

PLATE RECORDING  
Pursuant to  
Government Code §6103

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

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

AND WHEN RECORDED MAIL TO:

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

DOC # 1999-468782

10/25/1999 08:00A Fee:NC

Page 1 of 8

Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



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VC-006-989

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RESOLUTION NO. 19582

Title of Document



A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, AMENDING RESOLUTION NO. 19535 AND MAKING ITS FINDINGS AND DETERMINATIONS IN THE MATTER OF RESOLUTION OF INTENTION NO. 19504; RESERVING PERMANENT EASEMENTS AND RIGHT-OF-WAY FOR ELECTRICAL ENERGY DISTRIBUTION FACILITIES, FOR SANITARY SEWER FACILITIES; FOR STORM DRAIN FACILITIES, FOR GAS LINE FACILITIES, FOR AERIAL AND UNDERGROUND TELEPHONE, TELEGRAPH, AND COMMUNICATIONS FACILITIES INCLUDING CABLE TELEVISION FACILITIES, AND FOR WATER DISTRIBUTION FACILITIES IN FAVOR OF RIVERSIDE HIGHLAND WATER COMPANY AND FOR ANY OTHER 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 MICHIGAN AVENUE, BETWEEN MARLBOROUGH AVENUE AND COLUMBIA AVENUE, AND VACATING MARLBOROUGH AVENUE, BETWEEN MICHIGAN AVENUE AND THE GAGE CANAL.

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

RESOLUTION NO. 19582

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, AMENDING RESOLUTION NO. 19535 AND MAKING ITS FINDINGS AND DETERMINATIONS IN THE MATTER OF RESOLUTION OF INTENTION NO. 19504; RESERVING PERMANENT EASEMENTS AND RIGHT-OF-WAY FOR ELECTRICAL ENERGY DISTRIBUTION FACILITIES, FOR SANITARY SEWER FACILITIES; FOR STORM DRAIN FACILITIES, FOR GAS LINE FACILITIES, FOR AERIAL AND UNDERGROUND TELEPHONE, TELEGRAPH AND COMMUNICATIONS FACILITIES INCLUDING CABLE TELEVISION FACILITIES, AND FOR WATER DISTRIBUTION FACILITIES IN FAVOR OF RIVERSIDE HIGHLAND WATER COMPANY AND FOR ANY OTHER 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 MICHIGAN AVENUE, BETWEEN MARLBOROUGH AVENUE AND COLUMBIA AVENUE, AND VACATING MARLBOROUGH AVENUE, BETWEEN MICHIGAN AVENUE AND THE GAGE CANAL.

WHEREAS, on July 13, 1999, the City Council of the City of Riverside held a public hearing and adopted Resolution No. 19535 making its order vacating Michigan Avenue, between Marlborough Avenue and Columbia Avenue and vacating Marlborough Avenue, between Michigan Avenue and the Gage Canal; and

WHEREAS, the City Council has determined that Resolution No. 19535 should be amended to modify the description of the portion of land being vacated to be less than the property described in said Resolution; and

WHEREAS, on June 22, 1999, the City Council of the City of Riverside in Vacation Case No. VC-006-989 adopted Resolution No. 19504 declaring its intention to vacate Michigan Avenue, between Marlborough Avenue and Columbia Avenue, and to vacate Marlborough Avenue, between Michigan Avenue and the Gage Canal, within the City of Riverside, California, 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 Services 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, said proposed vacation had been previously submitted to and considered by the Planning Commission of the City of Riverside at a duly noticed public hearing; and

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1 WHEREAS, following the close of the public hearing before the Planning Commission,  
2 the Planning Commission determined that the proposed project would not have a significant effect  
3 on the environment and that the City Council should adopt a Negative Declaration, and that  
4 Vacation Case VC-006-989 should be approved subject to all staff conditions as revised by said  
5 Commission; and

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

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

11 WHEREAS, the City heard and found and determined from all of the evidence submitted  
12 to said Council on the day fixed for the hearing that Michigan Avenue, between Marlborough  
13 Avenue and Columbia Avenue, and Marlborough Avenue, between Michigan Avenue and the Gage  
14 Canal, was unnecessary for present or prospective public use;

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

17 Section 1: That the vacation of Michigan Avenue, between Marlborough Avenue and  
18 Columbia Avenue, and the vacation of Marlborough Avenue, between Michigan Avenue and the  
19 Gage Canal, in the City of Riverside in Vacation Case No. VC-006-989 is undertaken pursuant to  
20 the provisions of and in accordance with the procedures set forth in the Public Streets, Highways,  
21 and Services Easements Vacation Law and that all notices required thereby have been duly given.

22 Section 2: That from all the evidence submitted to the City Council at the public hearing  
23 before it on Vacation Case VC-006-989, whether such evidence was oral or in writing, together with  
24 the recommendations from the Planning Commission, Michigan Avenue, between Marlborough  
25 Avenue and Columbia Avenue, and Marlborough Avenue, between Michigan Avenue and the Gage  
26 Canal, within the City of Riverside as amended by this Resolution and as hereinafter described and  
27 ordered vacated are each unnecessary for present or prospective public use as a public street.



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

3           Section 4: That Michigan Avenue, between Marlborough Avenue and Columbia Avenue,  
4 and Marlborough Avenue, between Michigan Avenue and the Gage Canal, within the City of  
5 Riverside, California and described in the document attached hereto, marked Exhibit A, and by this  
6 reference made a part hereof, be and the same is hereby ordered vacated.

7           Section 5: That the public convenience and necessity requires the exception from the  
8 vacation hereinabove ordered of those easements and rights-of-way as more particularly described  
9 in Exhibit A over, along, and across said streets ordered to be vacated necessary for electrical  
10 energy distribution facilities, sanitary sewer facilities, storm drain facilities, gas line facilities, aerial  
11 and underground telephone, telegraph and communication facilities including cable television  
12 facilities, and water distribution facilities and the reservation of the following: (a) an easement for  
13 and the right to construct, maintain, operate, replace, remove, renew, and enlarge lines of pipe,  
14 conduits, cables, wires, poles, and other convenient structures, equipment and fixtures for the  
15 distribution of electrical energy; (b) an easement for and the right to construct, maintain, operate,  
16 replace, remove, and renew sanitary sewer and appurtenant structures; (c) an easement for and the  
17 right to construct, maintain, operate, replace, remove and renew storm drains and appurtenant  
18 structures; (d) an easement for and the right to construct, maintain, operate, replace, remove, renew,  
19 and enlarge lines of pipe, conduits, cables, wires, poles, and other convenient structures, equipment  
20 and fixtures for the operation of gas line facilities; (e) an easement for and the right to construct,  
21 place, maintain, operate, inspect, repair, replace, and remove aerial and underground telephone,  
22 telegraph and communications structures including cable television facilities as may from time to  
23 time be required consisting of poles, anchors, wires, cables, conduits , manholes, markers and  
24 necessary fixtures and appurtenances; and (f) an easement for and the right to construct, place,  
25 operate, inspect, maintain, repair, replace and remove water pipelines and appurtenant facilities as  
26 may from time to time be required; and (g) an easement for water distribution facilities in favor of  
27 Riverside Highland Water Company. That the public convenience and necessity require the

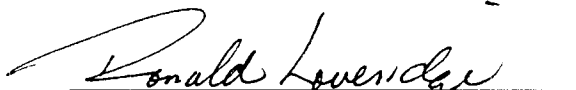


1 exception and reservation from the vacation of those easements and rights-of-way over, along and  
2 across the streets ordered to be vacated necessary to maintain, operate, replace, remove or renew any  
3 in-place public utility facilities that are in use and not otherwise excepted and reserved hereinabove.

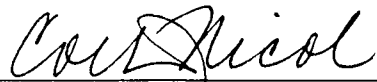
4 Section 6: That the vacation, termination and abandonment of the streets described in  
5 Exhibit A shall occur only after the applicable conditions contained in the Planning Department's  
6 report to the legislative body and on file with the City Clerk as approved or amended by the City  
7 Council have been satisfied, and the City Clerk as approved or amended by the City Council have  
8 been satisfied, and the City Clerk is hereby directed not to record this resolution of vacation until  
9 the applicable conditions have been satisfied.

10 Section 7: That the City Clerk shall cause a certified copy of this resolution to be  
11 recorded in the office of the County Recorder of Riverside County, California, upon the satisfaction  
12 of applicable conditions, and the streets described in Exhibit A shall no longer constitute public  
13 streets from and after the date of recordation.

14 ADOPTED by the City Council and signed by the Mayor and attested by the City Clerk  
15 this 12th day of October, 1999.

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18 Mayor of the City of Riverside

19 Attest:

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22 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 12th day of October, 1999, by the following vote, to wit:

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

Noes: None.

Absent: Councilmember Moore.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this 12th day of October, 1999.

  
\_\_\_\_\_  
City Clerk of the City of Riverside

RES\99098803.KG



EXHIBIT A  
VC-006-989 (REVISED)

THOSE PORTIONS OF THOSE CERTAIN UNNAMED AVENUES KNOWN MARLBOROUGH AVENUE AND MICHIGAN AVENUE, WITHIN SECTION 17 OF THE MAP OF THE EAST RIVERSIDE LAND COMPANY, ON FILE IN MAP BOOK 6, PAGE 44 THEREOF, RECORDS OF SAN BERNARDINO COUNTY CALIFORNIA, DESCRIBED AS FOLLOWS:

MARLBOROUGH AVENUE:

THAT PORTION OF SAID MARLBOROUGH AVENUE LYING WITHIN THE CITY LIMITS OF THE CITY OF RIVERSIDE AND EASTERLY OF A LINE PARALLEL AND 25 FEET EASTERLY, AS MEASURED AT RIGHT ANGLES, FROM THE CENTERLINE OF THE GAGE CANAL AS SAID CENTERLINE IS SHOWN BY A PARCEL MAP ON FILE IN PARCEL MAP BOOK 20 PAGE 15 THEREOF RECORDS OF RIVERSIDE COUNTY CALIFORNIA;

MICHIGAN AVENUE:

THAT PORTION OF SAID MICHIGAN AVENUE LYING WITHIN THE CITY LIMITS OF THE CITY OF RIVERSIDE AND SOUTHERLY OF A LINE PARALLEL AND 183 FEET SOUTHERLY AS MEASURED AT RIGHT ANGLES, FROM THE CENTERLINE OF COLUMBIA AVENUE AND ITS WESTERLY EXTENSION AS SHOWN ON SAID MAP OF THE EAST RIVERSIDE LAND COMPANY;

RESERVING WITHIN SAID AVENUES, A PERMANENT EASEMENT AND RIGHT OF WAY FOR ANY PUBLIC UTILITY FACILITIES;

ALSO RESERVING WITHIN SAID AVENUES, AN EASEMENT FOR WATER FACILITIES IN FAVOR OF RIVERSIDE HIGHLAND WATER COMPANY, SAID EASEMENT BEING A STRIP OF LAND 15' FEET IN WIDTH LYING 7.50 FEET ON EACH SIDE OF THE CENTERLINE OF ANY IN PLACE WATER FACILITIES AS CONSTRUCTED BY SAID WATER COMPANY.

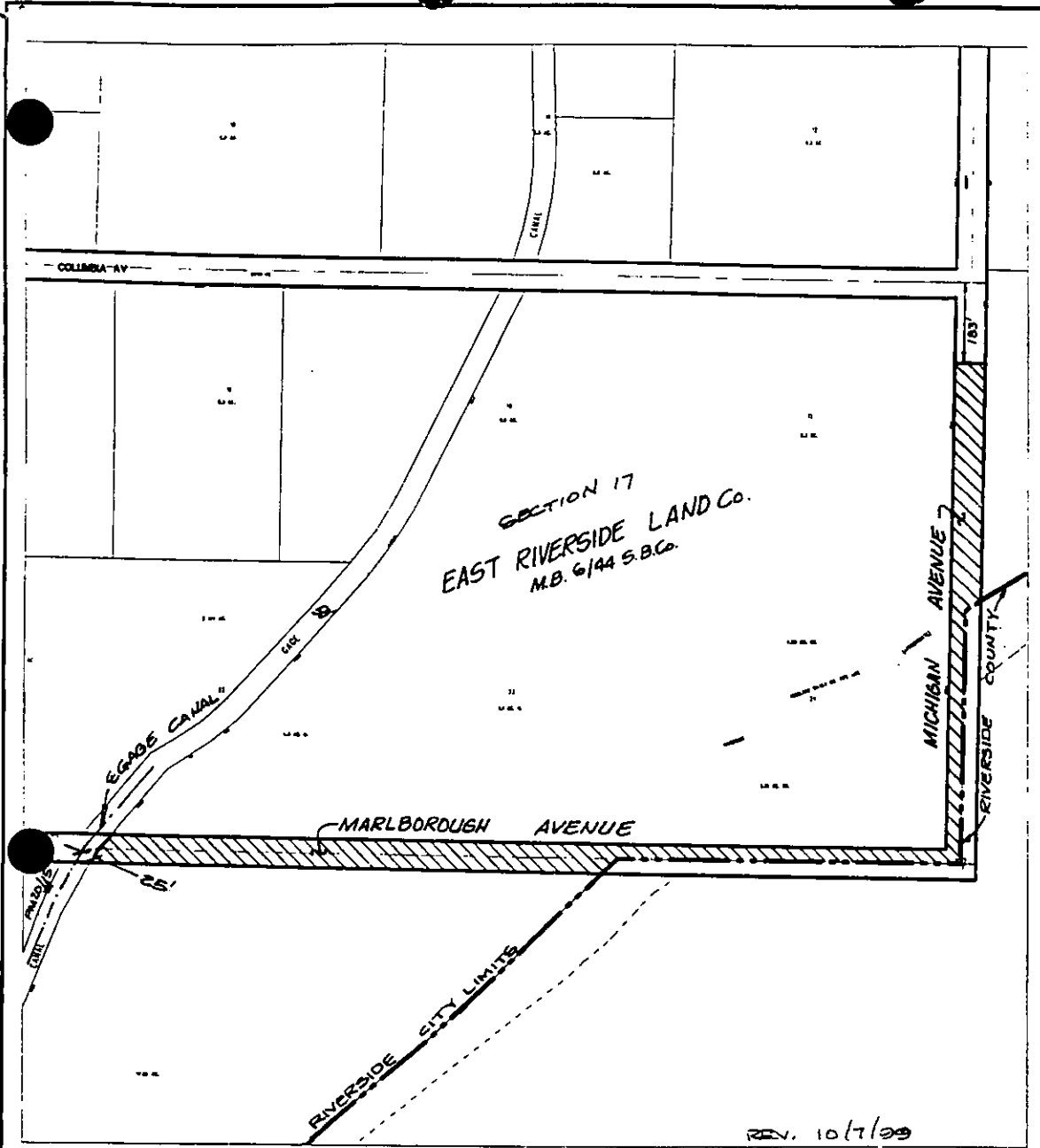
VC006989.REV  
OCT10,1999

DESCRIPTION APPROVAL 10/7/99  
*Walter R. Fox*  
for SURVEYOR, CITY OF RIVERSIDE by       



1999-468782  
10/25/1999 08:00A  
7 of 8

147227



◆ 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



Scale: 1" = 300'

Drawn by: bmark

Date: 06/16/99

Subject: VC-006-989

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

*Carmel Nicol*  
 City Clerk of the City of Riverside, California  
 Executed on October 14, 1999, at  
 Riverside, California



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 1999-468782  
 10/25/1999 08:00A  
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