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RECORDING REQUESTED BY:
Colleen J. Nicol, CMC
City Hall, 3900 Main Street
Riverside, CA 92522

AND WHEN RECORDED MAIL TO:

Colleen J. Nicol, CMC
City Hall, 3900 Main Street
Riverside, CA 92522

DOC # 2000-251367

08/29/2000 08:00A Fee:NC

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Recorded in Official Records
County of Riverside

Gary L. Orso
Assessor, County Clerk & Recorder



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RESOLUTION 19694

D-14582

Title of Document

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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. 19690; RESERVING A PERMANENT EASEMENT AND RIGHT-OF-WAY FOR PUBLIC UTILITIES PURPOSES AND DETERMINING THAT THE PUBLIC CONVENIENCE AND NECESSITY REQUIRE THE RESERVATION OF SUCH EASEMENT; AND MAKING ITS ORDER VACATING THE APPROXIMATELY FIVE-FOOT WIDE BY 200-FOOT LONG PEDESTRIAN WALKWAY SITUATED BETWEEN VIVIAN WAY AND MARGUERITA AVENUE AND EXTENDING FROM DAVID STREET TO RONALD STREET.

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

2 RESOLUTION NO. 19694

3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE,
4 CALIFORNIA, MAKING ITS FINDINGS AND DETERMINATIONS
5 IN THE MATTER OF RESOLUTION OF INTENTION NO. 19690; RE-
6 SERVING A PERMANENT EASEMENT AND RIGHT-OF-WAY FOR
7 PUBLIC UTILITIES PURPOSES AND DETERMINING THAT THE PUBLIC
8 CONVENIENCE AND NECESSITY REQUIRE THE RESERVATION OF
9 SUCH EASEMENT; AND MAKING ITS ORDER VACATING THE APPROX-
10 IMATELY FIVE-FOOT WIDE BY 200-FOOT LONG PEDESTRIAN
11 WALKWAY SITUATED BETWEEN VIVIAN WAY AND MARGUERITA
12 AVENUE AND EXTENDING FROM DAVID STREET TO RONALD STREET.

13 WHEREAS, on March 23, 2000, the Planning Commission of the City of Riverside held
14 a properly noticed public hearing in Vacation Case No. VC-002-990 to consider the vacation of the
15 approximately five-foot wide by 200-foot long pedestrian walkway situated between Vivian Way
16 and Marguerita Avenue and extending from David Street to Ronald Street within the City of
17 Riverside, California, and thereafter determined the following: 1) that the proposed project would
18 not have a significant adverse affect on the environment and that the City Council should adopt a
19 Negative Declaration; 2) that substantial evidence supports the conclusion that the pedestrian
20 walkway is unnecessary for present of prospective public use; and 3) that Vacation Case VC-002-
21 990 should be approved subject to all staff conditions; and

22 WHEREAS, on May 16, 2000, the City Council of the City of Riverside in Vacation
23 Case No. VC-002-990 adopted Resolution No.19690 declaring its intention to order the vacation of
24 the approximately five-foot wide by 200-foot long pedestrian walkway situated between Vivian
25 Way and Marguerita Avenue and extending from David Street to Ronald Street within the City of
26 Riverside, California, and fixing the time and place of hearing all persons interested in the proposed
27 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 before the City Council on said resolution of intention was
duly given as provided by said Public Streets, Highways, and Service Easements Vacation Law; and

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

4 WHEREAS, on June 6, 2000, the City Council conducted a properly noticed public
5 hearing wherein they heard, found and determined from all of the evidence submitted to said
6 Council that the approximately five-foot wide by 200-foot long pedestrian walkway situated
7 between Vivian Way and Marguerita Avenue and extending from David Street to Ronald Street
8 within the City of Riverside, California, was unnecessary for present or prospective public use;

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

11 Section 1: That the vacation of the approximately five-foot wide by 200-foot long
12 pedestrian way situated between Vivian Way and Marguerita Avenue and extending from David
13 Street to Ronald Street within the City of Riverside, California, is undertaken pursuant to the
14 provisions of and in accordance with the procedures set forth in the Public Streets, Highways, and
15 Service Easements Vacation Law and that all notices required thereby have been duly given.

16 Section 2: That from all of the evidence submitted to the City Council at the public
17 hearing before it on Vacation Case VC-002-990, whether such evidence was oral or in writing,
18 together with the recommendations from the Planning Commission, the approximately five-foot
19 wide by 200-foot long pedestrian walkway situated between Vivian Way and Marguerita Avenue
20 and extending from David Street to Ronald Street within the City of Riverside, California, as
21 hereinafter described and ordered vacated is unnecessary for present or prospective public use as a
22 public pedestrian walkway.

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

25 Section 4: That the approximately five-foot wide by 200-foot long pedestrian walkway
26 situated between Vivian Way and Marguerita Avenue and extending from David Street to Ronald
27 Street within the City of Riverside, California and more particularly described and depicted in



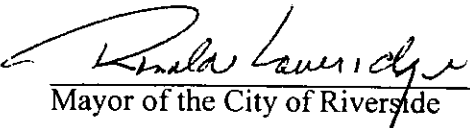
1 Exhibit A, attached hereto and incorporated herein by this referenced, be and the same is hereby
2 ordered vacated subject to the reservation of easements as hereinafter set forth.

3 Section 5: That the public convenience and necessity requires the exception from the
4 vacation hereinabove ordered of an easement and right-of-way for public utilities purposes over,
5 under, along and across said pedestrian walkway ordered to be vacated.

6 Section 6: That the vacation, termination and abandonment of the pedestrian walkway
7 situated between Vivian Way and Marguerita Avenue and extending from David Street to Ronald
8 Street within the City of Riverside, California shall occur only after the applicable conditions
9 contained in the Planning Department's report to the legislative body and on file with the City Clerk
10 as approved or amended by the City Council have been satisfied, and the City Clerk is hereby
11 directed not to record this resolution of vacation until the Public Works Director certifies that all
12 applicable conditions have been satisfied.

13 Section 7: That the City Clerk of the City of Riverside shall cause a certified copy of this
14 resolution to be recorded in the Office of the County Recorder of Riverside County, California,
15 upon the satisfaction of the applicable conditions, and the pedestrian walkway situated between
16 Vivian Way and Marguerita Avenue and extending from David Street to Ronald Street within the
17 City of Riverside, California, as described in Exhibit A shall no longer constitute a public pedestrian
18 walkway from and after said date of recordation.

19 ADOPTED by the City Council and signed by the Mayor and attested by the City Clerk
20 this 6th day of June, 2000.

21
22 
23 Mayor of the City of Riverside

24 Attest:

25
26 
27 City Clerk of the City of Riverside



1 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the
2 foregoing resolution was duly and regularly introduced and adopted at a meeting of the City Council
3 of said City at its meeting held on the 6th day of June, 2000, by the following vote, to wit:

4 Ayes: Councilmembers Beaty, Moore, Defenbaugh, Kane, Adkison,
5 Thompson, and Pearson.

6 Noes: None.

7 Absent: None.

8 Abstain: None.

9 IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the
10 City of Riverside, California, this 6th day of June, 2000.

11
12 
13 City Clerk of the City of Riverside
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EXHIBIT "A"

Legal Description

VC-002-990

Walkway Vacation

Between Ronald Street & David Street


Lot "F", a 5 foot Pedestrian Walkway located between Lots 23 and 24 and between Lots 37 and 38, of Brockton Heights as shown by map on file in Book 26 of Maps, pages 58 and 59 thereof, records of Riverside County, California.

RESERVING therefrom a permanent easement and right of way, 10 feet in width, for electrical energy distribution facilities, lying 5.00 feet on each side of the following described line:

BEGINNING at the most easterly corner of said Lot 23;

THENCE southeasterly, along the southeasterly prolongation of the northeasterly line of said Lot 23, a distance of 5.00 feet to the most northerly corner of said Lot 24 and the **END** of this line description.

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


Mark S. Brown, L.S. 5655 Date 5/10/00 Prep. WF
License Expires 9/30/03

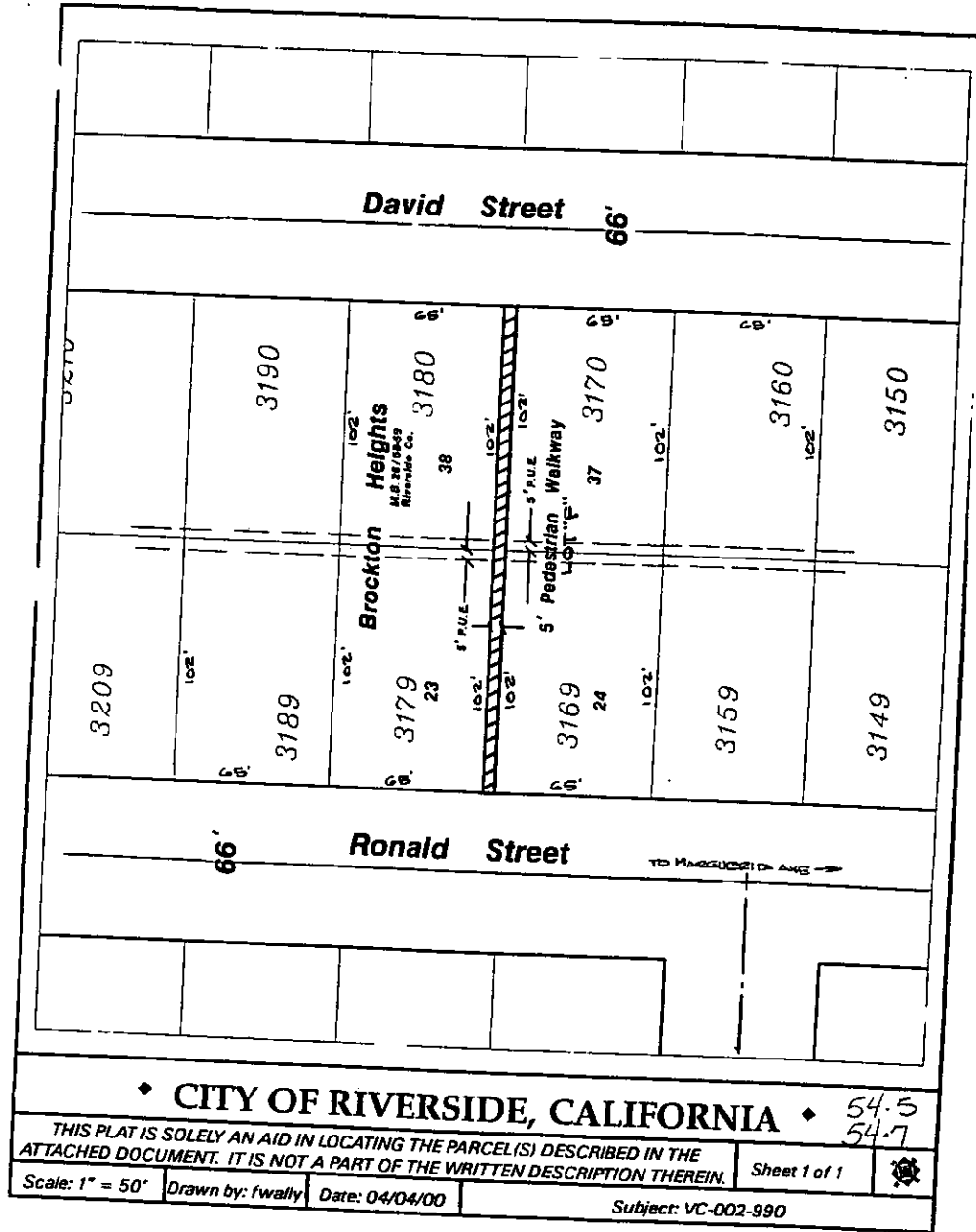


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The foregoing instrument is certified, under penalty of perjury, to be a correct copy of the original on file in this office.

Colleen J. Nicol
 Colleen J. Nicol, City Clerk
 City of Riverside, California

Executed on June 27, 2000, at
 Riverside, California



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