

DOC # 2007-0754241

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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

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RESOLUTION NO. 21564

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)

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1 RESOLUTION NO. 21564

2 A RESOLUTION OF THE CITY COUNCIL OF RIVERSIDE,
3 CALIFORNIA, MAKING ITS FINDINGS AND DETERMINATIONS IN
4 THE MATTER OF RESOLUTION OF INTENTION NO. 21337; AND
5 MAKING ITS ORDER VACATING A PEDESTRIAN WALKWAY,
6 LOCATED BETWEEN RAINER COURT AND MT. WHITNEY AVENUE
7 IN RIVERSIDE, CALIFORNIA.

8 WHEREAS, on February 13, 2007, the City Council of the City of Riverside in Planning
9 Case No. P06-1412 adopted Resolution No. 21337 declaring its intention to order a pedestrian
10 walkway vacated, located between Rainer Court and Mt. Whitney Avenue, parallel to and
11 approximately 550 feet north of Arlington Avenue, within the City of Riverside, California, and
12 fixing the time and place of hearing all persons interested in the proposed vacation pursuant to
13 the provisions of the Public Streets, Highways and Service Easements Vacation Law, being
14 Sections 8300 et seq. of Part 3, Division 9 of the Streets and Highways Code of the State of
15 California; and

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

19 WHEREAS, said proposed vacation had been previously submitted to and considered by
20 the Planning Commission of the City of Riverside at a duly noticed public hearing held on
21 January 4, 2007; and

22 WHEREAS, following the close of the public hearing before the Planning Commission,
23 the Planning Commission determined that the proposed vacation would not have a significant
24 effect on the environment, recommended that the City Council should adopt a Mitigated
25 Negative Declaration, and recommended that Planning Case No. P06-1412 should be approved
26 subject to all staff conditions; and

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

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1 WHEREAS, the City Council heard and found and determined from all of the evidence
2 submitted to said Council on the day fixed for the hearing, on March 6, 2007, that the pedestrian
3 walkway located between Rainer Court and Mt. Whitney Avenue parallel to and approximately
4 550 feet north of Arlington Avenue, within the City of Riverside, proposed for vacation was
5 unnecessary for present or prospective public use.

6 NOW, THEREFORE, IT IS RESOLVED, FOUND and DETERMINED by the City
7 Council of the City of Riverside, California, as follows:

8 Section 1: That the pedestrian walkway located between Rainer Court and Mt. Whitney
9 Avenue parallel to and approximately 550 feet north of Arlington Avenue, within the City of
10 Riverside, in Planning case P06-1412 is undertaken pursuant to the provisions of and in
11 accordance with the procedures set forth in the Public Streets, Highways, and Service Easements
12 Vacation Law and all notices required thereby have been duly given.

13 Section 2: That from all evidence submitted to the City Council at the March 6, 2007,
14 public hearing before it on Planning Case P06-1412, whether such evidence was oral or in
15 writing, together with the recommendations from the Planning Commission, the pedestrian
16 walkway between Rainer Court and Mt. Whitney Avenue parallel to and approximately 550 feet
17 north of Arlington Avenue within the City of Riverside, California, as hereinafter described and
18 ordered vacated is unnecessary for present or prospective public use as a public street.

19 Section 3: That the proposed vacation will not have a significant effect on the
20 environment and adopts a Mitigated Negative Declaration.

21 Section 4: That the pedestrian walkway located between Rainer Court and Mt. Whitney
22 Avenue parallel to and approximately 550 feet north of Arlington Avenue, within the City of
23 Riverside, California, and described and depicted in attached Exhibit "A", and by this reference
24 made a part hereof, be and the same is hereby ordered vacated.

25 Section 5: That the public convenience and necessity requires the exception of the
26 following easements and rights-of-way from the vacation hereinabove ordered: an easement for
27 electrical energy underground facilities; including water pipelines, gas lines, storm drains,
28 sanitary sewers, telephone, telegraph and communications structures, the right to construct,

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1 place, inspect, operate, maintain, repair, replace and remove such underground facilities unless
2 said facilities are satisfactorily relocated and/or abandoned, further, that the public convenience
3 and necessity require the exception and reservation from the vacation of those easements and
4 rights-of-way in, under, across, upon, over and along that portion of the pedestrian walkway
5 ordered to be vacated necessary to maintain, operate, remove or renew any in-place public utility
6 facilities that are in use and not otherwise excepted and reserved hereinabove.

7 Section 6: That the vacation, termination and abandonment of the pedestrian walkway
8 described and depicted in Exhibit "A" shall occur only after the applicable conditions contained
9 in the Planning Department's report to the City Council and on file with the City Clerk, as
10 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 applicable conditions have been
12 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 the County of Riverside,
15 California, upon the satisfaction of the applicable conditions, and the pedestrian walkway
16 described and depicted in Exhibit "A" shall no longer constitute a pedestrian walkway from and
17 after the date of recordation.

18 ADOPTED by the City Council and signed by the Mayor this 11th day of
19 December, 2007.

20 
21 _____
22 Mayor of the City of Riverside

23 ATTEST:

24 
25 _____
26 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 at a meeting of the City Council on the 11th day of December, 2007, by the following vote, to wit:

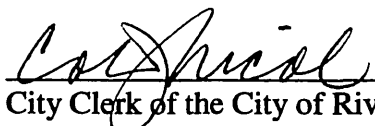
Ayes: Councilmembers Gardner, Melendrez, Bailey, Schiavone, Mac Arthur, Hart, and Adams :

Noes: None

Abstain: None

Absent: None

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this 17th day of December, 2007.



City Clerk of the City of Riverside

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CA: 07-2710
12/04/07



EXHIBIT A
Pedestrian Walk Way Vacation


THAT CERTAIN REAL PROPERTY IN THE CITY OF RIVERSIDE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:

LOT F OF SUN GOLD TERRACE UNIT NO. 3 AS SHOWN BY MAP ON FILE IN MAP BOOK 24 PAGE 48 THEREOF RECORDS OF RIVERSIDE COUNTY CALIFORNIA;

TOGETHER WITH:

LOT E OF SUN GOLD TERRACE UNIT NO. 4 AS SHOWN BY MAP ON FILE IN MAP BOOK 25 PAGE 4 THEREOF RECORDS OF RIVERSIDE COUNTY CALIFORNIA.

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
License Expires 9/30/09

11/21/07 Date Prep. _____



