

DOC # 2006-0077463

02/01/2006 08:00A Fee:NC

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Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



PLEASE COMPLETE THIS INFORMATION
RECORDING REQUESTED BY:

Colleen J. Nicol, MMC

AND WHEN RECORDED MAIL TO:

City Clerk
City of Riverside
3900 Main St.
Riverside, CA 92522
FREE RECORDING-
Exempt Pursuant to
Government Code S6103

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SPACE ABOVE FOR RECORDERS USE ONLY

P05-0416

This Resolution is being recorded to
Correct the Resolution Number and
Date of Adoption on the document
Recorded on 01/13/2006 as Document
2006-0033567

15624

RESOLUTION NO. 21014

Title of Document

**THIS AREA FOR
RECORDER'S
USE ONLY**

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

15624

RESOLUTION NO. 21014

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. 20993; AND MAKING ITS ORDER VACATING THE ALLEY SITUATED WESTERLY OF MARKET STREET BETWEEN 3RD AND 4TH STREETS, WITHIN THE CITY OF RIVERSIDE, CALIFORNIA.

WHEREAS, on July 26, 2005, the City Council of the City of Riverside in Planning Case No. P05-0416 adopted Resolution No. 20993 declaring its intention to order the vacation of the public alley situated westerly of Market Street between 3rd and 4th Streets, 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 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

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 held on June 9, 2005; and

WHEREAS, following the close of the public hearing before the Planning Commission, the Planning Commission determined that the Proposed Vacation would not have a significant effect on the environment, recommended that the City Council should adopt a Mitigated Negative Declaration, and recommended that Planning Case No. P05-0416 should be approved subject to all staff conditions; and

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

WHEREAS, the City Council heard and found and determined from all of the



1 evidence submitted to said Council on the day fixed for the hearing, on August 23, 2005, that
2 the alley situated westerly of Market Street between 3rd and 4th Streets, within the City of
3 Riverside, proposed for vacation was unnecessary for present or prospective public use;

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

6 Section 1: That the vacation of the public alley situated westerly of Market Street
7 between 3rd and 4th Streets, within the City of Riverside, California, in Planning Case P05-
8 0416 is undertaken pursuant to the provisions of and in accordance with the procedures set forth
9 in the Public Streets, Highways, and Services Easements Vacation Law and that all notices
10 required thereby have been duly given.

11 Section 2: That from all the evidence submitted to the City Council at the August 23,
12 2005, public hearing before it on Planning Case P05-0416, whether such evidence was oral or
13 in writing, together with the recommendations from the Planning Commission, the public alley
14 situated westerly of Market Street between 3rd and 4th Streets, within the City of Riverside,
15 California, as hereinafter described and ordered vacated is unnecessary for present or
16 prospective public use as a public alley.

17 Section 3: That the Proposed Vacation will not have a significant effect on the
18 environment and adopts a Mitigated Negative Declaration.

19 Section 4: That the public alley situated westerly of Market Street between 3rd and
20 4th Streets, within the City of Riverside, California, and described in attached Exhibit "A", and
21 depicted in Exhibit "B" and by this reference made a part hereof, is hereby ordered vacated.

22 Section 5: That the public convenience and necessity requires the exception of the
23 following easements and rights-of-way from the vacation hereinabove ordered: an easement for
24 electric energy facilities, water pipelines, gas lines, storm drains, sanitary sewers, telephone,
25 telegraph, cable television, and communication facilities (including any SBC-Pacific Bell
26 facilities), the right to construct, place, inspect, operate, maintain, repair, replace, renew and
27 remove such facilities unless said facilities as may from time to time be required. Further, that

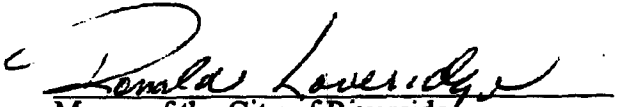


1 the public convenience and necessity require the exception and reservation from the exception
2 and reservation from the vacation those easements and rights-of-way in, under, across, upon,
3 over and along that portion of the public street ordered to be vacated, necessary to maintain,
4 operate, remove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

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

12 Section 7: That the City Clerk of the City of Riverside shall cause a certified copy of
13 this resolution to be recorded in the Office of the County Recorder of the County of Riverside,
14 California, upon the satisfaction of the applicable conditions, the public alley described in
15 Exhibit "A" and depicted in Exhibit "B" shall no longer constitute a public alley after the date
16 of recordation.

17 ADOPTED by the City Council and signed by the Mayor and attested by the City
18 Clerk this 23rd day of August, 2005.

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20 
21 Mayor of the City of Riverside

21 Attest:
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23 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 23rd day of August, 2005, by the following vote, to wit:

- Ayes: Councilmembers Betro, Moore, Gage, Schiavone, and Hart
- Noes: None
- Absent: Councilmembers Adkison and Adams
- Abstain: None

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this 23rd day of August, 2005.



City Clerk of the City of Riverside

G:\CLK\COUNCIL\Resolutions\Aug_23\21014.wpd
CA: 05-1590
07/11/05



EXHIBIT 'A'

ALLEY VACATION LEGAL DESCRIPTION

REAL PROPERTY IN THE TOWN OF RIVERSIDE, AS SHOWN BY MAP ON FILE IN BOOK 7, PAGE 17 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

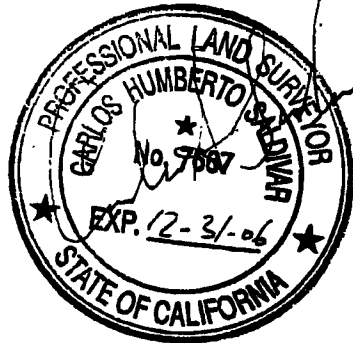
THAT PORTION OF BLOCK 3, RANGE 8 OF SAID MAP, BY METES AND BOUNDS, BEGINNING AT THE SOUTHEASTERLY CORNER OF BLOCK 3, BEING THE SOUTHEASTERLY CORNER OF PARCEL 2; THENCE NORTHERLY A BEARING OF N 00°00'16" W ALONG THE WESTERLY LINE OF MARKET STREET, A DISTANCE OF 157.79 FEET TO A POINT ON THE WESTERLY LINE OF MARKET STREET, BEING THE EASTERLY TERMINUS OF THE SOUTHERLY LINE OF AN ALLEY, BEING THE TRUE POINT OF BEGINNING; THENCE N 89°53'52" W A DISTANCE OF 171.63 FEET ALONG THE SOUTHERLY LINE OF SAID ALLEY TO A POINT BEING THE NORTHWESTERLY CORNER OF PARCEL 1; THENCE N 00°00'00" W A DISTANCE OF 15.00 FEET TO A POINT BEING THE SOUTHWESTERLY CORNER OF PARCEL 4; THENCE S 89°53'52" E A DISTANCE OF 171.62 FEET ALONG THE NORTHERLY LINE OF SAID ALLEY TO A POINT ON THE WESTERLY LINE OF MARKET STREET; THENCE S 00°00'16" E ALONG THE WESTERLY LINE OF MARKET STREET A DISTANCE OF 15.00 FEET TO THE TRUE POINT OF BEGINNING.

AREA OF VACATION: 2,574.37 S.F. / 0.059 ACRES

DESCRIPTION APPROVAL:

 7/13/07
DATE

MARK S. BROWN
CITY SURVEYOR



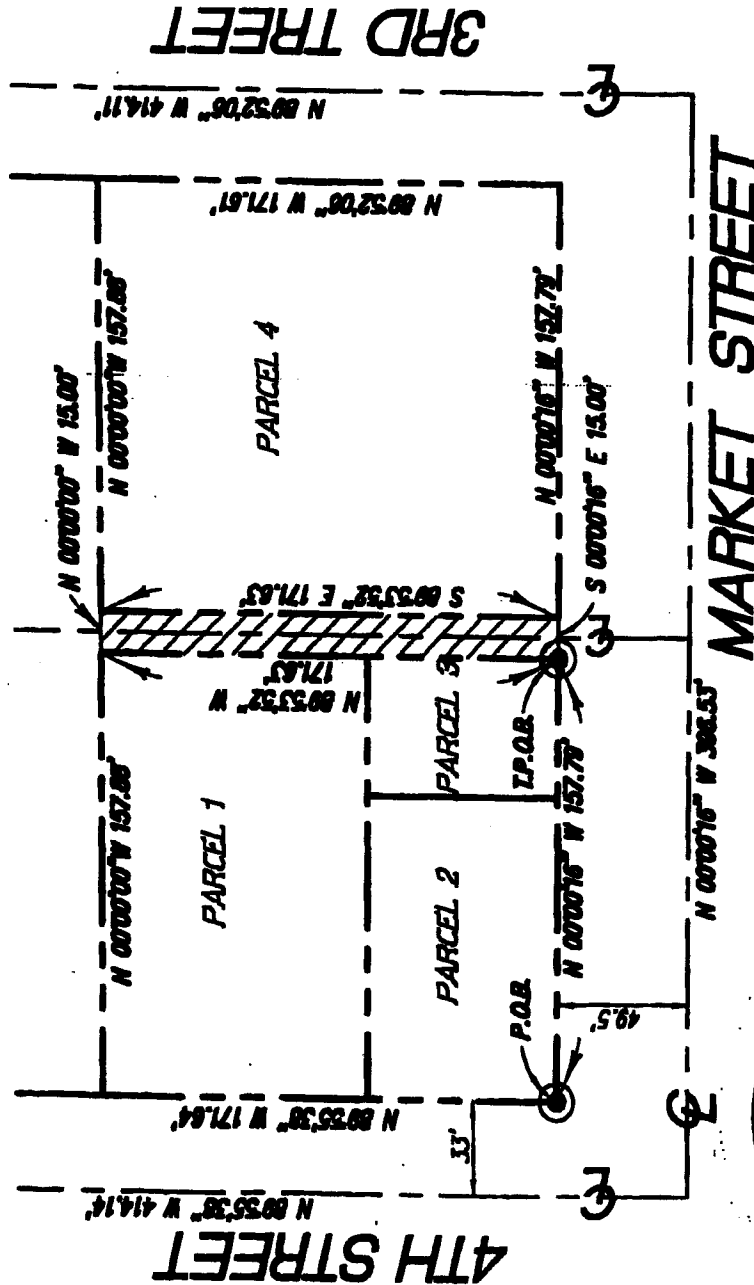
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EXHIBIT 'B'

NOTE: THIS PLAT WAS PREPARED FROM RECORD DATA AND DOES NOT REPRESENT A SURVEY OF THE PROPERTY SHOWN HEREON.

--- INDICATES EXISTING PROPERTY / R/W LINES
 - - - - - INDICATES AREA OF ALLEY INCARCION



CITY OF RIVERSIDE

APPLICANT:
 LAKE DEVELOPMENT
 C/O SAXON ENGINEERING SERVICES
 1030 CALLE SOMERA, STE. A2
 SAN CLEMENTE, CA 92673
 (949) 366-2180

PREPARED BY: *Carlos H. Saldívar* DATE _____
 CARLOS H. SALDIVAR L.S. 7667

**ALLEY
 VACATION
 PLAT**

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 Jan. 31 2006 at
 Riverside, California

24-6

15624

