

080477

RECEIVED FOR RECORD
AT 8:00 O'CLOCK

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

AND WHEN RECORDED MAIL TO:

CITY CLERK
CITY OF RIVERSIDE
3900 MAIN STREET
RIVERSIDE, CA 92522

MAR 11 1997

Recorded in Official Records
of Riverside County, California

Recorder
Fees \$

SPACE ABOVE FOR RECORDER'S USE ONLY

RESOLUTION NO. 19983

Title of Document

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THIS AREA FOR
RECORDER'S
USE ONLY

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION
(\$3.00 Additional Recording Fee Applies)

VAC-8-912

RESOLUTION NO. 18983

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. 18063; AND MAKING ITS ORDER VACATING A
6 PORTION OF MUIRFIELD ROAD SITUATED NORTHERLY OF
7 OVERLOOK PARKWAY AND EASTERLY OF CHABOT COURT WITHIN
8 TENTATIVE TRACT 26109; AND REPEALING RESOLUTION
9 NO. 18082.

10 WHEREAS on August 18, 1992, the City Council of the City
11 of Riverside adopted Resolution No. 18063 declaring its intention
12 in Vacation Case VAC-8-912 to order the vacation of various road
13 easements and portions of Muirfield Road located within Tentative
14 Tract 26109, and fixing the time and place of hearing all persons
15 interested in the proposed vacation, pursuant to the provisions
16 of the Public Streets, Highways, and Service Easements Vacation
17 Law, being Section 8300 et seq. of Part 3, Division 9 of the
18 Streets and Highways Code of the State of California; and

19 WHEREAS said proposed vacation had been previously
20 submitted to and acted upon by the Planning Commission of the
21 City of Riverside at a duly noticed public hearing; and

22 WHEREAS following the close of the public hearing before
23 the Planning Commission, the Planning Commission approved
24 Vacation Case VAC-8-912 subject to all staff conditions and
25 determined that the proposed project would not have a significant
26 adverse affect on the environment; and

27 WHEREAS notice of hearing before the City Council of said
resolution of intention was given as provided by said Public
Streets, Highways, and Service Easements Vacation Law; and

WHEREAS the recommendations of the Planning Commission

1 were duly transmitted to the City Council and were considered by
2 the City Council together with the testimony, whether oral or in
3 writing, presented at the duly noticed public hearing before said
4 City Council; and

5 WHEREAS the City Council heard and found and determined
6 from all of the evidence submitted to said Council on the day
7 fixed for the hearing that the approximately 30 to 40-foot wide
8 by approximately 275-foot long portion of Muirfield Road situated
9 northerly of Overlook Parkway and easterly of Chabot Court within
10 Tentative Tract 26109 ordered vacated was unnecessary for present
11 or prospective public use; and

12 WHEREAS on September 15, 1992, the City Council adopted
13 three resolutions, including Resolution No. 18082, making its
14 findings and determinations in the matter of Resolution of
15 Intention No. 18063 including findings and determinations
16 regarding the reservations of easements and ordering the vacation
17 of various road easements and portions of Muirfield Road to
18 reflect the proposed phasing plan for Tentative Tract No. 26109,
19 ordering that the vacation occur only after the applicable
20 conditions contained in the Planning Department's report to the
21 legislative body and on file with the City Clerk have been
22 satisfied, and directing the City Clerk to not record the
23 resolutions of vacation until the applicable conditions had been
24 satisfied; and

25 WHEREAS the phasing plan for Tentative Tract No. 26109
26 has been changed and it would be appropriate to amend the
27 descriptions of the roadway easements and portions of Muirfield

1 Road in the three previously adopted resolutions to reflect the
2 new phasing plan and the determinations regarding reservations of
3 easements for each such segment of roadway easement or Muirfield
4 Road to be vacated in each new phase;

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

7 Section 1: That the vacation of the approximately 30 to
8 40-foot wide by approximately 275 foot long portion of Muirfield
9 Road situated northerly of Overlook Parkway and easterly of
10 Chabot Court within Tentative Tract 26109 in the City of
11 Riverside as hereinafter described and ordered vacated is
12 undertaken pursuant to the provisions of and in accordance with
13 the procedures set forth in the Public Streets, Highways, and
14 Service Easements Vacation Law and that all notices required
15 thereby have been duly given.

16 Section 2: That from all of the evidence submitted to
17 the City Council at the public hearing before it on Vacation
18 Case VAC-8-912, whether such evidence was oral or in writing,
19 together with the recommendations from the Planning Commission,
20 that the approximately 30 to 40-foot wide by approximately 275-
21 foot long portion of Muirfield Road situated northerly of
22 Overlook Parkway and easterly of Chabot Court within Tentative
23 Tract 26109 as hereinafter described and ordered vacated is
24 unnecessary for present or prospective public use as a public
25 street.

26 Section 3: That the proposed project will not have a
27 significant adverse effect on the environment and adopts a

1 Negative Declaration.

2 Section 4: That portion of the approximately 30 to
3 40-foot wide by approximately 275-foot long portion of Muirfield
4 Road situated northerly of Overlook Parkway and easterly of
5 Chabot Court within Tentative Tract 26109 in the City of
6 Riverside described in the document attached hereto, marked
7 Exhibit "A", and by this reference made a part hereof, be and the
8 same is hereby ordered vacated.

9 Section 5: That the vacation, termination and
10 abandonment of that portion of Muirfield Road described in
11 Exhibit "A" shall occur only after the applicable conditions
12 contained in the Planning Department's report to the legislative
13 body and on file with the City Clerk as approved by the City
14 Council have been satisfied, and the City Clerk is hereby
15 directed not to record this resolution of vacation until the
16 applicable conditions have been satisfied.

17 Section 6: That the City Clerk of the City of Riverside
18 shall cause a certified copy of this resolution to be recorded in
19 the Office of the County Recorder of Riverside County,
20 California, upon the satisfaction of the applicable conditions,
21 and that the approximately 30 to 40-foot wide by approximately
22 275-foot long portion of Muirfield Road situated northerly of
23 Overlook Parkway and easterly of Chabot Court within Tentative
24 Tract 26109 in the City of Riverside described in Exhibit "A"
25 shall no longer constitute a portion of a public street from and
26 after said date of recordation.

27 Section 8: Resolution No. 18082 is hereby repealed.

1 ADOPTED by the City Council and signed by the Mayor and
2 attested by the City Clerk this 24th day of September, 1996.

3
4 *Ronald Lovendge*
5 Mayor of the City of Riverside

6 Attest:

7
8 *Colleen Nicol*
9 City Clerk of the City of Riverside

10
11
12
13
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 24th day of
18 September , 1996 , by the following vote, to wit:

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

21 Noes: None.

22 Absent: Councilmember Pearson.

23 IN WITNESS WHEREOF I have hereunto set my hand and
24 affixed the official seal of the City of Riverside, California,
25 this 24th day of September, 1996.

26 *Colleen Nicol*
27 City Clerk of the City of Riverside

PORTION OF MUIRFIELD ROAD TO BE
VACATED FOR TRACT 26109-1

That portion of Parcel III as shown in easement recorded January 9, 1959 in book 2394, pages 90 through 98, Official Records, Riverside County Records described as:

Beginning at the easterly terminus of centerline of City of Riverside Resolution No. 17652 recorded February 21, 1991 as Instrument No. 57407 Official Records of said County;

thence North $00^{\circ}03'30''$ East, a distance of 15.05 feet to a point on the northerly line of said Parcel III;

thence South $85^{\circ}25'04''$ East, along said line a distance of 223.08 feet to an angle point therein;

thence continuing along said line, South $74^{\circ}16'04''$ East, a distance of 92.08 feet;

thence North $85^{\circ}01'22''$ West, a distance of 26.79 feet to a point in a line parallel to and a distance of 5.00 feet southerly measured at right angles to said northerly line;

thence North $74^{\circ}16'04''$ West along said line, a distance of 65.26 feet to an angle point therein;

thence continuing along said line North $85^{\circ}25'04''$ West, a distance of 176.07 feet to the point of curvature of a non-tangent curve, concave to the northwest, having a radius of 48.00 feet, a central angle of $5^{\circ}58'29''$, from which the radius of said curve bears North $70^{\circ}04'24''$ West;

thence southwesterly along said curve, an arc distance of 5.01 feet to the point of curvature of a reverse curve, concave to the east, having a radius of 52.00 feet, a central angle of $22^{\circ}48'07''$;

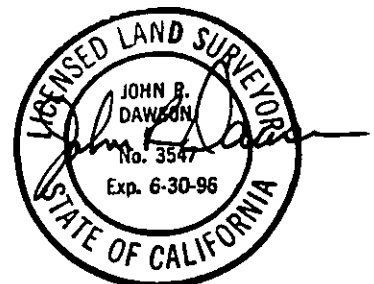
thence southerly along said curve, an arc distance of 20.69 feet to a point on a non-tangent line from which the radius of said curve bears North $86^{\circ}54'02''$ West, said line being the southerly line of said Parcel III;

thence North $85^{\circ}25'04''$ West along said line, a distance of 39.03 feet;

thence North $00^{\circ}03'30''$ East, a distance of 15.05 feet to the POINT OF BEGINNING.

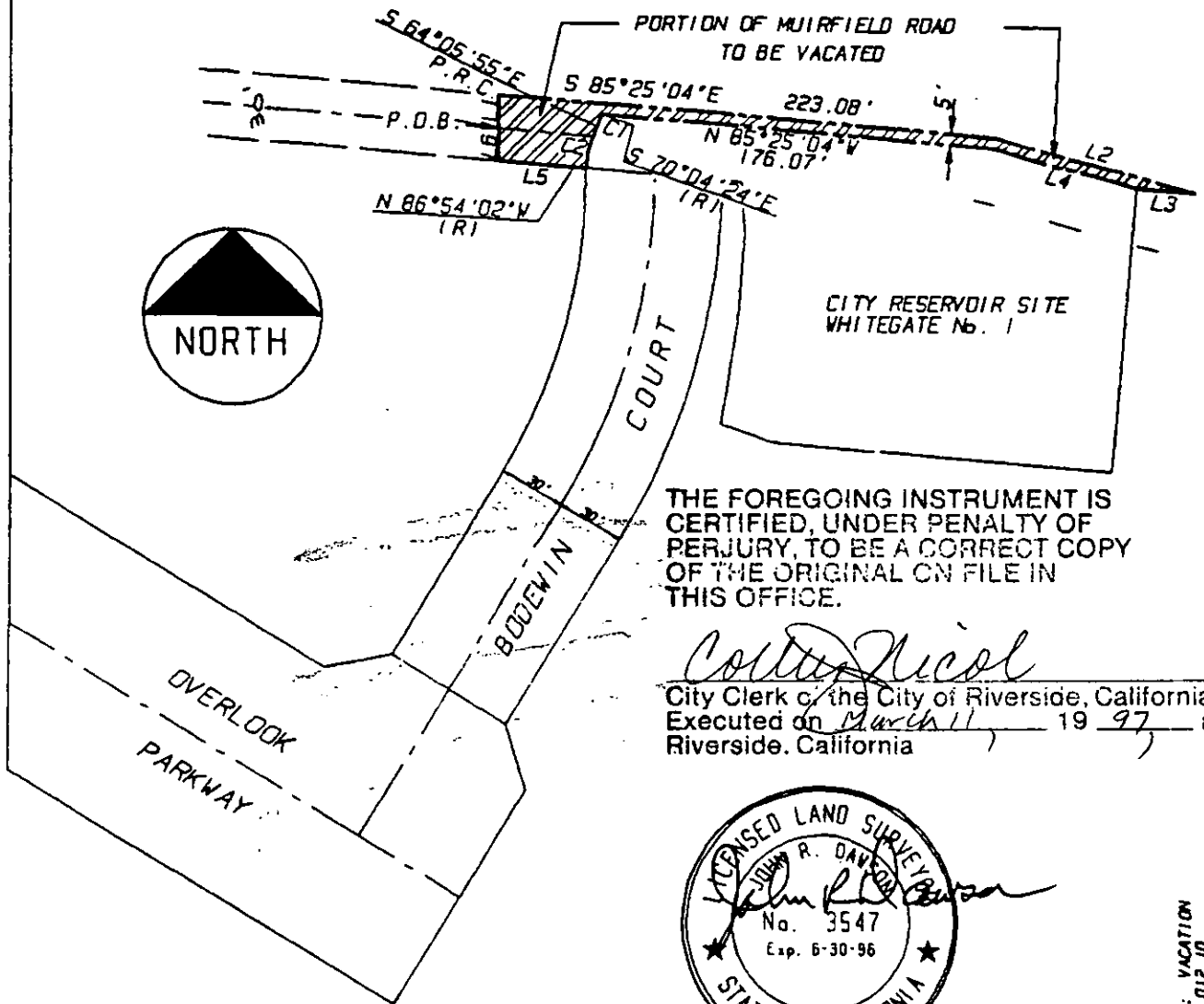
Contains 2,549.5 square feet, more or less.

DESCRIPTION APPROVAL
Arvid S. B. by *W. E.*
SURVEYOR, CITY OF RIVERSIDE



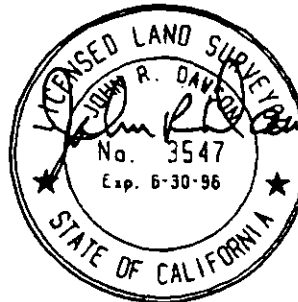
LINE	BEARING	DISTANCE	CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT
L 1	N 00°03'30"E	15.05'	C 2	22°48'07"	52.00'	20.69'	10.49'
L 2	S 74°16'04"E	92.08'	C 1	05°58'29"	48.00'	5.01'	2.50'
L 3	N 85°01'22"W	26.79'					
L 4	N 74°16'04"W	65.26'					
L 5	N 85°25'04"W	39.03'					
L 6	N 00°03'30"E	15.05'					

TRACT 23678
MB 229/39.40



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

Collette Nicol
City Clerk of the City of Riverside, California
Executed on March 11, 19 97, at
Riverside, California



DRAWING NAME: VACATION
INSTRUMENT NO.: 012.10
ROTATION: 0

CITY OF RIVERSIDE, CALIFORNIA

THIS PLAT IS 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

70-9

SCALE 1" = N/A

DRAWN BY JRD DATE 5/8/98

SUBJECT VC-008.912 & T-26100-1