

DOC # 2003-753776

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Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

Colleen J. Nicol, CMC

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 RECORDER'S USE ONLY

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VC-007-001

15626

RESOLUTION NO. 20021

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)

RESOLUTION NO. 20021

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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. 20012; RESERVING AN EASEMENT AND RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, REPLACE, REMOVE, RENEW AND ENLARGE LINES OF PIPE, CONDUITS, CABLES, WIRES, POLES, AND OTHER CONVENIENT STRUCTURES, EQUIPMENT AND FIXTURES, FOR THE OPERATION OF SANITARY SEWERS, GAS LINE FACILITIES, RAILROAD FACILITIES AND ANY IN-PLACE PUBLIC UTILITY FACILITIES THAT ARE IN USE AND DETERMINING THAT THE PUBLIC CONVENIENCE AND NECESSITY REQUIRE THE RESERVATION OF SUCH EASEMENT; AND MAKING ITS ORDER VACATING THE EASTERLY THIRTY-THREE FEET OF NORTHGATE STREET LOCATED BETWEEN COLUMBIA AVENUE AND PALMYRITA AVENUE.

WHEREAS, on May 3, 2001, the Planning Commission of the City of Riverside held a properly noticed public hearing in Vacation Case No. VC-007-001 to consider the vacation of the easterly thirty-three feet of Northgate Street located between Columbia Avenue and Palmyrita Avenue in the City of Riverside, California, and thereafter determined the following: 1) that the proposed project would not have a significant adverse affect on the environment and that the City Council should adopt a Negative Declaration; 2) that substantial evidence supports the conclusion that this thirty-three foot segment of public street right-of-way is unnecessary for present of prospective public use; and 3) that Vacation Case VC-007-001 should be approved subject to all staff conditions; and

WHEREAS, on October 2, 2001, the City Council of the City of Riverside in Vacation Case No. VC-007-001 adopted Resolution No. 20012 declaring its intention to order the vacation of the easterly thirty-three feet of Northgate Street located between Columbia Avenue and Palmyrita Avenue in the City of Riverside, California, and fixing the time and place of hearing by 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



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 October 9, 2001, the City Council conducted a properly noticed public
5 hearing wherein they heard, found and determined from all of the evidence submitted to said Council
6 that the easterly thirty-three feet of Northgate Street between Columbia Avenue and Palmyrita
7 Avenue within the City of Riverside, California, was unnecessary for present or prospective public
8 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 easterly thirty-three feet of Northgate Street between
12 Columbia Avenue and Palmyrita Avenue within the City of Riverside, California, is undertaken
13 pursuant to the provisions of and in accordance with the procedures set forth in the Public Streets,
14 Highways, and Service Easements Vacation Law and that all notices required thereby have been duly
15 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-007-001, whether such evidence was oral or in writing,
18 together with the recommendations from the Planning Commission, the easterly thirty-three feet of
19 Northgate Street between Columbia Avenue and Palmyrita Avenue within the City of Riverside,
20 California as hereinafter described and ordered vacated is unnecessary for present or prospective
21 public use as a public street right-of-way.

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

24 Section 4: That the easterly thirty-three feet of Northgate Street between Columbia
25 Avenue and Palmyrita Avenue within the City of Riverside, California and more particularly
26 described and depicted in Exhibit A, attached hereto and incorporated herein by this reference, be
27 and the same is hereby ordered vacated subject to the reservation of easements as hereinafter set



1 forth.

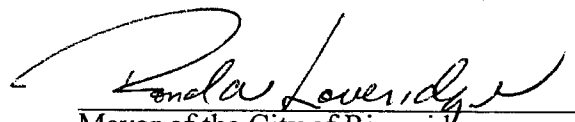
2 Section 5: That the public convenience and necessity requires the exception from the
3 vacation hereinabove ordered of an easement and right to construct, maintain, operate, replace,
4 remove, renew and enlarge lines of pipe, conduits, cables, wires, poles, and other convenient
5 structures, equipment and fixtures, for the operation of sanitary sewers, gas line facilities, railroad
6 facilities and any in-place public utility facilities that are in use over, under, along and across said
7 public street right-of-way ordered to be vacated.

8 Section 6: That the vacation, termination and abandonment of the easterly thirty-three
9 feet of Northgate Street between Columbia Avenue and Palmyrita Avenue within the City of
10 Riverside, California shall occur only after the applicable conditions contained in the Planning
11 Department's report to the legislative body and on file with the City Clerk as approved or amended
12 by the City Council have been satisfied, and the City Clerk is hereby directed not to record this
13 resolution of vacation until the Public Works Director certifies that all applicable conditions have
14 been satisfied.

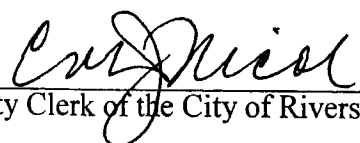
15 Section 7: That the City Clerk of the City of Riverside shall cause a certified copy of this
16 resolution to be recorded in the Office of the County Recorder of Riverside County, California, upon
17 the satisfaction of the applicable conditions, and the easterly thirty-three feet of public street right-of-
18 way situated on Northgate Street between Columbia Avenue and Palmyrita Avenue within the City
19 of Riverside, California, as described in Exhibit A shall no longer constitute a public street right-of-
20 way from and after said date of recordation.

21 ADOPTED by the City Council and signed by the Mayor and attested by the City Clerk
22 this 16th day of October, 2001.

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25 Attest:



Mayor of the City of Riverside

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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 16th day of October, 2001, by the following vote, to wit:


Ayes: Councilmembers Beaty, Moore, Defenbaugh, Kane, Adkison, 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 16th day of October, 2001.



City Clerk of the City of Riverside

RES\012019.rd



EXHIBIT "A"

Northgate Street
Vacation Case No. VC-007-001

Those portions of Northgate Street (formerly California Avenue), 30 feet wide, and Lots 8 and 9 in Section 17, Township 2 South, Range 4 West, San Bernardino Base and Meridian, as shown by map of Lands of the East Riverside Land Co., on file in Book 6 of Maps, Page 44 thereof, Records of San Bernardino County, California, being described as follows:

COMMENCING at the centerline intersection of Northgate Street and Columbia Avenue;

Thence N.00°09'38"W. along said centerline Northgate Street, a distance of 55.00 feet, to a line parallel and 55.00 feet northerly of said centerline of Columbia Avenue, being the **POINT OF BEGINNING**;

Thence N.89°53'03"E. along said parallel line, a distance of 33.00 feet, to the Easterly line of said Northgate Street, also being the Westerly line of said Lot 9;

Thence N.00°09'38"W., along said Easterly line, a distance of 481.99 feet, to the Southwest corner of that certain parcel of land described in Grant Deed to the City of Riverside, recorded March 27, 1981 as Instrument No. 54553;

Thence N.89°50'22"E. along Southerly line of said parcel conveyed to the City of Riverside, a distance of 17.00 feet, to a line parallel and 50.00 feet Easterly of the centerline of said Northgate Street, also being the Southeast corner of said parcel of land conveyed to the City of Riverside;

Thence N.00°09'38"W., along said parallel line, also being along the Easterly line said parcel of land conveyed to the City of Riverside, a distance of 729.99 feet, to an angle point therein;



Thence N.54°38'31"E. along said Easterly line, a distance of 13.81 feet, to the beginning of a non-tangent curve, concave northeasterly, having a radius of 2042.00 feet, and having a radial line which bears N.05°13'53"E.;

Thence northwesterly along said curve, through a central angle of 01°43'48", an arc length of 61.65 feet, to the centerline of said Northgate Street;

Thence S.00°09'38"E. along said centerline, a distance of 1226.63 feet, to the Point of Beginning.

RESERVING THEREFROM an easement and right to construct, maintain, operate, replace, remove, renew and enlarge lines of pipe, conduits, cables, wires, poles, and other convenient structures, equipment and fixtures, for the operation of sanitary sewers, gas line facilities, railroad facilities and any in-place public utility facilities that are in use.

KCT CONSULTANTS, INC.
Prepared Under the Supervision of:

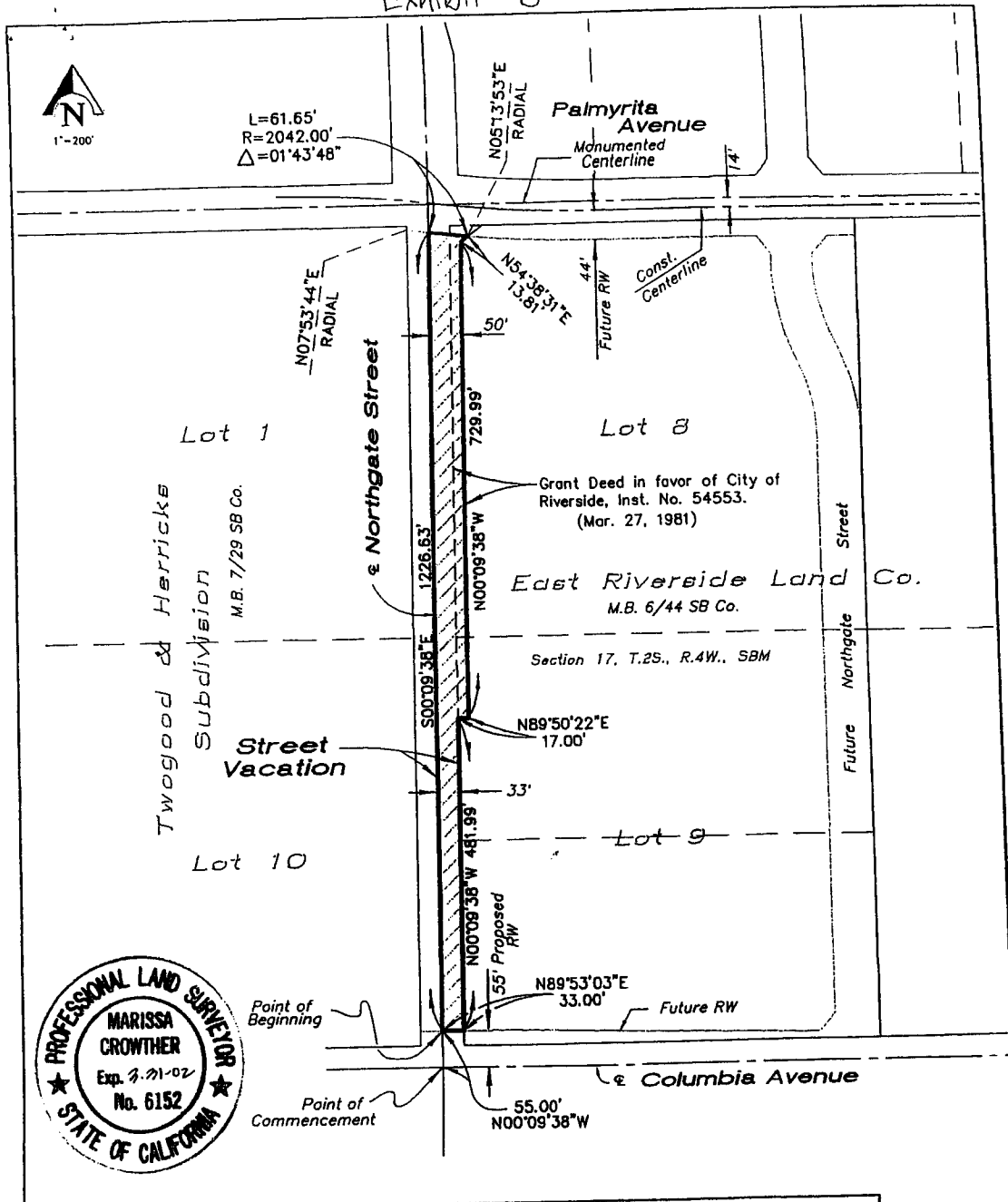
Marissa Crowther
Marissa Crowther, PLS No. 6152
Date: Aug. 29th 2001



DESCRIPTION APPROVAL 8/29/01
Walter R. Joyce by _____
XO SURVEYOR, CITY OF RIVERSIDE



Exhibit "B"



Prepared under the supervision of: MARISSA CROWTHER, PLS6152 DATE <u>Aug. 29th 2001</u>	City of Riverside, CA. VACATION -- NORTHGATE STREET	Sheet <u>1</u> of <u>1</u> Scale: 1"=200' June 2001 WO 1188-01
	 KCT CONSULTANTS, INC. Civil Engineers - Surveyors - Planners P.O. Box 5705 Riverside, CA 92517-5705 Phone: 909/341-8940 Fax: 909/341-8945 4344 Latham St., Suite 201, Riverside, CA 92501	11-8 12-7 26-2 27-1

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 Sept. 23, 2003 at
 Riverside, California



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