

080476

1 RECORDING REQUESTED BY
2 AND WHEN RECORDED MAIL TO:

3 CITY CLERK
4 City of Riverside
5 City Hall, 3900 Main Street
6 Riverside, CA 92522

7 FREE RECORDING
8 Exempt Pursuant to
9 Government Code §6103

10 Case No. VC-006-945

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MAR 11 1997

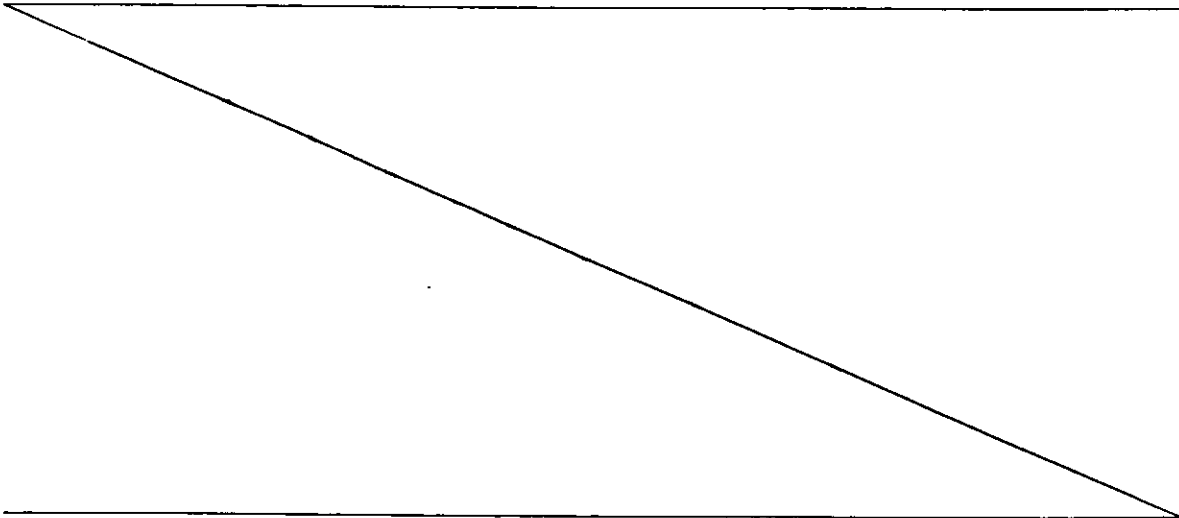
Recorded in Official Records
of Riverside County, California

Recorder
Fees \$

FOR RECORDER'S OFFICE USE ONLY

RESOLUTION NO. 18670

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. 18659; RESERVING
PERMANENT EASEMENTS AND RIGHTS-OF-WAY FOR
SANITARY SEWER FACILITIES AND FOR AERIAL AND
UNDERGROUND TELEPHONE, TELEGRAPH AND
COMMUNICATION FACILITIES , AND DETERMINING
THAT THE PUBLIC CONVENIENCE, AND NECESSITY
REQUIRE THE RESERVATION OF SUCH EASEMENTS;
AND MAKING ITS ORDER VACATING THE ALLEY
SITUATED BETWEEN HENDRY AVENUE, ANDREW
STREET, WILBUR STREET AND JACKSON STREET.



RESOLUTION NO. 18670

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3 OF RIVERSIDE, CALIFORNIA, MAKING ITS FINDINGS
4 AND DETERMINATIONS IN THE MATTER OF RESOLUTION
5 OF INTENTION NO. 18659; RESERVING PERMANENT
6 EASEMENTS AND RIGHTS-OF-WAY FOR SANITARY SEWER
7 FACILITIES AND FOR AERIAL AND UNDERGROUND
8 TELEPHONE, TELEGRAPH AND COMMUNICATION
9 FACILITIES , AND DETERMINING THAT THE PUBLIC
10 CONVENIENCE, AND NECESSITY REQUIRE THE
11 RESERVATION OF SUCH EASEMENTS; AND MAKING ITS
12 ORDER VACATING THE ALLEY SITUATED BETWEEN
13 HENDRY AVENUE, ANDREW STREET, WILBUR STREET
14 AND JACKSON STREET.

15 WHEREAS, on February 21, 1995, the City Council of
16 the City of Riverside in Vacation Case No. VC-006-945 adopted
17 Resolution No. 18659 declaring its intention to order the
18 vacation of an approximately 20-foot-wide by 560-foot-long
19 alley situated between Hendry Avenue and Andrew Street and
20 Wilbur Street and Jackson Street within the City of
21 Riverside, and fixing the time and place of hearing all
22 persons interested in the proposed vacation pursuant to the
23 provisions of the Public Streets, Highways and Service
24 Easements Vacation Law, being Sections 8300 et seq. of
25 Part 3, Division 9 of the Streets and Highways Code of the
26 State of California; and

27 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
to and considered by the Planning Commission of the City of
Riverside at a duly noticed public hearing; and

WHEREAS, following the close of the public hearing,

1 the Planning Commission determined that the proposed project
2 would not have a significant adverse affect on the
3 environment and that Vacation Case VC-006-945 should be
4 approved subject to all staff conditions as amended by the
5 Commission; and

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

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

14 Section 1: That the vacation of the hereinafter
15 described 20-foot-wide by 560-foot-long alley situated
16 between Hendry Avenue and Andrew Street and Wilbur Street and
17 Jackson Street within the City of Riverside is undertaken
18 pursuant to the provisions of and in accordance with the
19 procedures set forth in the Public Streets, Highways, and
20 Service Easements Vacation Law and that all notices required
21 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-006-945, whether such evidence was oral or
25 in writing, together with the recommendations from the
26 Planning Commission, the 20-foot-wide by 560-foot-long alley
27 situated between Hendry Avenue and Andrew Street and Wilbur

1 Street and Jackson Street hereinafter described and ordered
2 vacated is unnecessary for present or prospective public use
3 as a public alley.

4 Section 3: That the 20-foot-wide by 560-foot-long
5 alley situated between Hendry Avenue and Andrew Street and
6 Wilbur Street and Jackson Street described in the document
7 attached hereto, marked Exhibit A, and by this reference made
8 a part hereof, be and the same is hereby ordered vacated.

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

26 Section 5: That the vacation, termination and
27 abandonment of the 20-foot-wide by 560-foot-long alley

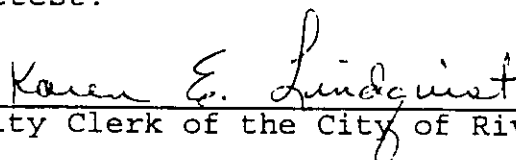
1 situated between Hendry Avenue and Andrew Street and Wilbur
 2 Street and Jackson Street hereinafter described in Exhibit A
 3 shall occur only after the applicable conditions contained in
 4 the Planning Department's report to the legislative body and
 5 on file with the City Clerk as approved or amended by the
 6 City Council have been satisfied, and the City Clerk is
 7 hereby directed not to record this resolution of vacation
 8 until the applicable conditions have been satisfied.

9 Section 6: That the City Clerk of the City of
 10 Riverside shall cause a certified copy of this resolution to
 11 be recorded in the Office of the County Recorder of Riverside
 12 County, California, upon the satisfaction of the applicable
 13 conditions, and the alley described in Exhibit A shall no
 14 longer constitute a public alley from and after said date of
 15 recordation.

16 ADOPTED by the City Council and signed by the Mayor
 17 and attested by the City Clerk this 28th day of March, 1995.

18 
 19 Mayor of the City of Riverside

20 Attest:

21 
 22 City Clerk of the City of Riverside

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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 28th day of March, 1995 , by the following
6 vote, to wit:

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

9 Noes: None.

10 Absent: None.

11 IN WITNESS WHEREOF I have hereunto set my hand and
12 affixed the official seal of the City of Riverside,
13 California, this 28th day of March, 1995.

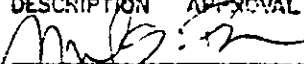
14 Karen E. Lindquist
15 City Clerk of the City of Riverside
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Legal Description
VC-006-945
Alley located at 3626-3646 Jackson Street

Lot "D" of Tract No. 2345 as shown by map on file in Book 45 of Maps, pages 85 and 86 thereof, records of Riverside County, California **together with Parcel 4** of those certain parcels of land conveyed to the City of Riverside for street purposes by document recorded September 8, 1961, as Instrument No. 77386 of Official Records of Riverside County, California.

RESERVING THEREFROM permanent easements and rights of way for sanitary sewer facilities and 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.

DESCRIPTION APPROVAL *WEAS*

 SURVEYOR, CITY OF RIVERSIDE by *WE*

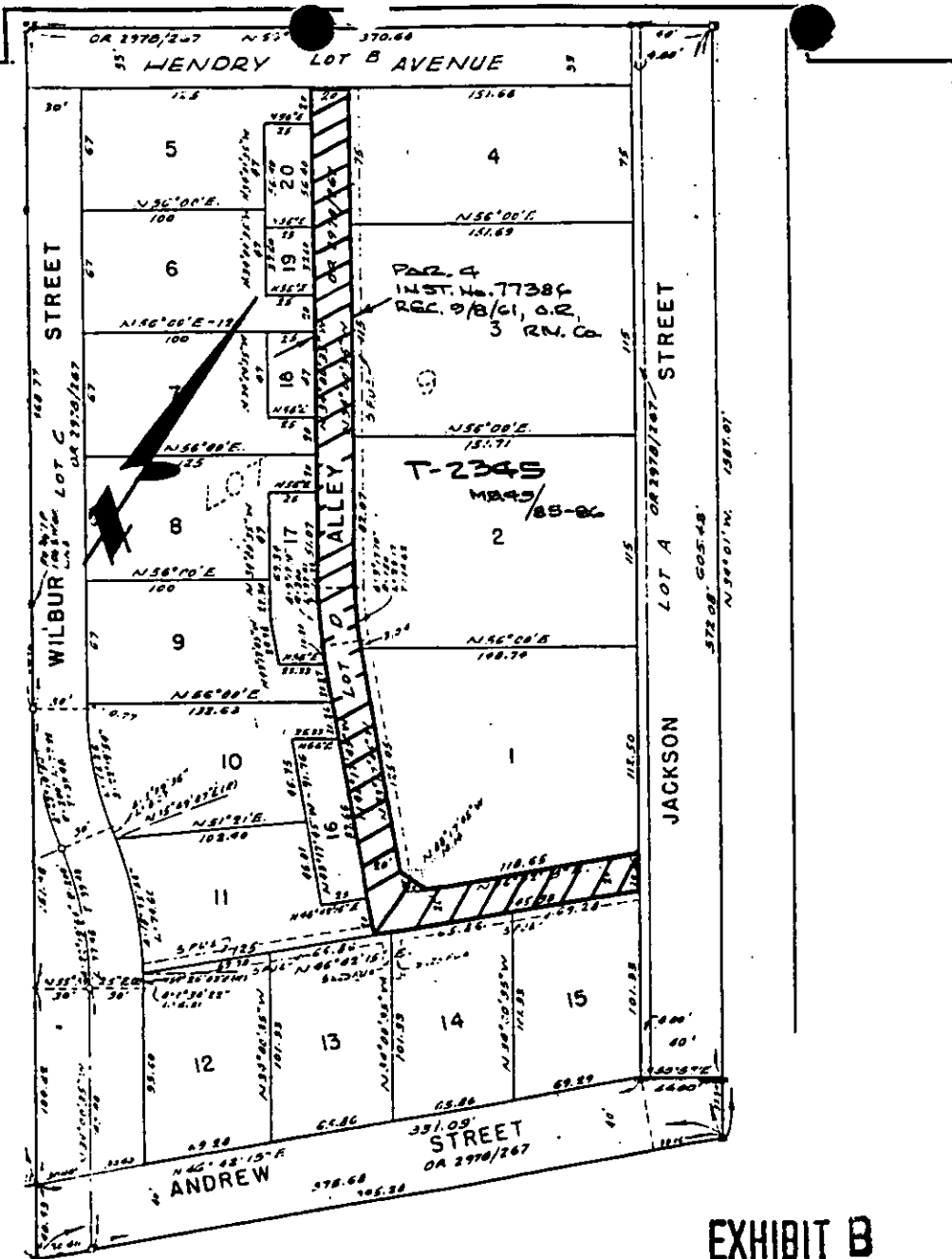


EXHIBIT B

• 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

5/26

SCALE: 1" = 40'

DRAWN BY LF DATE 2-2-95

SUBJECT VC-006-945

THE FOREGOING INSTRUMENT IS CERTIFIED TO BE A TRUE AND CORRECT COPY OF THE ORIGINAL FILED IN THE OFFICE OF THE CLERK OF THE SUPERIOR COURT OF THE COUNTY OF RIVERSIDE, CALIFORNIA, ON MARCH 10, 1997.

Court Clerk
Clerk of the Superior Court, California
Riverside, California
March 10, 1997, at