

DOC # 2008-0404842

07/24/2008 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

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513

RESOLUTION NO. 21431

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)

16244

RESOLUTION NO. 21431

A RESOLUTION OF THE CITY COUNCIL OF RIVERSIDE, CALIFORNIA, MAKING ITS FINDINGS AND DETERMINATIONS IN THE MATTER OF RESOLUTION OF INTENTION NO. 21415; AND MAKING ITS ORDER VACATING A PORTION OF THE NORTH/SOUTH PUBLIC ALLEY SITUATED BETWEEN NINTH AND TENTH STREETS, AND ORANGE AND LEMON STREETS, IN RIVERSIDE, CALIFORNIA.

WHEREAS, on June 5, 2007, the City Council of the City of Riverside in Planning Case No. P07-0103 adopted Resolution No. 21415 declaring its intention to order the vacation of a portion of the north/south public alley situated between Ninth and Tenth Streets, and Orange and Lemon 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 Services 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 May 3, 2007, 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. P07-0103 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 evidence submitted to said Council on the day fixed for the hearing, on June 26, 2007, that the portion of a north/south public alley situated between Ninth and Tenth Streets, and Orange and Lemon Streets,

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1 within the City of Riverside, proposed for vacation was unnecessary for present or prospective  
2 public use;

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

5 Section 1: That the vacation of a portion of the north/south public alley, between Ninth and  
6 Tenth Streets, and Orange and Lemon Streets, within the City of Riverside, in Planning case P07-  
7 0103 is undertaken pursuant to the provisions of and in accordance with the procedures set forth in  
8 the Public Streets, Highways, and Services Easements Vacation Law and all notices required thereby  
9 have been duly given.

10 Section 2: That from all evidence submitted to the City Council at the June 26, 2007, public  
11 hearing before it on Planning Case P07-0103, whether such evidence was oral or in writing, together  
12 with the recommendations from the Planning Commission, the portion of the north/south public  
13 alley, situated between Ninth and Tenth Streets, and Orange and Lemon Streets, within the City of  
14 Riverside, California, as hereinafter described and ordered vacated is unnecessary for present or  
15 prospective public use as a public alley.

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

18 Section 4: That the portion of the public alley, within the City of Riverside, California, and  
19 described and depicted in attached Exhibit "A", and by this reference made a part hereof, be and the  
20 same is hereby ordered vacated.

21 Section 5: That the public convenience and necessity requires the exception of the following  
22 easements and rights-of-way from the vacation hereinabove ordered: an easement for electrical  
23 energy, underground facilities including water pipelines, gas lines, storm drains, sanitary sewers,  
24 electrical energy, telephone, telegraph and communications structures, and the right to construct,  
25 place, inspect, operate, maintain, repair, replace and remove such underground facilities unless said  
26 facilities are satisfactorily relocated and/or abandoned, further, that the public convenience and  
27 necessity require the exception and reservation from the vacation of those easements and rights-of-  
28 way in, under, across, upon, over and along that portion of the public alley ordered to be vacated  
necessary to maintain, operate, remove or renew any in-place public utility facilities that are in use

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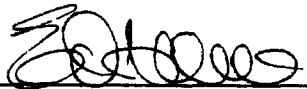


1 and not otherwise excepted and reserved hereinabove.

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

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

12 ADOPTED by the City Council and signed by the Mayor and attested by the City Clerk this  
13 26th day of June, 2007.

14   
15 Ed Adkison  
16 Mayor Pro Tempore of the City of Riverside

17 ATTEST:

18   
19 City Clerk of the City of Riverside



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1 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the  
2 foregoing resolution was duly and regularly introduced at a meeting of the City Council on the  
3 26th day of June, 2007, by the following vote, to wit:

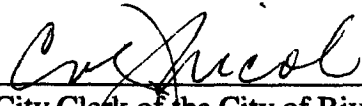
4 Ayes: Councilmembers Betro, Melendrez, Gage, Schiavone, Adkison, Hart, and Adams

5 Noes: None

6 Abstain: None

7 Absent: None

8 IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the  
9 City of Riverside, California, this 26th day of June, 2007.

10  
11   
12 \_\_\_\_\_  
13 City Clerk of the City of Riverside  
14  
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**EXHIBIT "A"**

**LEGAL DESCRIPTION**  
**PORTION OF ALLEY ABANDONMENT**

ALL THAT PORTION OF BLOCK 9, RANGE 5, AS SHOWN BY MAP OF THE TOWN OF RIVERSIDE, RECORDED IN BOOK 7, PAGE 17 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

THE SOUTH WESTERLY 92.00 FEET OF THE 16 FOOT WIDE ALLEY WHICH LIES BETWEEN LOTS 1 THROUGH 4, AND LOTS 6 THROUGH 9 OF BLOCK 9 AS SHOWN ON SAID TOWN OF RIVERSIDE MAP.

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Westland Civil, Inc.

*Donald G. Waite* 5/10/07

Donald G. Waite, RCE 27364  
Expires: March 31, 2009



DESCRIPTION APPROVAL

BY: *[Signature]* 5/29/07  
DATE

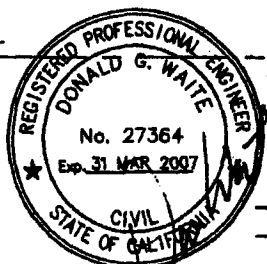
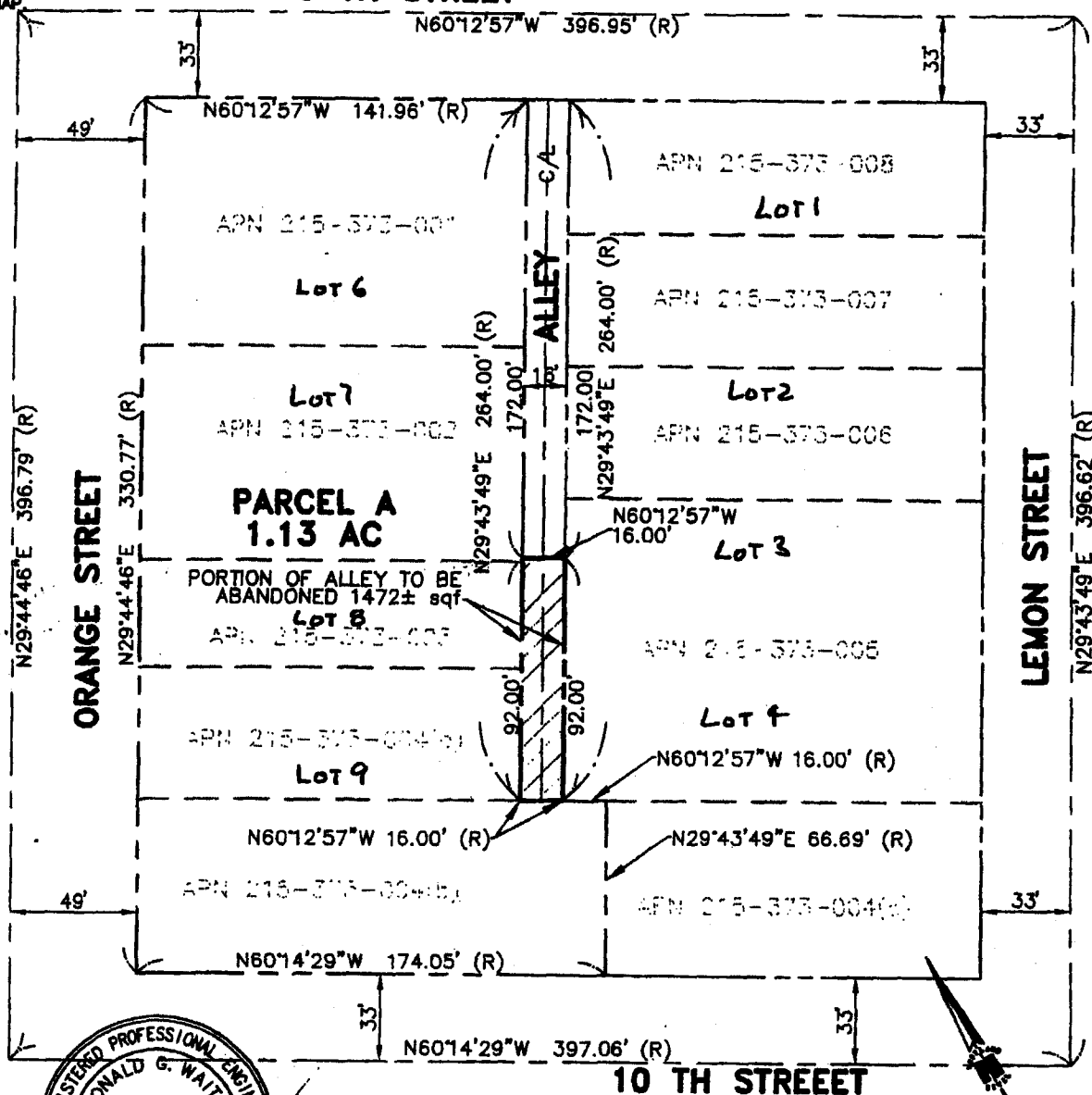
FOR: MARK S. BROWN  
CITY SURVEYOR

Silagi-RivOrange  
May 10, 2007

16244

PORTION OF ALLEY  
TO BE ABANDONED

**9 TH STREET**



**LEGEND:**

EXIST P/L PER RS 121/9

## LOT LINES PER ASSESSOR PARCEL MAP



SCALE: 1" = 60'

**PREPARED BY:**

ID: # Silagi.RivOrange



**CIVIL ENGINEERS PLANNING / DESIGN LAND SURVEYORS**  
**550 ST. CHARLES DR, SUITE 208, THOUSAND OAKS, CA, 91360**  
**(805) 495-1330 FAX: (805) 446-9125**

## ALLEY ABANDONMENT EXHIBIT "A"

39-2

**CITY OF RIVERSIDE, CA**

DATE SUBMITTED: 01/22/2007

SHEET 1 OF 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, City Clerk  
City of Riverside, California

Executed on July 23, 2008, at  
Riverside, California



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LARRY W. WARD  
COUNTY OF RIVERSIDE  
ASSESSOR-COUNTY CLERK-RECORDER

Recorder  
P O Box 751  
Riverside, CA 92502-0751  
(951) 486-7000

www.riversideacr.com

**CERTIFICATION**

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

Lot 6 215-373-001  
Lot 7 215-373-002  
Lot 8 215-373-003  
Lot 9 215-373-004 (a)  
Lot 9 215-373-004 (b)  
Lot 9 215-373-004 (c)  
Lot 3 215-373-005  
Lot 2 215-373-006  
Lot 1 215-373-007  
Lot 1 215-373-008

Date:

7/24/08

Signature:

*Eva Miramontes*

Print Name:

*Eva Miramontes*