

FREE RECORDING-
ELECTRONIC RECORDING
Government Code 3
PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

Colleen J. Nicol, CMC
City Clerk's Office
City Hall, 3900 Main Street
Riverside, CA 92522

AND WHEN RECORDED MAIL TO:

Colleen J. Nicol, CMC
City Clerk's Office
City Hall, 3900 Main Street
Riverside, CA 92522

414997

RECEIVED FOR RECORD
AT 8:00AM

SEP 29 1998

Recorded in Official Records
of Riverside County, California

Recorder

Fees \$ 0

THIS SPACE FOR RECORDER'S USE ONLY

VAC-8-912

14308

RESOLUTION NO. 18981

Title of Document

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. 18063; RESERVING PERMANENT EASEMENTS AND RIGHTS OF WAY FOR GAS LINE FACILITIES, FOR AERIAL AND UNDERGROUND TELEPHONE, TELEGRAPH AND COMMUNICATION FACILITIES AND FOR ELECTRIC ENERGY AND WATER FACILITIES, AND DETERMINING THAT THE PUBLIC CONVENIENCE AND NECESSITY REQUIRE THE RESERVATION OF SUCH EASEMENTS; AND MAKING ITS ORDER VACATING A ROAD EASEMENT EXTENDING NORTHERLY FROM OVERLOOK PARKWAY AND A PORTION OF MUIRFIELD ROAD SITUATED NORTHERLY OF OVERLOOK PARKWAY; AND REPEALING RESOLUTION NO. 18080.

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

VAC-8-912

RESOLUTION NO. 18981

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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; RESERVING PERMANENT EASEMENTS
6 AND RIGHTS OF WAY FOR GAS LINE FACILITIES, FOR
7 AERIAL AND UNDERGROUND TELEPHONE, TELEGRAPH AND
8 COMMUNICATION FACILITIES AND FOR ELECTRIC ENERGY AND
9 WATER FACILITIES, AND DETERMINING THAT THE PUBLIC
10 CONVENIENCE AND NECESSITY REQUIRE THE RESERVATION OF
11 SUCH EASEMENTS; AND MAKING ITS ORDER VACATING A ROAD
12 EASEMENT EXTENDING NORTHERLY FROM OVERLOOK PARKWAY
13 AND A PORTION OF MUIRFIELD ROAD SITUATED NORTHERLY
14 OF OVERLOOK PARKWAY; AND REPEALING RESOLUTION
15 NO. 18080.

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

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

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

WHEREAS notice of hearing before the City Council of said

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

3 WHEREAS the recommendations of the Planning Commission
4 were duly transmitted to the City Council and were considered by
5 the City Council together with the testimony, whether oral or in
6 writing, presented at the duly noticed public hearing before said
7 City Council; and

8 WHEREAS the City Council heard and found and determined
9 from all of the evidence submitted to said Council on the day
10 fixed for the hearing that the road easements and portions of
11 Muirfield Road located within Tentative Tract 26109 ordered
12 vacated were unnecessary for present or prospective public use;
13 and

14 WHEREAS on September 15, 1992, the City Council adopted
15 three resolutions, including Resolution No. 18080, making its
16 findings and determinations in the matter of Resolution of
17 Intention No. 18063 including findings and determinations
18 regarding the reservations of easements and ordering the vacation
19 of various road easements and portions of Muirfield Road to
20 reflect the proposed phasing plan for Tentative Tract No. 26109,
21 ordering that the vacation occur only after the applicable
22 conditions contained in the Planning Department's report to the
23 legislative body and on file with the City Clerk have been
24 satisfied, and directing the City Clerk to not record the
25 resolutions of vacation until the applicable conditions had been
26 satisfied; and

27 WHEREAS the phasing plan for Tentative Tract No. 26109

1 has been changed and it would be appropriate to amend the
2 descriptions of the roadway easements and portions of Muirfield
3 Road in each of the three previously adopted resolutions to
4 reflect the new phasing plan and the determinations regarding
5 reservations of easements for each such segment of roadway
6 easement or Muirfield Road to be vacated in each phase;

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

9 Section 1: That the vacation of the hereinafter
10 described portion of a 60-foot-wide roadway easement extending
11 northerly from Overlook Parkway approximately 165 feet and the
12 hereinafter described portion of the approximately twenty-five to
13 thirty-foot wide by nine hundred foot long unimproved portion of
14 Muirfield Road in the City of Riverside is undertaken pursuant to
15 the provisions of and in accordance with the procedures set forth
16 in the Public Streets, Highways, and Service Easements Vacation
17 Law and that all notices required thereby have been duly given.

18 Section 2: That from all of the evidence submitted to
19 the City Council at the public hearing before it on Vacation
20 Case VAC-8-912, whether such evidence was oral or in writing,
21 together with the recommendations from the Planning Commission,
22 that portion of a 60-foot-wide roadway easement extending
23 northerly from Overlook Parkway approximately 165 feet and that
24 portion of the approximately twenty-five to thirty-foot wide by
25 nine hundred foot long unimproved portion of Muirfield Road as
26 hereinafter described and ordered vacated are unnecessary for
27 present or prospective public use as a public street.

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

4 Section 4: That portion of a 60-foot-wide road easement
5 extending northerly from Overlook Parkway approximately 165 feet
6 and that portion of the approximately twenty-five to thirty-foot
7 wide by nine hundred foot long unimproved portion of Muirfield
8 Road in the City of Riverside described in the document attached
9 hereto, marked Exhibit "A", and by this reference made a part
10 hereof, be and the same are hereby ordered vacated.

11 Section 5: That the public convenience and necessity
12 require the exception from the vacation of those easements and
13 rights-of-way over, along and across portions of the roadway
14 easements and unimproved street ordered to be vacated as more
15 particularly described as Parcels 2 and 3 in Exhibit "A"
16 necessary for gas line facilities, aerial and underground
17 telephone, telegraph and communication facilities and electrical
18 energy distribution facilities and waterline facilities, and the
19 reservation of the following: (a) an easement for and the right
20 to construct, maintain, operate, replace, remove, renew and
21 enlarge lines of pipe, conduits, cables, wires, poles, and other
22 convenient structures, equipment and fixtures for the operation
23 of gas line facilities; (b) an easement for and the right to
24 construct, place, operate, inspect, maintain, repair, replace and
25 remove aerial and underground telephone, telegraph and
26 communication structures as may from time to time be required
27 consisting of poles, anchors, wires, cables, conduits, manholes,

1 markers and necessary fixtures and appurtenances; and (c) an
2 easement for and the right to construct, maintain, operate,
3 replace, remove, renew, and enlarge lines of pipe, conduits,
4 cables, wires, poles and other convenient structures, equipment
5 and fixtures for the distribution of electric energy and water.

6 Section 6: That the vacation, termination and
7 abandonment of that portion of a 60-foot-wide road easement
8 extending northerly from Overlook Parkway approximately 165 feet
9 and that portion of the approximately twenty-five to thirty-foot
10 wide by nine hundred foot long unimproved portion of Muirfield
11 Road described in Exhibit "A" shall occur only after the
12 applicable conditions contained in the Planning Department's
13 report to the legislative body and on file with the City Clerk as
14 approved by the City Council have been satisfied, and the City
15 Clerk is hereby directed not to record this resolution of
16 vacation until the applicable conditions have been satisfied.

17 Section 7: 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 portion of a 60-foot-wide road easement extending
22 northerly from Overlook Parkway approximately 165 feet and that
23 portion of the approximately twenty-five to thirty-foot wide by
24 nine hundred foot long unimproved portion of Muirfield Road
25 described in Exhibit "A" shall no longer constitute a portion of
26 a public street from and after said date of recordation.

27 Section 8: Resolution No. 18080 is hereby repealed.

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

Donald Loveridge
Mayor of the City of Riverside

Attest:

Colleen J. Nicol
City Clerk of the City of Riverside

I, Colleen J. Nicol, 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 24th day of
September, 1996, 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 24th day of September, 1996.

Colleen J. Nicol
City Clerk of the City of Riverside

PORTION OF MUIRFIELD ROAD TO BE
VACATED FOR TRACT 26109-2

PARCEL I

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

Commencing 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 to the TRUE POINT OF BEGINNING;

thence South $74^{\circ}16'04''$ East along said line, a distance of 625.11 feet to a point in a line 200.00 feet west, measured at right angles to the east line of the of the East one-half of the Southwest One-quarter of Section 12 Township 3 South, Range 5 West S.B.M. ;

thence South $0^{\circ}23'36''$ West, parallel to said east line a distance of 31.11 feet to a point in the southerly line of said Parcel III;

thence North $74^{\circ}16'04''$ West along said southerly line, a distance of 722.49 feet to an angle point therein;

thence continuing along said southerly line North $85^{\circ}25'04''$ West, a distance of 178.74 feet to the point of curvature of a non-tangent curve, concave to the east, having a radius of 52.00 feet, a central angle of $22^{\circ}48'07''$, from which the radius of said curve bears South $86^{\circ}54'02''$ East;

thence northerly along said curve, an arc distance of 20.69 feet to the point of curvature of a reverse curve, concave to the northwest, having a radius of 48.00 feet, a central angle of $5^{\circ}58'29''$;

thence northeasterly along said curve, an arc distance of 5.01 feet to a point in a non-tangent line from which the radius point bears North $70^{\circ}04'24''$ West;

thence South $85^{\circ}25'04''$ East, a distance of 176.07 feet;

thence South $74^{\circ}16'04''$ East, a distance of 65.26 feet;

thence South $85^{\circ}01'22''$ East, a distance of 26.79 feet to the TRUE POINT OF BEGINNING.

Contains 25.658.3 square feet, more or less.

DESCRIPTION APPROVAL 6/4/96
by John R. Dawson
SURVEYOR, CITY OF RIVERSIDE

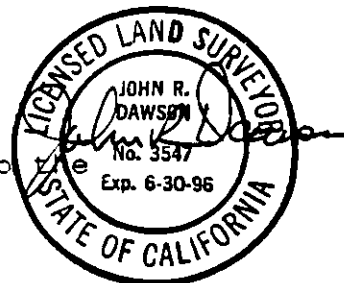


EXHIBIT "A"

**Portion of 60' wide road easement
extending northerly from Overlook Parkway**

PARCEL 2

That certain easement for street purposes conveyed to the City of Riverside by document recorded February 7, 1991, as Instrument No. 44734 of Official Records of Riverside County, California.

RESERVING THEREFROM permanent easements and rights of way for waterline facilities and electrical energy distribution facilities;

ALSO RESERVING THEREFROM a permanent easement and right of way for natural gas 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.

**Portion of street extending northerly
from Overlook Parkway**

PARCEL 3

That portion of the east half of the Southwest Quarter of Section 12, Township 3 South, Range 5 West, San Bernardino Meridian, described as follows:

COMMENCING at the northwest corner of Parcel 3 of Record of Survey on file in Book 38, page 52 of Records of Survey, records of Riverside County, California;

THENCE South $00^{\circ}03'34''$ West, along the west line of said Parcel 3, a distance of 125.60 feet;

THENCE South $59^{\circ}02'20''$ East, 203.68 feet;

THENCE North $30^{\circ}57'40''$ East, 114.00 feet to the TRUE POINT OF BEGINNING;

THENCE North 16°38'29" West, 31.14 feet;

THENCE North 59°02'20" West, 60.00 feet;

THENCE South 78°33'49" West, 31.14 feet;

THENCE South 59°02'20" East, 105.99 feet to said TRUE POINT OF BEGINNING.

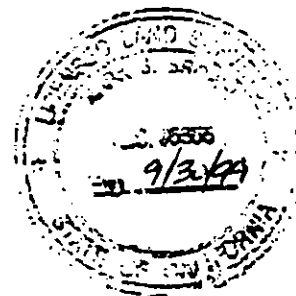
RESERVING THEREFROM permanent easements and rights of way for waterline facilities and electrical energy distribution facilities;

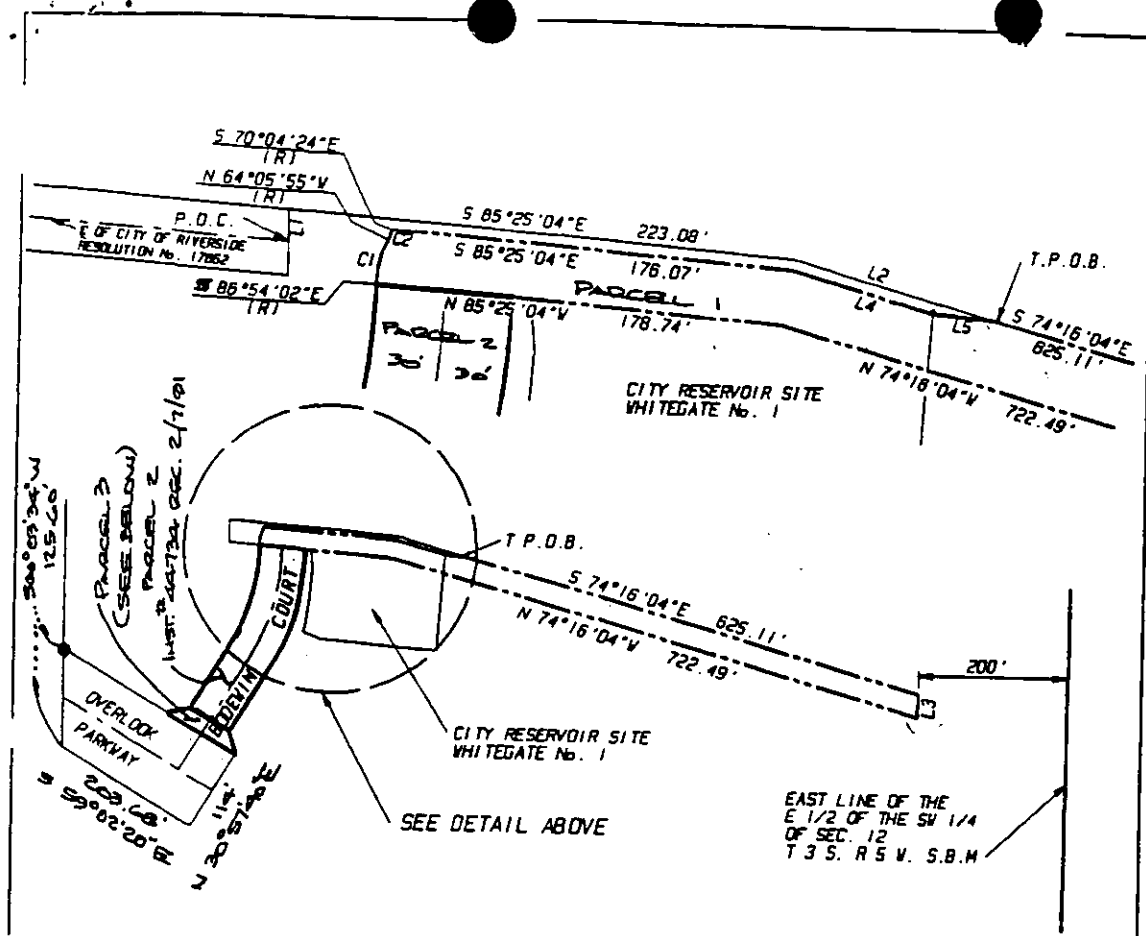
ALSO RESERVING THEREFROM a permanent easement and right of way for natural gas facilities;

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.

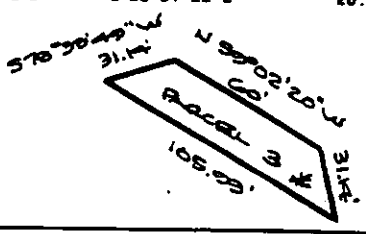
This description was prepared by me or under my direction in conformance with the requirements of the Land Surveyors Act.

Mark S. Brown 6/4/99 Prep. MB
 Mark S. Brown, L.S. 5655 Date
 License Expires 9/30/99





LINE	BEARING	DISTANCE	CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT
L 1	N 00°03'30"E	15.05'					
L 2	S 74°16'04"E	92.08'	C 1	22°48'07"	52.00'	20.69'	10.49'
L 3	S 00°23'36"W	31.11'	C 2	05°58'29"	48.00'	5.01'	2.50'
L 4	S 74°16'04"E	65.26'					
L 5	S 85°01'22"E	26.79'					



DRAWING MADE BY JIB INTERGRA NO. 012.14 ROTATION: 0

* INST. # 44738
2/1/01

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.

SCALE 1" = N/A DRAWN BY JRP DATE 5/1/98 SUBJECT VC-008-912 T. 26100-2 SHEET 1 OF 1 70-5

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

Col. Nicol
City Clerk of the City of Riverside, California
Executed on September 29, 1998, at
Riverside, California