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Government Code 3

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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

372755

RECEIVED FOR RECORD
AT 8:00AM

SEP 02 1998

Recorded in Official Records
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Recorder

Fees \$ 0

THIS SPACE FOR RECORDER'S USE ONLY

VC-002-967 (PHASE III)

14311

RESOLUTION NO. 19124

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. 19096; RESERVING PERMANENT EASEMENTS AND RIGHTS-OF-WAY
INCLUDING ANY IN-PLACE PUBLIC UTILITY FACILITIES THAT ARE IN USE AND
DETERMINING THAT THE PUBLIC CONVENIENCE AND NECESSITY REQUIRE THE
RESERVATION OF SUCH EASEMENTS; AND MAKING ITS ORDER VACATING THOSE
PORTIONS OF TOMLINSON AVENUE AND CLARA VISTA LANE SITUATED BETWEEN
ADOBE AVENUE AND CALIFORNIA AVENUE.

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

RESOLUTION NO. 19124

1
2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY
3 OF RIVERSIDE, CALIFORNIA, MAKING ITS FINDINGS
4 AND DETERMINATIONS IN THE MATTER OF RESOLUTION
5 OF INTENTION NO. 19096; RESERVING PERMANENT
6 EASEMENTS AND RIGHTS-OF-WAY INCLUDING ANY IN-
7 PLACE PUBLIC UTILITY FACILITIES THAT ARE IN
8 USE AND DETERMINING THAT THE PUBLIC
9 CONVENIENCE AND NECESSITY REQUIRE THE
10 RESERVATION OF SUCH EASEMENTS; AND MAKING ITS
11 ORDER VACATING THOSE PORTIONS OF TOMLINSON
12 AVENUE AND CLARA VISTA LANE SITUATED BETWEEN
13 ADOBE AVENUE AND CALIFORNIA AVENUE.

9 WHEREAS, on June 3, 1997, the City Council of the City of
10 Riverside in Vacation Case No. VC-002-967 adopted Resolution
11 No. 19096 declaring its intention to order the vacation of
12 portions of Collett Avenue, Tomlinson Avenue, Clara Vista Lane,
13 Selkirk Avenue, Mariposa Avenue, Alcazar Avenue, Lionhead Avenue,
14 Harrison Street and California Avenue relating to the completion
15 of the California Avenue Extension Project from Van Buren
16 Boulevard to Polk Street within the City of Riverside, California
17 and fixing the time and place of hearing all persons interested in
18 the proposed vacation pursuant to the provisions of the Public
19 Streets, Highways and Service Easements Vacation Law, being
20 Sections 8300 et seq. of Part 3, Division 9 of the Streets and
21 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

1 on the environment and that the City Council should adopt a
2 Negative Declaration, and that Vacation Case VC-002-967 should be
3 approved subject to all staff conditions; and

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

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

11 WHEREAS, a condition in Vacation Case VC-002-967 as
12 approved by the Planning Commission authorized the case to proceed
13 in a phased manner allowing for adoption of individual
14 resolutions; and

15 WHEREAS, the City Council heard and found and determined
16 from all of the evidence submitted to said Council on the day
17 fixed for the hearing that the portions of Tomlinson Avenue and
18 Clara Vista Lane consisting of an irregularly shaped strip that is
19 approximately 430 feet long and varying in width from
20 approximately 1 to 75 feet located between Adobe and California
21 Avenues was unnecessary for present or prospective public use; and

22 NOW, THEREFORE, BE IT RESOLVED, FOUND AND DETERMINED by
23 the City Council of the City of Riverside, California, as follows:

24 Section 1: That the vacation of the hereinafter
25 described portion of Tomlinson Avenue and Clara Vista Lane in
26 Vacation Case VC-002-967 is undertaken pursuant to the provisions

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1 of and in accordance with the procedures set forth in the Public
2 Streets, Highways, and Service Easements Vacation Law and that all
3 notices required thereby have been duly given.

4 Section 2: That from all of the evidence submitted to
5 the City Council at the public hearing before it on Vacation
6 Case VC-002-967, whether such evidence was oral or in writing,
7 together with the recommendations from the Planning Commission,
8 the portions of Tomlinson Avenue and Clara Vista Lane consisting
9 of an irregularly shaped strip that is approximately 430 feet long
10 and varying in width from approximately 1 to 75 feet located
11 between Adobe and California Avenues within the City of Riverside
12 as hereinafter described and ordered vacated is unnecessary for
13 present or prospective public use as a public street.

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

17 Section 4: That the portions of Tomlinson Avenue and
18 Clara Vista Lane consisting of an irregularly shaped strip that is
19 approximately 430 feet long and varying in width from
20 approximately 1 to 75 feet located between Adobe and California
21 Avenues within the City of Riverside, California and described in
22 the document attached hereto, marked Exhibit A, and by this
23 reference made a part hereof, be and the same is hereby ordered
24 vacated.

25 Section 5: That the public convenience and necessity
26 requires the exception of the following easements and rights-of-
27 way from the vacation hereinabove ordered: (a) an easement, and


1 right to construct, maintain, operate, replace, remove, renew, and
2 enlarge lines of pipe, conduits, cables, wires, poles and other
3 convenient structures, equipment and fixtures, for the
4 distribution of **electric energy**; (b) an easement for, and right to
5 construct, maintain, operate, replace, remove and renew, **sanitary**
6 **sewers** and appurtenant structures; (c) an easement, and right to
7 construct, maintain, operate, replace, remove, renew and enlarge
8 lines of pipe, conduits, cables, wires, poles, and other
9 convenient structures, equipment and fixtures, for the operation
10 of **gas line** facilities; and (d) an easement for, and right to
11 construct, place, operate, inspect, maintain, repair, replace and
12 remove, aerial and underground **telephone, telegraph** and
13 **communication** structures, including **cable television** facilities,
14 as may from time to time be required consisting of poles, anchors,
15 wires, cables, conduits, manholes, markers and necessary fixtures
16 and appurtenances. That the public convenience and necessity
17 require the exception and reservation from the vacation of those
18 easements and rights-of-way over, along and across that portion of
19 the public street ordered to be vacated necessary to maintain,
20 operate replace, remove or renew any **in-place public utility**
21 **facilities** that are in use and not otherwise excepted and reserved
22 hereinabove.

23 Section 6: That the vacation, termination and
24 abandonment of that portion of the public street described in
25 Exhibit A shall occur only after the applicable conditions
26 contained in the Planning Department's report to the legislative
27

1 body and on file with the City Clerk as approved or amended by the
2 City Council have been satisfied, and the City Clerk is hereby
3 directed not to record this resolution of vacation until the
4 applicable conditions have been satisfied.

5 Section 7: That the City Clerk of the City of Riverside
6 shall cause a certified copy of this resolution to be recorded in
7 the Office of the County Recorder of Riverside County, California,
8 upon the satisfaction of the applicable conditions, and the
9 portion of the street described in Exhibit A shall no longer
10 constitute a public street from and after said date of
11 recordation.

12 ADOPTED by the City Council and signed by the Mayor and
13 attested by the City Clerk this 8th day of July, 1997.

14
15 
16 Mayor of the City of Riverside

17 Attest:

18 
19 City Clerk of the City of Riverside
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1 I, Colleen J. Nicol, City Clerk of the City of Riverside,
2 California, hereby certify that the foregoing resolution was duly
3 and regularly introduced and adopted at a meeting of the City
4 Council of said City at its meeting held on the 8th day of
5 July, 1997, by the following vote, to wit:

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

8 Noes: None.

9 Absent: None.

10 IN WITNESS WHEREOF I have hereunto set my hand and
11 affixed the official seal of the City of Riverside, California,
12 this 8th day of July, 1997.

13 
14 City Clerk of the City of Riverside

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BP/bp
07/03/97

EXHIBIT A

VC-002-967 CALIFORNIA AVENUE EXTENSION
Tomlinson Avenue; Adobe Ave. to California Ave.

That portion of Tomlinson Avenue and Clara Vista Avenue, formerly Hermosa Avenue, as shown on a map of La Granada on file in Map Book 12, pages 42 through 51 records of Riverside County California and **BOUNDED AS FOLLOWS:**

ON THE SOUTH by a line parallel with and 44.00 feet northerly as measured at right angles from the following described line:

BEGINNING at the intersection of the centerline of Tyler Street with the northeasterly prolongation of the centerline of California Avenue all as shown by map on Tract No. 8006, on file in Book 94, Pages 59 through 63 of Maps, records of said Riverside County;

THENCE North $57^{\circ}55'23''$ East, along said northeasterly prolongation of the centerline of California Avenue, a distance of 281.62 feet to the beginning of a tangent curve concave southeasterly and having a radius of 680.00 feet;

THENCE northeasterly to the right along said curve through a central angle of $37^{\circ}21'40''$ an arc length of 443.41 feet to a line parallel with and distant 19.00 feet southerly, as measured at right angles, from the centerline of Tomlinson Avenue as shown by map of La Granada, on file in Book 12, Pages 42 through 51 of Maps, records said Riverside County;

THENCE South $84^{\circ}42'57''$ East, along said parallel line, a distance of 440.99 feet to the beginning of a tangent curve concave northerly and having a radius of 680.00 feet;

THENCE easterly to the left along said last mentioned curve through a central angle of $45^{\circ}04'24''$ an arc length of 534.94 feet;

THENCE North $50^{\circ}12'39''$ East, a distance of 698.12 feet to the beginning of a tangent curve concave northwesterly and having a radius of 680.00 feet;

THENCE northeasterly to the left along said last mentioned curve through a central angle of $16^{\circ}21'13''$ an arc length of 194.09 feet;

THENCE North $33^{\circ}51'26''$ East, a distance of 304.75 feet to the beginning of a tangent curve concave southeasterly and having a radius of 680.00 feet; said curve also being the southwesterly prolongation of the centerline California Avenue as shown by map of Tract No. 8492, on file in Book 92, Pages 49 through 51 of Maps, records of said Riverside County;

THENCE northeasterly to the right along said last mentioned curve and along said

southwesterly prolongation of the centerline of California Avenue through a central angle of $11^{\circ}40'51''$ an arc length of 138.63 feet to the intersection of said centerline of California Avenue with the centerline of Bolton Avenue as shown by said last mentioned map and the END of this line description;

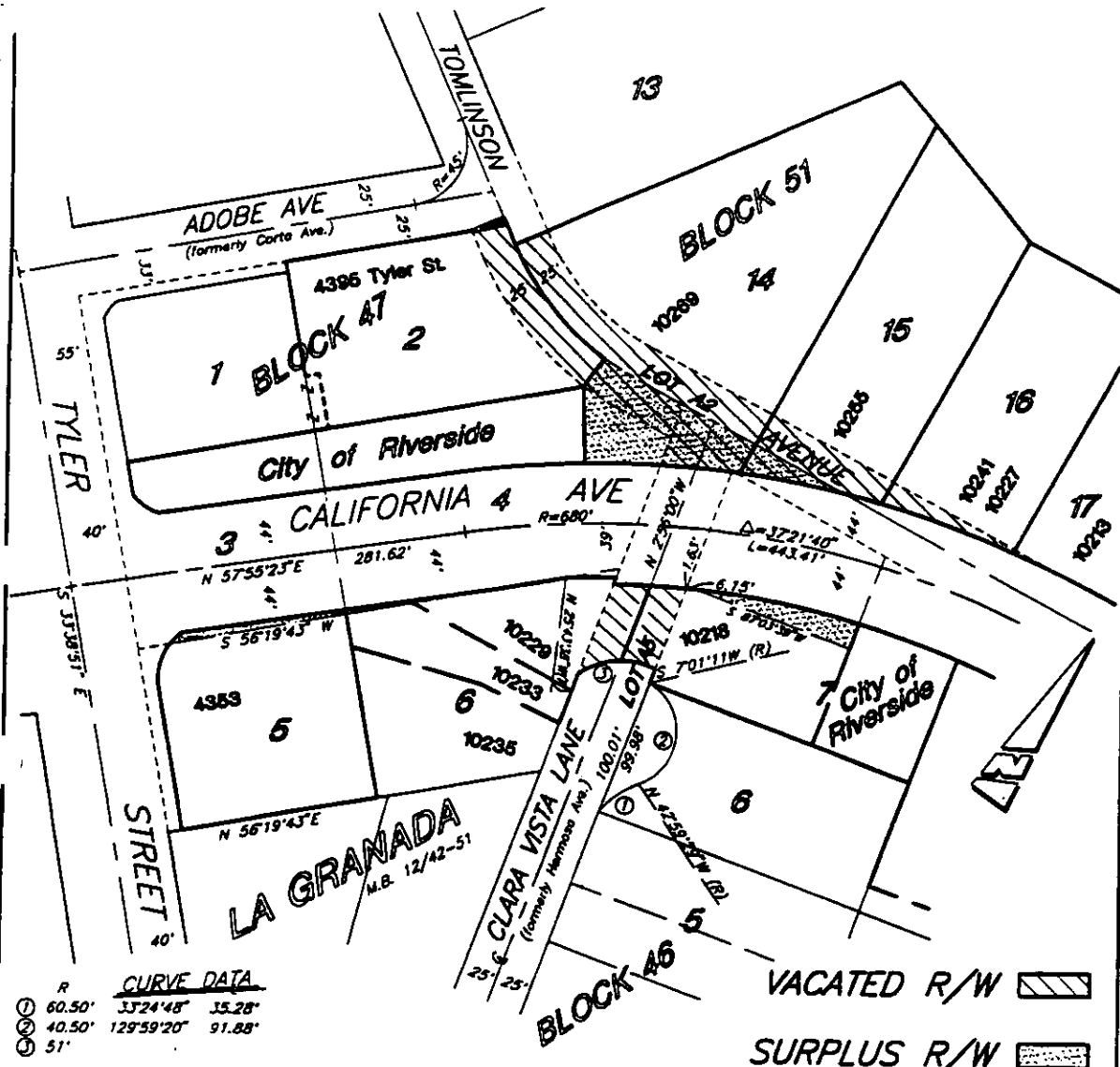
ON THE NORTH by the northeasterly extension of the southeasterly line of Adobe Avenue, formerly Corta Avenue, as shown by said map of La Granada, said northeasterly extension terminating at the centerline of Tomlinson Avenue and by the southwesterly extension of the southeasterly line of Lot 13 of Block 51 of said map of La Granada, said southwesterly extension also terminating at the centerline of Tomlinson Avenue.

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

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



EXHIBIT 2A
PARCEL PLAT



CURVE DATA

R	D	L
① 60.50'	3324'48"	35.28'
② 40.50'	129'59'20"	91.88'
③ 51'		

VACATED R/W

SURPLUS R/W

• 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.

65-5

SCALE: 1"=100' DRAWN BY: Kqs DATE: 1/7/97 SUBJECT: CALIFORNIA AVENUE EXTENSION - VACATIONS

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 September 1, 19 98, at Riverside, California