

DOC # 2009-0664442
12/29/2009

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Colleen J. Nicol, MMC

AND WHEN RECORDED MAIL TO:

City Clerk
City of Riverside
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Riverside, CA 92522
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Larry W Ward
County of Riverside
Assessor, County Clerk & Recorder

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SPACE ABOVE FOR RECORDERS USE ONLY

D- 16417

RESOLUTION NO. 21776
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)

16417

RESOLUTION NO. 21776

1
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. 21770; AND
5 MAKING ITS ORDER VACATING AN APPROXIMATELY FIVE-FOOT-
6 WIDE BY 100-FOOT-LONG PEDESTRIAN WALKWAY CONNECTING
7 ANTIOCH AVENUE TO NICHOLS PARK, IN RIVERSIDE,
8 CALIFORNIA.

9 WHEREAS, on January 6, 2009, the City Council of the City of Riverside in Planning
10 Case No. P08-0844 adopted Resolution No. 21770 declaring its intention to set a public hearing
11 in the vacation of an approximately five-foot-wide by 100-foot-long pedestrian walkway
12 connecting Antioch Avenue to Nichols Park, located between 6276 and 6288 Antioch Avenue on
13 the easterly side of Antioch Avenue and northerly of Dewey Avenue, within the City of
14 Riverside, California, and fixing the time and place of hearing all persons interested in the
15 proposed vacation pursuant to the provisions of the Public Streets, Highways and Service
16 Easements Vacation Law, being Sections 8300 et seq. of Part 3, Division 9 of the Streets and
17 Highways Code of the State of California; and

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

21 WHEREAS, said proposed vacation had been previously submitted to and considered by
22 the Planning Commission of the City of Riverside at a duly noticed public hearing held on
23 December 18, 2008, and

24 WHEREAS, following the close of the public hearing before the Planning Commission,
25 the Planning Commission determined that the proposed vacation should be approved; and

26 WHEREAS, the recommendations of the Planning Commission were submitted to the
27 City Council for consideration together with the testimony, whether oral or in writing, presented
28 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 January 27, 2009, that the vacation

1 of the pedestrian walkway connecting Antioch Avenue to Nichols Park, within the City of
2 Riverside, proposed for vacation was unnecessary for present or prospective public use;

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

5 Section 1: That the vacation of the pedestrian walkway connecting Antioch Avenue to
6 Nichols Park, in Planning Case P08-0844 is undertaken pursuant to the provisions of and in
7 accordance with the procedures set forth in the Public Streets, Highways, and Services
8 Easements Vacation Law and all notices required thereby have been duly given.

9 Section 2: That from all evidence submitted to the City Council at the January 27, 2009,
10 public hearing before it on Planning Case P08-0844, whether such evidence was oral or in
11 writing, together with the recommendations from the Planning Commission, that the pedestrian
12 walkway connecting Antioch Avenue to Nichols Park, within the City of Riverside, California,
13 as hereinafter described and ordered vacated is unnecessary for present or prospective public use
14 as a public right of way.

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

17 Section 4: That the vacation of the pedestrian walkway connecting Antioch Avenue to
18 Nichols Park, within the City of Riverside, California, and described and depicted in attached
19 Exhibit "A", and by this reference made a part hereof, be and the same is hereby ordered
20 vacated.

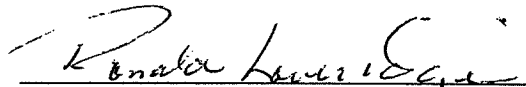
21 Section 5: That the public convenience and necessity requires the exception of the
22 following easements and rights-of-way from the vacation hereinabove ordered: an easement for
23 electrical energy, underground facilities including water pipelines, gas lines, storm drains,
24 sanitary sewers, electrical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

1 public right of way ordered to be vacated necessary to maintain, operate, remove or renew any
2 in-place public utility facilities that are in use and not otherwise excepted and reserved
3 hereinabove.


4 Section 6: That the vacation, termination and abandonment of the pedestrian walkway
5 connecting Antioch Avenue to Nichols Park described and depicted in Exhibit "A" shall occur
6 only after the applicable conditions contained in the Planning Division's report to the City
7 Council and on file with the City Clerk, as approved or amended by the City Council, have been
8 satisfied, and the City Clerk is hereby directed not to record this resolution of vacation until the
9 applicable conditions have been satisfied.

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

15 ADOPTED by the City Council this 27th day of January, 2009.

16 
17 _____
18 Mayor of the City of Riverside

18 ATTEST:

19 
20 _____
21 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 27th day of January, 2009, by the following vote, to wit:

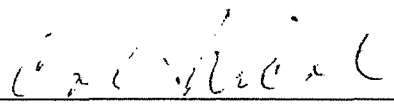
Ayes: Councilmembers Gardner, Melendrez, Bailey, Schiavone, Mac Arthur, Hart, and Adams

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 28th day of January, 2009.



City Clerk of the City of Riverside

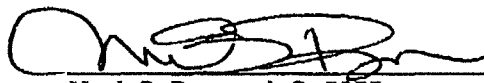
O:\Cycopl\WPDocs\D019\P009\00025143.DOC
CA: 08-2681 KJS 12/24/08


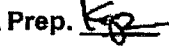
EXHIBIT "A"

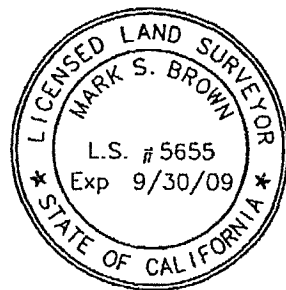
That certain real property located in the City of Riverside, County of Riverside, State of California, described as follows:

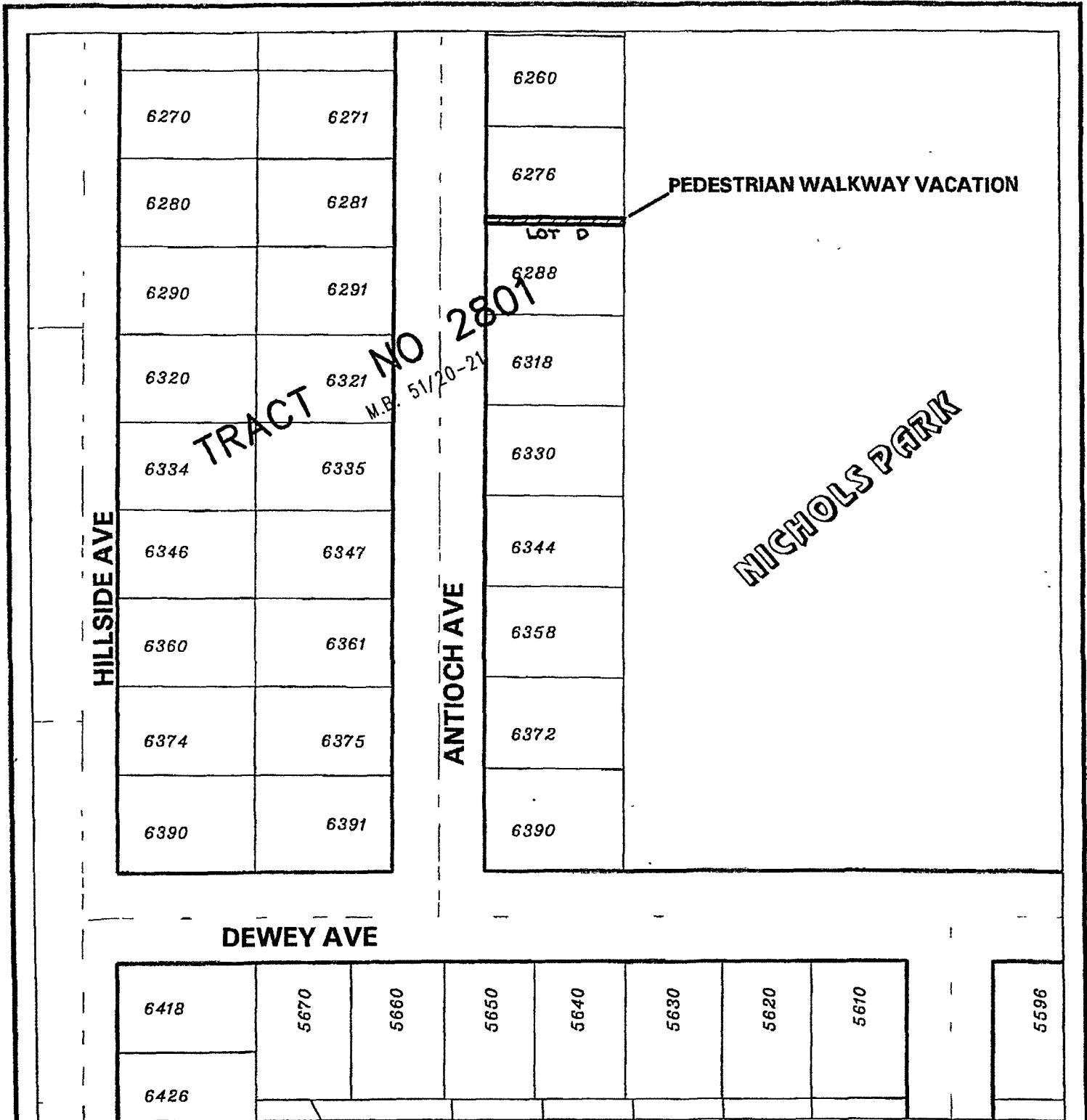
Lot D of Tract No. 2801, as shown by map on file in Book 51, Pages 20 and 21 of Maps, records of Riverside County, California.

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

 Date
 Prep. KB





◆ CITY OF RIVERSIDE, CALIFORNIA ◆

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S)
DESCRIBED IN THE ATTACHED DOCUMENT.
IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN.

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 Dec. 29, 2009 at
Riverside, California. (16.117)

Subject: Antioch Sidewalk Vacation

Sheet 1 of 1



Scale: 1" = 100'

Drawn by: bmark

Date: 10/21/08



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

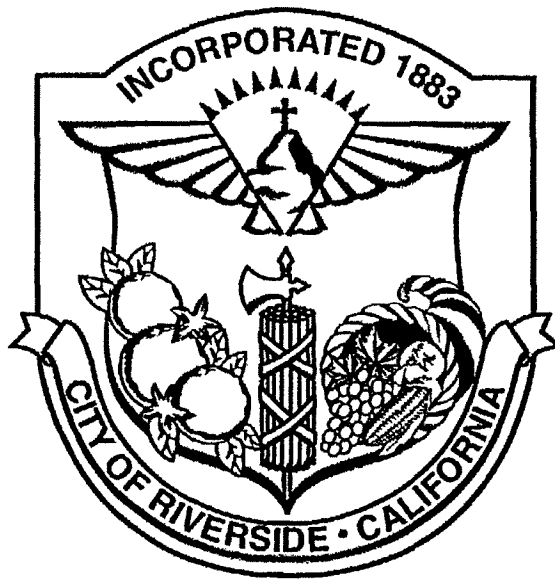
Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

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: December 16, 2009

Signature: Laura A. Martinez

Print: Laura A. MARTINEZ