

DOC # 2009-0217332

05/01/2009 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

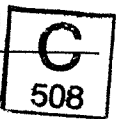
AND WHEN RECORDED MAIL TO:

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

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M	A	L	465	426	PCOR	NCOR	SMF	NCHG	EXAM
MAY 2009									670

SPACE ABOVE FOR RECORDERS USE ONLY

D - 16355



RESOLUTION NO. 18982

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)

16355

RESOLUTION NO. 18982

1
2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
3 RIVERSIDE, CALIFORNIA, MAKING ITS FINDINGS AND
4 DETERMINATIONS IN THE MATTER OF RESOLUTION OF
5 INTENTION NO. 18063; RESERVING PERMANENT EASEMENTS
6 AND RIGHTS-OF-WAY FOR ELECTRIC ENERGY AND WATER
7 FACILITIES, AND DETERMINING THAT THE PUBLIC
8 CONVENIENCE AND NECESSITY REQUIRE THE RESERVATION OF
9 SUCH EASEMENTS; AND MAKING ITS ORDER VACATING A
10 PORTION OF MUIRFIELD ROAD SITUATED NORTHERLY OF
11 OVERLOOK PARKWAY AND EASTERLY OF CHABOT COURT WITHIN
12 TENTATIVE TRACT 26109; AND REPEALING RESOLUTION
13 NO. 18081.

14 WHEREAS on August 18, 1992, the City Council of the City
15 of Riverside adopted Resolution No. 18063 declaring its intention
16 in Vacation Case VAC-8-912 to order the vacation of various road
17 easements and portions of Muirfield Road located within Tentative
18 Tract 26109, and fixing the time and place of hearing all persons
19 interested in the proposed vacation, pursuant to the provisions
20 of the Public Streets, Highways, and Service Easements Vacation
21 Law, being Section 8300 et seq. of Part 3, Division 9 of the
22 Streets and Highways Code of the State of California; and

23 WHEREAS said proposed vacation had been previously
24 submitted to and acted upon by the Planning Commission of the
25 City of Riverside at a duly noticed public hearing; and

26 WHEREAS following the close of the public hearing before
27 the Planning Commission, the Planning Commission approved
28 Vacation Case VAC-8-912 subject to all staff conditions and
29 determined that the proposed project would not have a significant
30 adverse affect on the environment; and

31 WHEREAS notice of hearing before the City Council of said
32 resolution of intention was given as provided by said Public



1 Streets, Highways, and Service Easements Vacation Law; and

2 WHEREAS the recommendations of the Planning Commission
3 were duly transmitted to the City Council and were considered by
4 the City Council together with the testimony, whether oral or in
5 writing, presented at the duly noticed public hearing before said
6 City Council; and

7 WHEREAS the City Council heard and found and determined
8 from all of the evidence submitted to said Council on the day
9 fixed for the hearing that the approximately 30-foot wide by
10 approximately 200-foot long portion of Muirfield Road situated
11 northerly of Overlook Parkway and easterly of Chabot Court within
12 Tentative Tract 26109 ordered vacated was unnecessary for present
13 or prospective public use; and

14 WHEREAS on September 15, 1992, the City Council adopted
15 three resolutions, including Resolution No. 18081, making its
16 findings and determinations in the matter of Resolution of
17 Intention No. 18063 including findings and determinations
18 regarding the reservations of easements and ordering the vacation
19 of various road easements and portions of Muirfield Road to
20 reflect the proposed phasing plan for Tentative Tract No. 26109,
21 ordering that the vacation occur only after the applicable
22 conditions contained in the Planning Department's report to the
23 legislative body and on file with the City Clerk have been
24 satisfied, and directing the City Clerk to not record the
25 resolutions of vacation until the applicable conditions had been
26 satisfied; and

27 WHEREAS the phasing plan for Tentative Tract No. 26109



1 has been changed and it would be appropriate to amend the
2 descriptions of the roadway easements and portions of Muirfield
3 Road in the three previously adopted resolutions to reflect the
4 new phasing plan and the determinations regarding reservations of
5 easements for each such segment of roadway easement or Muirfield
6 Road to be vacated in each new phase;

7 NOW, THEREFORE, BE IT RESOLVED by the City Council of the
8 City of Riverside, California, as follows:

9 Section 1: That the vacation of the hereinafter
10 described portion of Muirfield Road situated northerly of
11 Overlook Parkway and easterly of Chabot Court within Tentative
12 Tract 26109 in the City of Riverside is undertaken pursuant to
13 the provisions of and in accordance with the procedures set forth
14 in the Public Streets, Highways, and Service Easements Vacation
15 Law and that all notices required thereby have been duly given.

16 Section 2: That from all of the evidence submitted to
17 the City Council at the public hearing before it on Vacation
18 Case VAC-8-912, whether such evidence was oral or in writing,
19 together with the recommendations from the Planning Commission,
20 that the approximately 30-foot wide by approximately 200-foot
21 long portion of Muirfield Road situated northerly of Overlook
22 Parkway and easterly of Chabot Court within Tentative Tract 26109
23 as hereinafter described and ordered vacated is unnecessary for
24 present or prospective public use as a public street.

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



1 Section 4: That portion of the approximately 30-foot
2 wide by approximately 200-foot long portion of Muirfield Road
3 situated northerly of Overlook Parkway and easterly of Chabot
4 Court within Tentative Tract 26109 in the City of Riverside
5 described in the document attached hereto, marked Exhibit "A",
6 and by this reference made a part hereof, be and the same is
7 hereby ordered vacated.

8 Section 5: That the public convenience and necessity
9 requires the exception from the vacation of those easements and
10 rights-of-way over, along and across that portion of Muirfield
11 Road ordered to be vacated as more particularly described in
12 attached Exhibit "A" necessary for electrical energy distribution
13 and waterline facilities, and the reservation of the following:
14 an easement for and the right to construct, maintain, operate,
15 replace, remove, renew, and enlarge lines of pipe, conduits,
16 cables, wires, poles and other convenient structures, equipment
17 and fixtures for the distribution of electric energy and water.

18 Section 6: That the vacation, termination and
19 abandonment of that portion of Muirfield Road described in
20 Exhibit "A" shall occur only after the applicable conditions
21 contained in the Planning Department's report to the legislative
22 body and on file with the City Clerk as approved by the City
23 Council have been satisfied, and the City Clerk is hereby
24 directed not to record this resolution of vacation until the
25 applicable conditions have been satisfied.

26 Section 7: That the City Clerk of the City of Riverside
27



1 shall cause a certified copy of this resolution to be recorded in
2 the Office of the County Recorder of Riverside County,
3 California, upon the satisfaction of the applicable conditions,
4 and that portion of Muirfield Road described in Exhibit "A" shall
5 no longer constitute a portion of a public street from and after
6 said date of recordation.

7 Section 8: Resolution No. 18081 is hereby repealed.

8 ADOPTED by the City Council and signed by the Mayor and
9 attested by the City Clerk this 24th day of September, 1996.

10
11 
12 Mayor of the City of Riverside

13 Attest:

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15 
16 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 24th day of September, 1996, by the following vote, to wit:

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

Noes: None.

Absent: Councilmember Pearson.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this 24th day of September, 1996.

Colleen Nicol

City Clerk of the City of Riverside



EXHIBIT "A"
VC-008-912


**Portion of Muirfield Road to be
Vacated for Tract No. 26109**

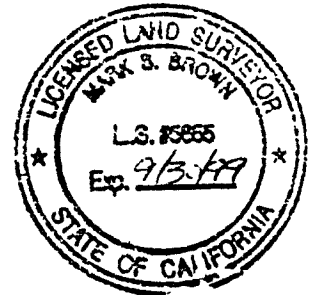
That portion of Parcel III of 30' right-of-way conveyed to the City of Riverside per deed recorded January 9, 1959, as Instrument No. 2050 of Official Records of Riverside County, California, lying within the East half of the Southwest Quarter of Section 12, Township 3 South, Range 5 West, San Bernardino Meridian, described as follows:

The Easterly 200.00 feet thereof.

RESERVING THEREFROM permanent easements and rights of way for waterline facilities and electrical energy distribution facilities;

This description was prepared by me or under my direction in conformance with the requirements of the Land Surveyors Act.

 7/1/99 Prep. WF
Mark S. Brown, L.S. 5655 Date
License Expires 9/30/99



26109f.200

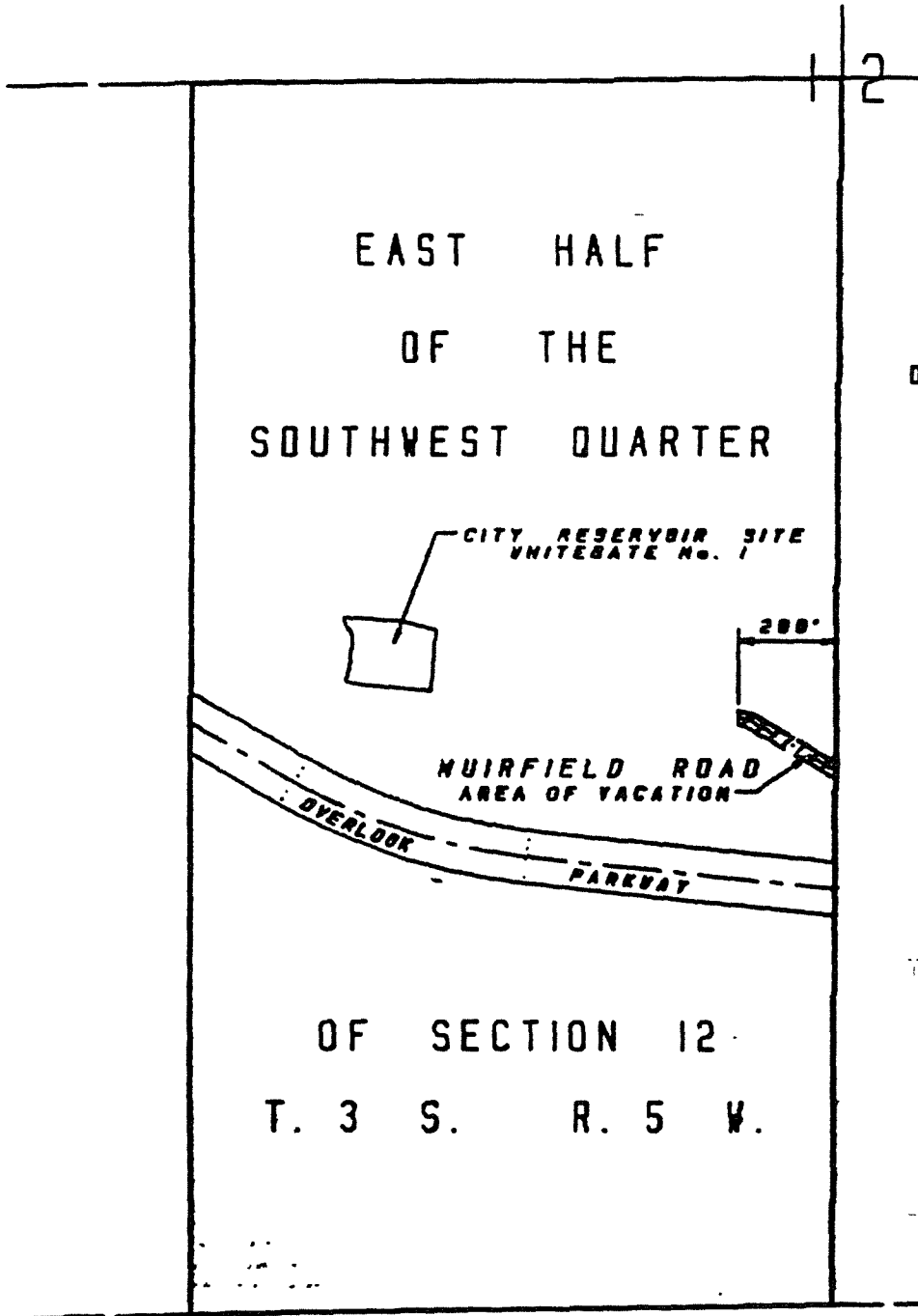


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INTEGRA ENGINEERING, INC.

LAND SURVEYORS • CIVIL ENGINEERS



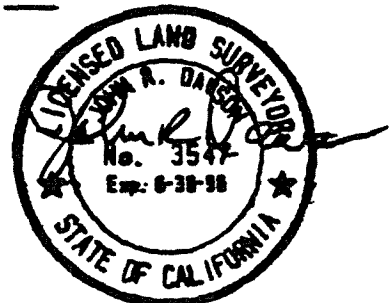
DRAWING SCALE: 1" = 400'

[Handwritten signature]
 May 1, 09

PLAT OF
LEGAL DESCRIPTION



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

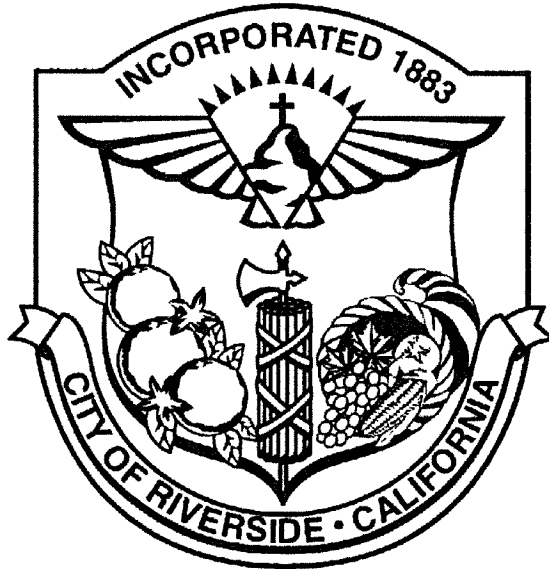
Recorder
P O Box 751
Riverside, CA 92502-0751
(951) 486-7000

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):



Date: 5/1/09

Signature: *Anthony Mejia*

Print: Anthony Mejia



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