

143950

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-001-956

RECEIVED FOR RECORD
AT 8:00AM

APR 15 1998

Recorded in Official Records
of Riverside County, California

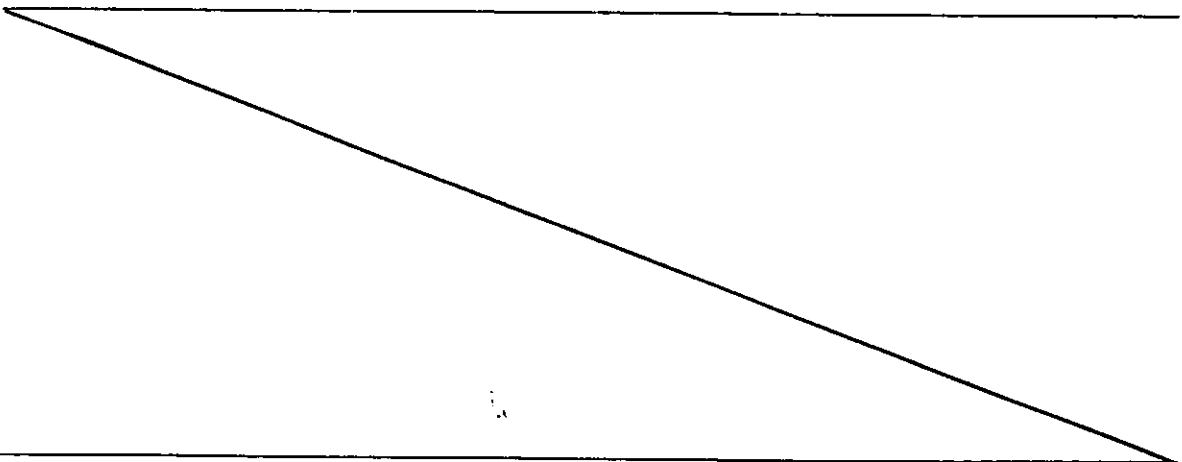
Recorder
Fees \$

FOR RECORDER'S OFFICE USE ONLY

C
KE

RESOLUTION NO. 18819

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. 18795; RESERVING AND EXCEPTING PERMANENT EASEMENTS AND RIGHTS-OF-WAY FOR SANITARY SEWER FACILITIES, FOR STORM DRAIN 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 FOR WALKWAY PURPOSES ONLY THAT CERTAIN PEDESTRIAN WALKWAY EXTENDING FROM THE KNUCKLE FORMED BY MONTEREY ROAD AND BERKELEY ROAD TO THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY RIGHT-OF-WAY.



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

RESOLUTION NO. 18819

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. 18795; RESERVING AND EXCEPTING PERMANENT EASEMENTS AND RIGHTS-OF-WAY FOR SANITARY SEWER FACILITIES, FOR STORM DRAIN 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 FOR WALKWAY PURPOSES ONLY THAT CERTAIN PEDESTRIAN WALKWAY EXTENDING FROM THE KNUCKLE FORMED BY MONTEREY ROAD AND BERKELEY ROAD TO THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY RIGHT-OF-WAY.

WHEREAS by map on file in Book 27 of Maps, pages 2 and 3 thereof, records of Riverside County, California, Lot "D" was dedicated and accepted for walkway, drainage and sewer purposes; and

WHEREAS, on November 5, 1995, the City Council of the City of Riverside in Vacation Case No. VC-001-956 adopted Resolution No. 18795 declaring its intention to order the vacation, for walkway purposes only, of the pedestrian walkway extending from the knuckle formed by Monterey Road and Berkeley Road to The Atchison, Topeka and Santa Fe Railway Company right-of-way within the City of Riverside, 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

1 intention was duly given as provided by said Public Streets,
2 Highways, and Service Easements Vacation Law; and

3 WHEREAS, said proposed vacation has been submitted to
4 and considered by the Planning Commission of the City of
5 Riverside at a duly noticed public hearing; and

6 WHEREAS, following the close of the public hearing,
7 the Planning Commission determined that the proposed project
8 would not have a significant adverse affect on the environment
9 and that the City Council should adopt a Negative Declaration,
10 and that Vacation Case VC-001-956 should be approved subject to
11 all staff conditions as amended by the Commission; and

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

16 NOW, THEREFORE, BE IT RESOLVED, FOUND AND DETERMINED
17 by the City Council of the City of Riverside, California, as
18 follows:

19 Section 1: That the vacation of the hereinafter
20 described pedestrian walkway extending from the knuckle formed
21 by Monterey Road and Berkeley Road to The Atchison, Topeka and
22 Santa Fe Railway Company right-of-way within the City of
23 Riverside is undertaken pursuant to the provisions of and in
24 accordance with the procedures set forth in the Public Streets,
25 Highways, and Service Easements Vacation Law and that all
26 notices required thereby have been duly given.

27 Section 2: That from all of the evidence submitted to

1 the City Council at the public hearing before it on Vacation
2 Case VC-006-945, whether such evidence was oral or in writing,
3 together with the recommendations from the Planning Commission,
4 the pedestrian walkway situated between the knuckle formed by
5 Monterey Road and Berkeley Road and The Atchison, Topeka and
6 Santa Fe Railway Company right-of-way within the City of
7 Riverside and hereinafter described and ordered vacated is
8 unnecessary for present or prospective public use as a public
9 pedestrian walkway.

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

13 Section 4: That the approximately 200-foot-long and
14 20-foot-wide pedestrian walkway described in the document
15 attached hereto, marked Exhibit A, and by this reference made
16 a part hereof, be and the same is hereby ordered vacated for
17 walkway purposes only.

18 Section 5: That the public convenience and necessity
19 require the exception from the vacation of those easements and
20 rights-of-way over, along and across the pedestrian walkway
21 ordered to be vacated as described in Exhibit A, necessary for
22 sanitary sewer facilities, storm drain facilities, and aerial
23 and underground telephone, telegraph and communication
24 facilities and the reservation of the following: (a) an
25 easement for and the right to construct, maintain, operate,
26 replace, remove and renew sanitary sewer and appurtenant
27 structures; (b) an easement for and the right to construct,

1 maintain, operate, replace, remove and renew storm drains and
 2 appurtenant structures; and (d) an easement for and the right
 3 to construct, place, operate, inspect, maintain, repair,
 4 replace and remove aerial and underground telephone, telegraph
 5 and communication structures as may from time to time be
 6 required consisting of poles, anchors, wires, cables, conduits,
 7 manholes, markers and necessary fixtures and appurtenances.

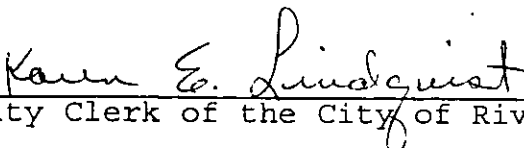
8 Section 6: That the vacation, termination and
 9 abandonment of the above-described pedestrian walkway described
 10 in Exhibit A shall occur only after the applicable conditions
 11 contained in the Planning Department's report to the
 12 legislative body and on file with the City Clerk as approved or
 13 amended by the City Council have been satisfied, and the City
 14 Clerk is hereby directed not to record this resolution of
 15 vacation until the applicable conditions have been satisfied.

16 Section 7: That the City Clerk of the City of
 17 Riverside shall cause a certified copy of this resolution to be
 18 recorded in the Office of the County Recorder of Riverside
 19 County, California, upon the satisfaction of the applicable
 20 conditions, and the pedestrian walkway described in Exhibit A
 21 shall no longer constitute a public pedestrian walkway from and
 22 after said date of recordation.

23 ADOPTED by the City Council and signed by the Mayor
 24 and attested by the City Clerk this 5th day of December, 1995.

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 on
5 the 5th day of December, 1995 , by the following vote,
6 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, California,
13 this 5th day of December, 1995.

14 Karen E. Lindquist
15 City Clerk of the City of Riverside
16
17
18
19
20
21
22
23
24
25
26
27

VC-001-956
Pedestrian Walkway between 2998 Berkeley & 5257 Monterey

That certain easement for walkway purposes located within Lot "D" of Monterey Manor, as shown by map on file in Book 27 of Maps, pages 2 and 3 thereof, records of Riverside County, California.

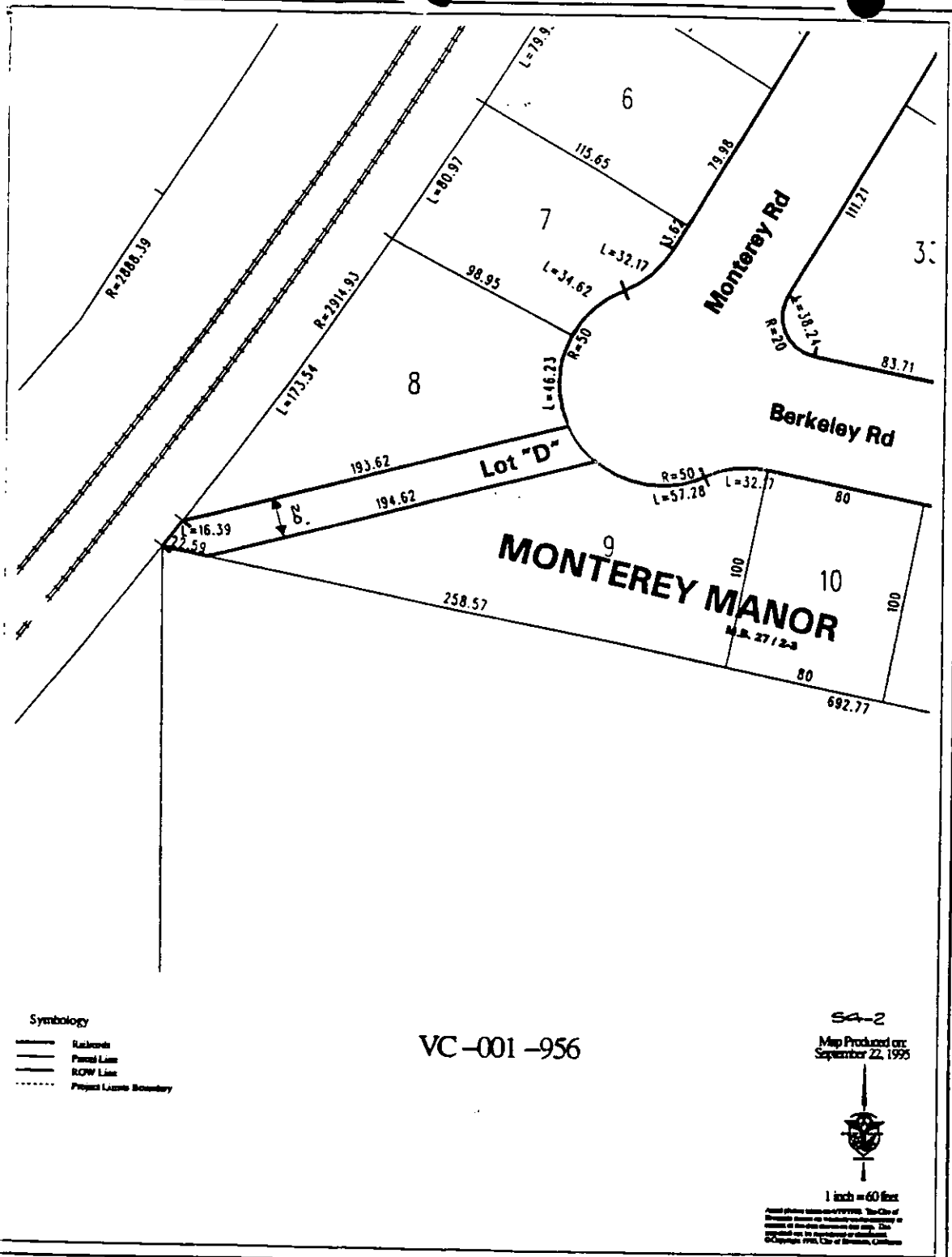
This description was prepared by me or under my direction in conformance with the requirements of the Land Surveyors Act.



Mark S. Brown 9/24/95 Date Prep. MF
Mark S. Brown, L.S. 5655
License Expires 9/30/99

vc001956.lgl

EXHIBIT A



VC-001-956

SA-2
Map Produced on:
September 22, 1995



1 inch = 60 feet

Printed under authority of the City of Riverside, California. The City of Riverside is not responsible for the accuracy of the information shown on this map. The information is for reference only. © Copyright 1995, City of Riverside, California

- Symbology
- Railroads
 - Parcel Line
 - ROW Line
 - Project Lease Boundary

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

Crista Nicol

City Clerk of the City of Riverside, California
Executed on April 15, 1998, at
Riverside, California