the right of
14 access to protect these works from all hazards.

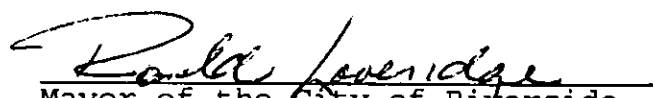
15 Section 6: That the vacation, termination and abandonment
16 of that portion of former Box Springs Boulevard (now known as
17 Sycamore Canyon Boulevard) described in Exhibit A shall occur only
18 after the applicable conditions contained in the Planning
19 Department's report to the legislative body and on file with the
20 City Clerk as approved or amended by the City Council have been
21 satisfied, and the City Clerk is hereby directed not to record this
22 resolution of vacation until the applicable conditions have been
23 satisfied.

24 Section 7: That the City Clerk of the City of Riverside
25 shall cause a certified copy of this resolution to be recorded in
26 the Office of the County Recorder of Riverside County, California,
27 upon the satisfaction of the applicable conditions, and the portion

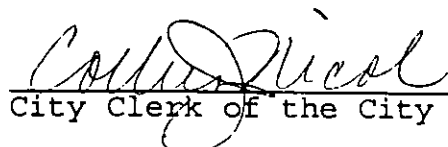
1 of former Box Springs Boulevard (now known as Sycamore Canyon
2 Boulevard) described in Exhibit A shall no longer constitute a
3 portion of a public street from and after said date of recordation.

4 Section 8: Resolution No. 18513 is hereby repealed.

5 ADOPTED by the City Council and signed by the Mayor and
6 attested by the City Clerk this 11th day of February, 1997.

7
8 
9 Paula Lovridge
Mayor of the City of Riverside

10 Attest:

11
12 
13 Colleen J. Nicol
City Clerk of the City of Riverside

14 I, Colleen J. Nicol, City Clerk of the City of Riverside,
15 California, hereby certify that the foregoing resolution was duly
16 and regularly introduced and adopted at a meeting of the City
17 Council of said City at its meeting held on the 11th day of
18 February, 1997, by the following vote, to wit:

19 Ayes: Councilmembers Beaty, Moore, Kane, Clifford, Thompson
20 and Pearson.

21 Noes: None.

22 Absent: Councilmember Defenbaugh.

23 IN WITNESS WHEREOF I have hereunto set my hand and affixed
24 the official seal of the City of Riverside, California, this 11th
25 day of February, 1997.

26 
27 Colleen J. Nicol
City Clerk of the City of Riverside

BP/bp
1/29/97

VC-001-934

Those portions of BOX SPRINGS BOULEVARD , in the City of Riverside, (formerly Fischer Road and formerly Box Springs Canyon) lying within Section 33, Township 2 South, Range 4 West, San Bernardino Meridian, and lying within Section 4, Township 3 South, Range 4 West, San Bernardino Meridian, as conveyed to the County of Riverside December 4, 1893 in Book 8, page 172 of Deeds, records of Riverside County, California, and as relinquished to the City of Riverside as SEGMENT "3" and as SEGMENT "C" as shown by State Highway Relinquishment Map Book 4, page 67, filed December 21, 1965, as Instrument No. 142694 of Official Records of Riverside County, California, lying **NORTHERLY** of LINE "A" and lying **SOUTHERLY** of LINE "B" described as follows:

LINE "A"

COMMENCING at the intersection of the north line of said Section 4, T.3 S., R.4 W., S.B.M. with the easterly line of Box Springs Boulevard as shown by Parcel Map 20166, on file in Book 131 of Parcel Maps, pages 11 and 12 thereof, records of Riverside County, California;

THENCE South $12^{\circ}16'34''$ East (recorded as South $12^{\circ}50'31''$ East), along said easterly line of Box Springs Boulevard, a distance of 776.15 feet to the **TRUE POINT OF BEGINNING**; said point being a cusp of a curve concave southwesterly and having a radius of 852.00 feet; the radial line to said cusp of said curve bears North $73^{\circ}47'50''$ East;

THENCE northwesterly, along said curve, an arc length of 362.79 feet through a central angle of $24^{\circ}23'49''$ to a point in the westerly line of said Box Springs Boulevard as shown by said Parcel Map 20166 and the **END** of this line description.

LINE "B"

COMMENCING at the centerline intersection of Box Springs Boulevard and Fischer Road as shown by Record of Survey on file in Book 77 of Records of Survey, at pages 59 through 63, records of Riverside County, California;

THENCE North $45^{\circ}22'01''$ East, 50.31 feet to a point in the easterly boundary of said Segment 3 of said State Highway Relinquishment Map Book 4 Page 67;

THENCE South $44^{\circ}37'59''$ East, along said easterly boundary, 40.00 feet;

THENCE South $47^{\circ}50'52''$ East, along said easterly boundary, 50.49 feet to the **TRUE POINT OF BEGINNING**; said point hereinafter being referred to as **POINT "A"**;

EXHIBIT A

THENCE South $42^{\circ}09'08''$ West, 55.62 feet;

THENCE South $31^{\circ}29'52''$ East, 34.47 feet to the beginning of a tangent curve concave northeasterly and having a radius of 748.00 feet;

THENCE southeasterly, along said curve, an arc length of 53.89 feet through a central angle of $04^{\circ}07'42''$ to a point in the westerly boundary of said Segment 3 and the **END** of this line description.

RESERVING therefrom easements for installation and maintenance of landscape, storm drain, utility and sidewalk facilities, 3.00 feet wide, northeasterly and immediately adjacent, parallel and contiguous to Line "B" described above and the courses in Line "A" described above as South $31^{\circ}29'52''$ East, 34.47 feet and a curve having a radius of 748.00 feet, an arc length of 53.89 feet, and a central angle of $04^{\circ}07'42''$;

ALSO RESERVING therefrom permanent easements and rights of way for sanitary sewer, storm drain, electrical energy, waterline facilities and a permanent easement and right of way to construct, place, operate, inspect, maintain, repair, replace and remove aerial and underground telephone, telegraph and communication structures within the following described parcel:

BEGINNING at Point "A" described hereinabove;

THENCE South $42^{\circ}09'08''$ West, 50.61 feet to a point in a non tangent curve concave northeasterly and having a radius of 409.00 feet; the radial line to said point bears South $31^{\circ}40'08''$ West;

THENCE easterly, along said curve, an arc length of 237.18 feet through a central angle of $33^{\circ}13'34''$;

THENCE North $88^{\circ}26'34''$ East, 87.10 feet;

THENCE South $25^{\circ}30'12''$ East, 49.26 feet to a point in the southerly right of way line of said Box Springs Boulevard;

THENCE North $86^{\circ}57'39''$ East, along said southerly right of way line, 20.03 feet;

THENCE North $01^{\circ}33'26''$ West, 44.50 feet;

THENCE North $88^{\circ}26'34''$ East, 19.33 feet to the beginning of a tangent curve concave southerly and having a radius of 191.00 feet;

THENCE easterly, along said curve, an arc length of 33.42 feet through a central angle of $10^{\circ}01'36''$;

THENCE South $08^{\circ}28'10''$ West, 13.00 feet to a cusp of a non tangent curve

concave southerly and having a radius of 178.00 feet; the radial line to said cusp bears North $08^{\circ}28'10''$ East;

THENCE southeasterly, along said curve, an arc length of 120.15 feet through a central angle of $38^{\circ}40'29''$;

THENCE North $47^{\circ}08'39''$ East, 13.00 feet to a cusp of a non tangent curve concave southwesterly and having a radius of 191.00 feet; the radial line to said cusp bears North $47^{\circ}08'39''$ East;

THENCE southeasterly, along said curve, an arc length of 103.15 feet through a central angle of $30^{\circ}56'36''$ to a line parallel with and distant 7.61 feet westerly, as measured at right angle, from the centerline of Box Springs Boulevard;

THENCE South $12^{\circ}16'34''$ East, along said parallel line, 262.77 feet;


THENCE South $28^{\circ}18'24''$ West, 65.17 feet to a point in the westerly right of way line of said Box Springs Boulevard;

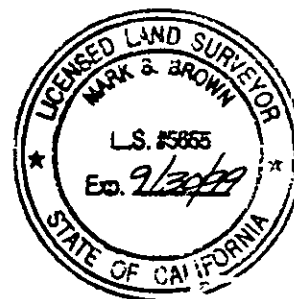
THENCE South $12^{\circ}16'34''$ East, along said westerly right of way line, 176.31 feet to a cusp of a non tangent curve concave southwesterly and having a radius of 852.00 feet; the radial line to said cusp bears North $49^{\circ}24'01''$ East;

THENCE southeasterly, along said curve, an arc length of 362.79 feet through a central angle of $24^{\circ}23'49''$ to the easterly right of way line of said Box Springs Boulevard;

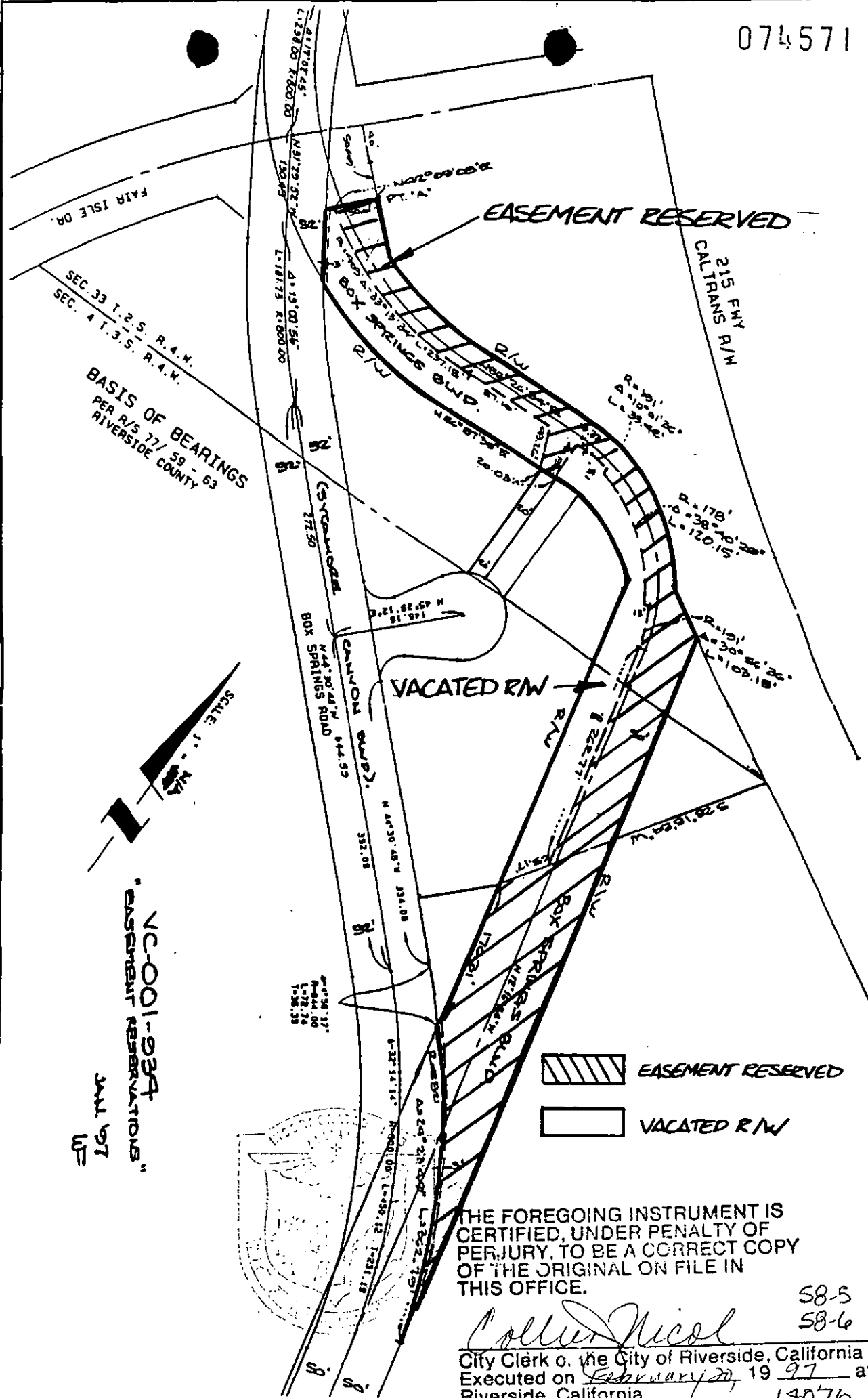
THENCE northerly, along the various courses of said easterly right of way line, to said POINT OF BEGINNING.

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

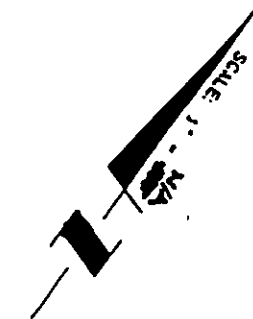
 1/17/97 Prep. _____
 Mark S. Brown, L.S. 5655 Date
 License Expires 9/30/99




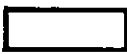
vc001934.bsb



SEC. 33 T. 2. S. R. 4. W.
 SEC. 4 T. 3. S. R. 4. W.
 BASIS OF BEARINGS
 PER R/S 77/ 59 - 63
 RIVERSIDE COUNTY



NC-001-934
 "EASEMENT RESERVATIONS"
 JAN. 97
 UP

-  EASEMENT RESERVED
-  VACATED R/W

THE FOREGOING INSTRUMENT IS
 CERTIFIED, UNDER PENALTY OF
 PERJURY, TO BE A CORRECT COPY
 OF THE ORIGINAL ON FILE IN
 THIS OFFICE.

Colleen Nicol
 City Clerk of the City of Riverside, California
 Executed on February 27, 19 97 at
 Riverside, California 14076

58-5
 58-6