

DOC # 2015-0010366

01/12/2015 09:18A Fee:NC

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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. 22791

D-17116

Title of Document

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

D-17116

1 RESOLUTION NO. 22791

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE,  
3 CALIFORNIA, PROVIDING FOR THE SUMMARY VACATION (CASE NO.  
4 P13-0657) OF AN APPROXIMATELY 150-FOOT LONG BY 42-FOOT WIDE  
5 PORTION OF UNUSED RIGHT-OF-WAY, LOCATED ON THE  
6 NORTHEASTERLY SIDE OF VAN BUREN BOULEVARD BETWEEN  
7 MAGNOLIA AVENUE AND MILLER STREET, KNOWN AS 9487 MAGNOLIA  
8 AVENUE IN THE CITY OF RIVERSIDE, CALIFORNIA, MAKING FINDINGS  
9 THEREIN AND REPEALING RESOLUTION NO. 22583.

7 WHEREAS, the City of Riverside proposes to vacate an approximately 150-foot long by 42-  
8 foot wide portion of unused right-of-way, located on the northeasterly side of Van Buren Boulevard  
9 between Magnolia Avenue and Miller Street, known as 9487 Magnolia Avenue in the City of  
10 Riverside, California, as described and depicted in Exhibit "A", attached hereto and incorporated by  
11 reference ("Property"); and

12 WHEREAS, the Property is excess right-of-way and is no longer required for street or  
13 highway purposes; and

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

16 WHEREAS, the Property has been closed and impassable for vehicular travel as a public  
17 road, and no funds have been expended on its maintenance for the last five years; and

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

21 WHEREAS, on November 5, 2013, the City Council declared the right-of-way as surplus  
22 property; and

23 WHEREAS, on May 6, 2014, the City Council approved a Purchase and Sale Agreement  
24 with Walgreens Company for development of a pharmacy; and

25 WHEREAS, through Walgreens' due diligence review of title documents, a minor error was  
26 discovered in the legal description; and

27 WHEREAS, City Council desires to correct the legal description; and wishes to proceed  
28 under the provisions of Section 8330, et seq. of the Street and Highways Code to summarily vacate



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1 the Property.

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

4 Section 1: The vacation of the Property is undertaken pursuant to the provisions of Chapter  
5 4 (commencing with Section 8330) of Part 3 of the Streets and Highways Code of the State of  
6 California.

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

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

10 (b) The vacation of the Property will not cut off all access of any parcel of  
11 property and will not affect any public service easement.

12 (c) The Property has been closed and impassable for vehicular travel, and no  
13 public funds have been expended on its maintenance as such for the last five years.

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

19 Section 4: The City Council hereby orders the Summary Vacation of an approximately 150-  
20 foot long by 42-foot wide portion of unused right-of-way, located on the northeasterly side of Van  
21 Buren Boulevard between Magnolia Avenue and Miller Street, known as 9487 Magnolia Avenue as  
22 particularly described and depicted in Exhibit "A", attached hereto and incorporated herein by this  
23 reference, subject to the Recommended Conditions contained in the Council Report, and further,  
24 reserving and excepting in place easements and rights-of-way, if the same exist, from the vacation  
25 herein above ordered: an easement for, and right to construct, maintain, operate, inspect, replace,  
26 remove, renew, repair and enlarge lines of pipe, conduits, cables, wires, poles, vaults, manholes,  
27 markers, equipment, fixtures and other convenient and appurtenant structures, for the distribution  
28 and/or transmission of electrical energy, water pipelines, gas lines, storm drains, sanitary sewers,

1 telephone, telegraph, cable television and other communication facilities, as may from time to time  
2 be required.

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

8 Section 6: Resolution No. 22583 is hereby repealed.

9

10 ADOPTED by the City Council and this 6th day of January, 2015.

11

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13   
WILLIAM R. BAILEY, III  
Mayor of the City of Riverside

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COLLEEN J. NICOL  
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 adopted at a meeting of the City Council on the 6th day of January, 2015, by the following vote, to wit:


Ayes: Councilmembers Gardner, Melendrez, Soubrouis, Davis, Mac Arthur, Perry,  
and Adams

Noes: None

Absent: None

Abstained: None

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this 7th day of January, 2015.

  
COLLEEN J. NICOL  
City Clerk of the City of Riverside

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**EXHIBIT "A"**

**VC-P13-0657**

**Magnolia Ave. & Van Buren Blvd.**

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

**Lot 2 in Block 12 of the Village of Arlington, as shown by map on file in Book 1, Page 62 of Maps, records of San Bernardino County, California;**

**EXCEPTING THEREFROM that portion of said Lot 2, lying southwesterly of a line that is parallel with and distant 98.00 feet northeasterly, as measured at right angles, from the centerline of Van Buren Boulevard as shown by Parcel Map filed in Book 3, Page 28 of Parcel Maps, records of Riverside County, California;**

**ALSO EXCEPTING THEREFROM that portion of said Lot 2, described as follows:**

**COMMENCING at the most southerly corner of said Lot 2;**

**THENCE North 56°21'15" East, along the southeasterly line of said Lot 2, a distance of 8.00 feet to a line that is parallel with and distant 98.00 feet northeasterly, as measured at right angles, from said centerline of Van Buren Boulevard, and being the POINT OF BEGINNING of the parcel of land being described;**

**THENCE North 56°21'15" East, continuing along said southeasterly line of Lot 2, a distance of 15.00 feet;**

**THENCE South 87°19'02" West, a distance of 17.49 feet to a point in said parallel line distant 9.00 feet northwesterly from the Point of Beginning;**

**THENCE South 33°38'48" East, along said parallel line, a distance of 9.00 feet to the POINT OF BEGINNING;**

**ALSO EXCEPTING THEREFROM that portion of said Lot 2, described as follows:**

**COMMENCING at the most westerly corner of said Lot 2;**

**THENCE North 56°21'18" East, along the northwesterly line of said Lot 2, a distance of 8.00 feet to a line that is parallel with and distant 98.00 feet northeasterly, as measured at right angles, from said centerline of Van Buren Boulevard, and being the POINT OF BEGINNING of the parcel of land being described;**

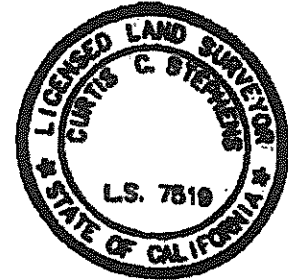
THENCE North  $56^{\circ}21'18''$  East, continuing along said northwesterly line of Lot 2, a distance of 15.00 feet;

THENCE South  $5^{\circ}28'00''$  East, a distance of 31.77 feet to a point in said parallel line distant 28.00 feet southeasterly from the Point of Beginning;

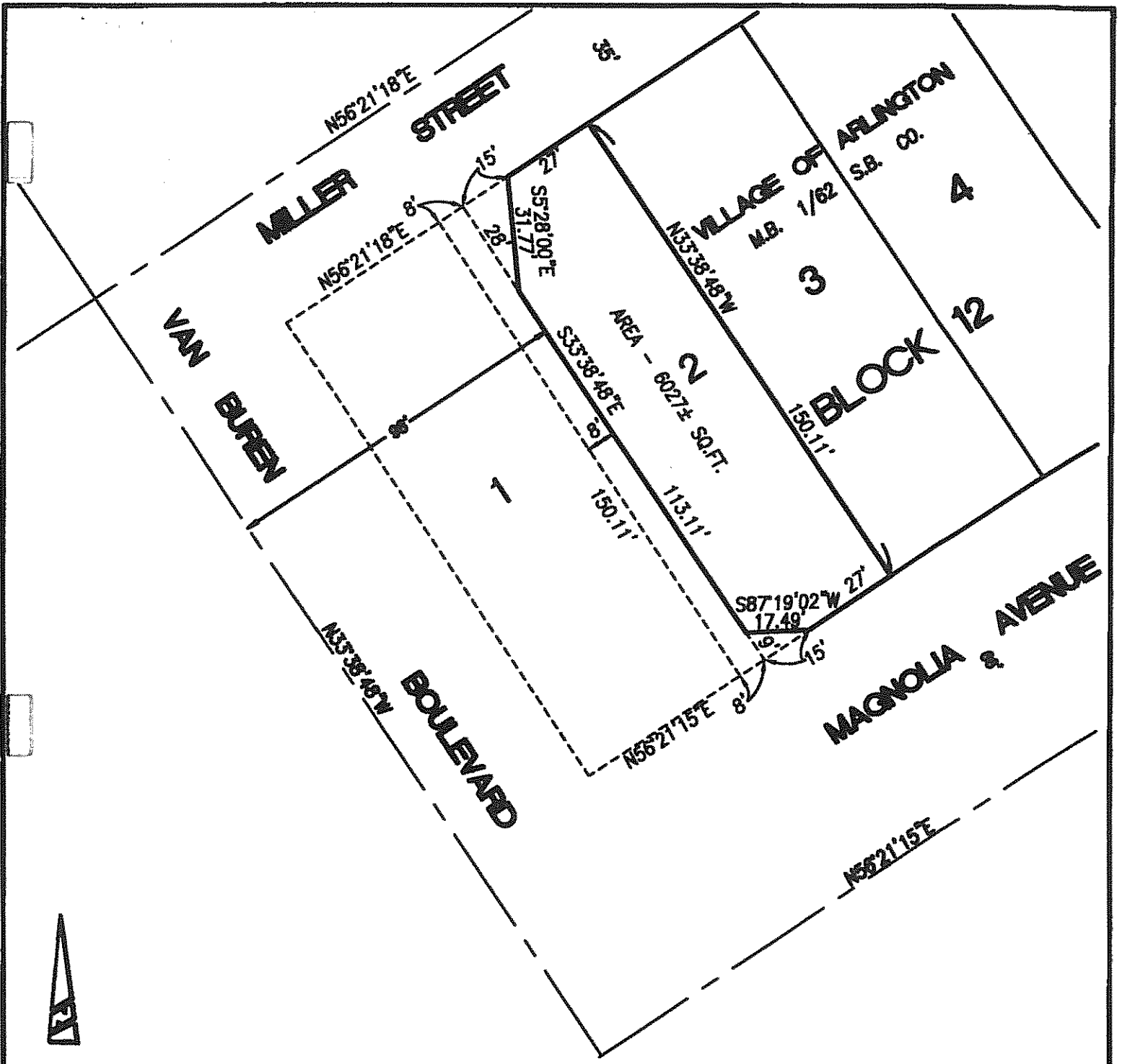
THENCE North  $33^{\circ}38'48''$  West, along said parallel line, a distance of 28.00 feet to the POINT OF BEGINNING;

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

Curtis C. Stephens RMH Prep. KA  
Curtis C. Stephens, L.S. 7819 Date



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● CITY OF RIVERSIDE, CALIFORNIA ● D-17116

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: Kgs DATE: 12/17/14 SUBJECT: VACATION OF A PORTION OF VAN BUREN BLVD. - PASED

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 Jan. 9, 2015, at  
 Riverside, California



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