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AND WHEN RECORDED MAIL TO:

COLLEEN J. NICOL, CITY CLERK
CITY HALL, 3900 MAIN STREET
RIVERSIDE, CA 92522-0111

DOC # 1999-410191

09/13/1999 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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Title of Document

RESOLUTION NO. 19520

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, MAKING ITS FINDINGS AND DETERMINATIONS IN THE MATTER OF RESOLUTION NO. 14055; RESERVING PERMANENT EASEMENTS FOR STORM DRAIN PURPOSES AND DETERMINING THAT THE PUBLIC CONVENIENCE AND NECESSITY REQUIRE THE RESERVATION OF SUCH EASEMENTS; AND MAKING ITS ORDER VACATING A PORTION OF BACKUS DRIVE LYING NORTHERLY OF INDUSTRIAL AVENUE; AND WITHDRAWING INTRODUCTION OF ORDINANCE VACATING SAID STREET.

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3 CALIFORNIA, MAKING ITS FINDINGS AND DETERMINATIONS IN THE
4 MATTER OF RESOLUTION NO. 14055; RESERVING PERMANENT EASEMENTS
5 FOR STORM DRAIN PURPOSES AND DETERMINING THAT THE PUBLIC
6 CONVENIENCE AND NECESSITY REQUIRE THE RESERVATION OF SUCH
7 EASEMENTS; AND MAKING ITS ORDER VACATING A PORTION OF BACKUS
8 DRIVE LYING NORTHERLY OF INDUSTRIAL AVENUE; AND WITHDRAWING
9 INTRODUCTION OF ORDINANCE VACATING SAID STREET.

10 WHEREAS, on May 6, 1980, the City Council of the City of Riverside in Vacation Case
11 No. VAC-63/EPC-61-790 adopted Resolution No. 14055 declaring its intention to order the
12 vacation of Backus Drive lying northerly of Industrial Avenue within the City of Riverside,
13 California, and fixing the time and place of hearing all persons interested in the proposed vacation
14 pursuant to the provisions of the Street Vacation Act of 1941, being 8300 et seq. of Part 3, Division
15 9 of the Streets and Highways Code of the State of California; and

16 WHEREAS, said proposed vacation had been previously submitted to and considered by
17 the Planning Commission of the City of Riverside at a duly noticed public hearing and
18 recommended that Vacation Case VAC-63 should be approved subject to all staff conditions; and

19 WHEREAS, said proposed vacation had been previously submitted to and considered by
20 the Environmental Protection Commission of the City of Riverside and it had determined that the
21 proposed vacation would not have a significant adverse effect on the environment; and

22 WHEREAS, notice of hearing before the City Council on said resolution of intention was
23 duly given as provided by said Streets and Highways Code; and

24 WHEREAS, the recommendations of the Planning Commission were submitted to the
25 City Council for consideration together with the testimony, whether written or oral, presented at the
26 public hearing before said City Council; and

27 WHEREAS, the City Council heard and found and determined from all of the evidence
submitted to said Council on August 12, 1980, the day fixed for the hearing, that the portion of
Backus Drive lying northerly of Industrial Avenue was unnecessary for present or prospective
public use;



1 NOW, THEREFORE, BE IT RESOLVED, FOUND AND DETERMINED, based upon
2 the above findings, by the City Council of the City of Riverside, California, as follows:

3 Section 1: That the vacation of the portion of Backus Drive lying northerly of Industrial
4 Avenue in Vacation Case VAC-63 is undertaken pursuant to the provisions of and in accordance
5 with the procedures set forth in the Streets and Highways Code of the State of California and that all
6 notices required thereby have been duly given.

7 Section 2: From all of the evidence submitted to the City Council at the public hearing
8 before it on August 12, 1980, on Vacation Case VAC-63, whether such evidence was oral or in
9 writing, together with the recommendations from the Planning Commission and the Environmental
10 Protection Commission, the hereinafter described portion of Backus Drive lying northerly of
11 Industrial Avenue ordered vacated is unnecessary for present or prospective public use as a public
12 street.

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

15 Section 4: That the portion of Backus Drive lying northerly of Industrial Avenue within
16 the City of Riverside, California and described in the document attached hereto, marked Exhibit A,
17 and by this reference made a part hereof, be and the same is hereby ordered vacated.

18 Section 5: That the public convenience and necessity requires the exception of the
19 following easement from the vacation hereinabove ordered: (a) an easement for and the right to
20 construct, maintain, operate, replace, enlarge, remove and renew storm drain facilities and
21 appurtenant structures as more particularly described in Exhibit A.

22 Section 6: That the vacation, termination and abandonment of that portion of the public
23 street described in Exhibit A shall occur only after the applicable conditions set forth in the minutes
24 of the approval by the City Council on August 12, 1980, on file with the City Clerk, have been
25 satisfied, and the City Clerk is hereby directed not to record this resolution of vacation until the
26 applicable conditions have been satisfied.


27 Section 7: That the ordinance entitled "An Ordinance of the City Council of the City of



1 Riverside, California, Making Its Findings and Determinations in the Matter of Resolution of
2 Intention No. 14055, and Making Its Order Vacating a Portion of Backus Drive Lying Northerly of
3 Industrial Avenue, " introduced on August 12, 1980, but not adopted, is hereby withdrawn.

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

8 ADOPTED by the City Council and signed by the Mayor and attested by the City Clerk
9 this 13th day of July, 1999.

10
11 
12 Mayor of the City of Riverside

13 Attest:

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15 
16 City Clerk of the City of Riverside



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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 13th day of July, 1999, by the following vote, to wit:

Ayes: Councilmembers Beaty, Moore, Defenbaugh, Kane, Clifford,
Thompson and Pearson.
Noes: None.
Absent: None.
Abstain: None.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this 13th day of July, 1999.

Colleen Nicol

City Clerk of the City of Riverside

KMG/abs
07/06/99
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EXHIBIT "A"
VAC-63 - PORTION OF BACKUS DRIVE

That certain real property located in the City of Riverside, County of Riverside, State of California, described as follows:

That portion of Backus Drive together with that portion of Lot 6 in Block 7 all of Tract No. 3 of the Riverview Addition to the City of Riverside, as shown by map on file in Book 7, Page 5 of Maps, records of Riverside County, California, lying northerly of the following described line:

COMMENCING at the intersection of the centerline of Jasmine Street with the centerline of Industrial Avenue as shown by said map;

THENCE South 89°52'45" East, along said centerline of Industrial Avenue, a distance of 92.46 feet;

THENCE North 0°07'15" East, 33.00 feet to a point in a line which is parallel with and distant 33.00 feet north, as measured at right angle, from said centerline of Industrial Avenue; said point being also the beginning of a tangent curve with a radius of 87.00 feet, concaving northerly and being tangent to said parallel line;

THENCE Westerly along said curve to the right an arc length of 15.18 feet, through a central angle of 10°00'00" to a point of tangency;

THENCE North 79°52'45" West, 31.98 feet to the beginning of a tangent curve with a radius of 74.00 feet and concaving southerly;

THENCE Westerly along said curve to the left an arc length of 9.71 feet, through a central angle of 7°30'50" to the east line of that certain parcel of land conveyed as Parcel 4 to the City of Riverside by deed recorded August 31, 1962, in Book 3213, Page 576, et seq., of Official Records of said Riverside County, and to the TRUE POINT OF BEGINNING;

THENCE continuing westerly along said curve to the left an arc length of 69.87 feet through a central angle of 54°05'40" to the west line of said Backus Drive and to the END of this line description;

EXCEPTING THEREFROM that portion of said Lot 6 lying easterly of the east line of said parcel of land conveyed to the City of Riverside as Parcel 4 hereinbefore described;

RESERVING THEREFROM a permanent easement and right-of-way for storm drain facilities lying within the above described portion of Backus Drive which is contained within a strip of land 20.00 feet in width the centerline of which is described as follows:

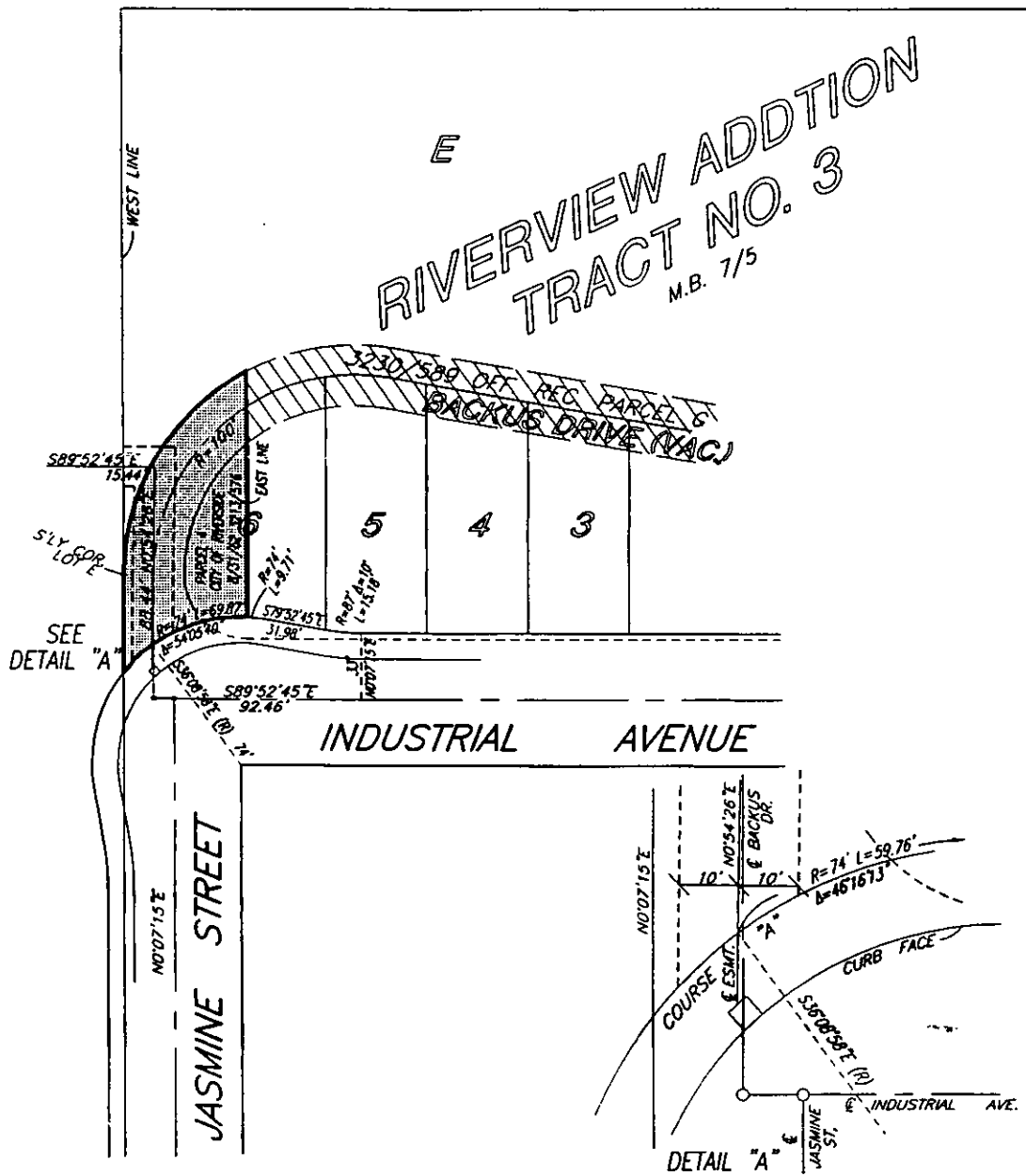
COMMENCING at said intersection of the centerline of Jasmine Street with the centerline of Industrial Avenue;



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**RIVERVIEW ADDITION
TRACT NO. 3**
M.B. 7/5



• 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.

SHEET 1 OF 1

36-5

SCALE: N.T.S.

DRAWN BY: *Kgs* DATE: 6/30/99

SUBJECT: VAC-63 - POR. BACKUS DRIVE - RESOLUTION DESCRIPTION

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

Conrad Nicol
City Clerk of the City of Riverside, California
Executed on September 13, 1999, at
Riverside, California



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