

2018-0288632

07/18/2018 09:08 AM Fee: \$ 0.00

Page 1 of 6

Recorded in Official Records  
County of Riverside  
Peter Aldana  
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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RESOLUTION NO. 23331

D- 17481

Title of Document

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THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION  
(\$3:00 Additional Recording Fee Applies)

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1 RESOLUTION NO. 23331

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE,  
3 CALIFORNIA, PROVIDING FOR THE SUMMARY VACATION  
4 (CASE NO. P17-0471) OF AN APPROXIMATELY 2,424-SQUARE FOOT PORTION  
5 OF EXCESS RIGHT-OF-WAY, LOCATED AT 3575-3661 MERRILL AVENUE.

6 WHEREAS, the City of Riverside proposes to vacate an approximately 2,424-square foot  
7 portion of excess right-of-way on the north side of Merrill Avenue from approximately 214 feet  
8 easterly of De Anza Avenue to 553 feet westerly of Riverside Avenue, in the City of Riverside,  
9 California, as described and depicted in Exhibit "A," attached hereto and incorporated by reference  
10 (hereinafter "the Property"); and

11 WHEREAS, the Property is excess right-of-way and is not required for street or highway  
12 purposes; and

13 WHEREAS, the adjoining properties and public service easements will not be affected by  
14 the vacation of the Property; and

15 WHEREAS, the Property has been superseded by relocation and will no longer be  
16 improved with any public sidewalk, parkway, curb, gutter or roadway; and

17 WHEREAS, Section 8334 of the Streets and Highways Code provides that the legislative  
18 body of a local agency may summarily vacate the Property that is excess right-of-way and not  
19 required for street or highway purposes; and

20 WHEREAS, the City Council wishes to proceed under the provisions of Section 8330, *et*  
21 *seq.*, of the Street and Highways Code to summarily vacate the Property.

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

24 Section 1: The vacation of the Property is undertaken pursuant to the provisions of Chapter  
25 4 (commencing with Section 8330) of Part 3 of the Streets and Highways Code of the State of  
26 California.

27 Section 2: The City Council finds and determines as follows:

28 (a) The Property is excess right-of-way and is not required for street or highway  
purposes.

1 (b) The vacation of the Property will not cut off all access to adjoining  
2 properties and will not affect any public service easement.

3 (c) The Property has been superseded by relocation and will no longer be  
4 improved with any public sidewalk, parkway, curb, gutter or roadway.

5 Section 3: The proposed summary street vacation project is exempt from the provisions of  
6 the California Environmental Quality Act pursuant to Section 15061 (b) (3) of the Guidelines for  
7 Implementation of the California Environmental Quality Act (Title 15, California Code of  
8 Regulations, commencing with Section 15000) as it can be seen with certainty that there is no  
9 possibility that the activity will have a significant effect on the environment.


10 Section 4: The City Council hereby orders the Summary Vacation of an approximately  
11 2,424-square foot portion of excess right-of-way on the north side of Merrill Avenue from  
12 approximately 214 feet easterly of De Anza Avenue to 553 feet westerly of Riverside Avenue, as  
13 more particularly described and depicted in Exhibit "A," attached hereto and incorporated herein  
14 by this reference, subject to the Recommended Conditions contained in the Council Report, and  
15 further, reserving and excepting in place easements and rights-of-way, if the same exist, from the  
16 vacation herein above ordered; and the right to construct, maintain, operate, inspect, replace,  
17 remove, renew, repair and enlarge lines of pipe, conduits, cables, wires, poles, vaults, manholes,  
18 markers, equipment, fixtures and other convenient and appurtenant structures, for the distribution  
19 and/or transmission of electrical energy, underground facilities including water pipelines, gas  
20 lines, storm drains, sanitary sewers, telephone, telegraph, cable television and other  
communication facilities, as they currently exist.

21 Section 5: The City Clerk of the City of Riverside shall assign a deed number hereto and  
22 cause a certified copy of this resolution to be recorded in the Office of the County Recorder of  
23 Riverside County, California, of the right-of-way described and depicted in Exhibit "A" shall be  
24 and is hereby terminated as of the date of said recordation and shall no longer constitute a public  
25 right-of-way from and after said date of recordation.

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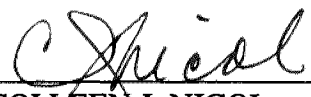
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ADOPTED by the City Council on this 10th day of July, 2018.



CHUCK CONDER  
Mayor Pro Tem of the City of Riverside

Attest:



COLLEEN J. NICOL  
City Clerk of the City of Riverside

I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the foregoing resolution was duly and regularly adopted at a meeting of the City Council on the 10th day of July, 2018, by the following vote, to wit:

Ayes: Councilmembers Gardner, Melendrez, Soubirous, Conder, Mac Arthur, Perry,  
and Adams

Noes: None

Absent: None

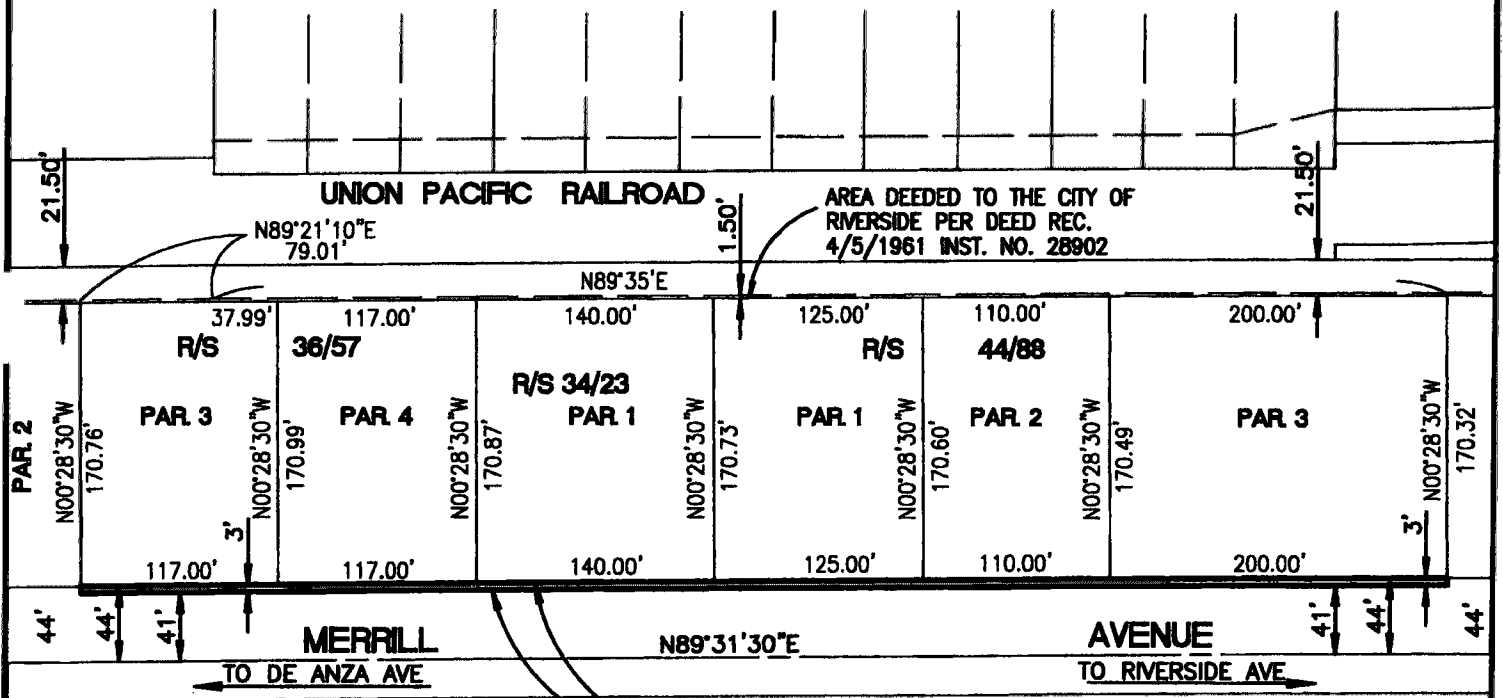
Disqualified: None

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this 11th day of July, 2018.



COLLEEN J. NICOL  
City Clerk of the City of Riverside

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18-0788 KJS 06/11/18



**• 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.

SHEET 1 OF 1

SCALE: N.T.S.

DRAWN BY: CURT

DATE: 6/14/18

SUBJECT: MERRILL AVENUE STREET VACATION

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

Project: Merrill Avenue Street Vacation  
Northerly side between De Anza and Riverside Avenues

That certain real property in the City of Riverside, County of Riverside, State of California, being a portion of the North one-half of Section 34, Township 2 South, Range 5 West, S.B.M. as described in Grant Deed in favor of the City of Riverside recorded March 20, 1956 in Book 1888, Page 239, et seq. and that portion described in Grant Deed in favor of the City of Riverside recorded April 5, 1961 in Book 2882, Page 27, et seq. both of Official Records of Riverside County, California, described as follows:


That portion of said Section 34 described above lying North of a line parallel with and distant 41.00 feet Northerly, measured at right angles from the centerline of Merrill Avenue as shown on Record of Survey filed in Book 44, Page 88 of Record of Surveys, records of Riverside County, California;

**EXCEPTING THEREFROM** that portion lying Westerly of the southerly prolongation of the West line of Parcel 3 of Record of Survey filed in Book 36, Page 57 of Record of Surveys, Records of said Riverside County;

**ALSO EXCEPTING THEREFROM** that portion lying Easterly of the southerly prolongation of the East line of Parcel 3 of Record of Survey filed in Book 44, Page 88 of Record of Surveys, Records of said Riverside County;

Area – 2,427 S.F. more or less

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

Curtis C. Stephens 6/14/18 Prep.   
Curtis C. Stephens, L.S. 7519 Date



The foregoing instrument is certified, under penalty of perjury, to be a correct copy of the original on file in this office.

Carlton J. Nicol  
Carlton J. Nicol, City Clerk  
City of Riverside, California

Executed on July 18, 2018, at  
Riverside, California