

2015-0229783

06/02/2015 08:50 AM Fee: \$ 0.00

Page 1 of 7

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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Page	DA	PCOR	Misc	Long	RFD	1st Pg	Adtl Pg	Cert	CC	
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SIZE	NCOR	SMF	NCHG/T:			NCDC-CC				

Space above this line for recorder's use only

RESOLUTION NO. 22801

D-17175

Title of Document

TRA: _____

DTT: 0.00 _____

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

1 RESOLUTION NO. 22801

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE,
3 CALIFORNIA, PROVIDING FOR THE SUMMARY VACATION (CASE NO.
4 P14-0091) OF APPROXIMATELY 9,923 SQUARE FEET EXCESS RIGHT-
5 OF-WAY KNOWN AS MCMILLAN STREET SITUATED ON THE
6 NORTHEASTERLY SIDE OF LA SIERRA AVENUE BETWEEN INDIANA
7 AVENUE AND THE RAILROAD RIGHT-OF-WAY, IN THE CITY OF
8 RIVERSIDE, CALIFORNIA.

9 WHEREAS, the City of Riverside proposes to vacate approximately 9,923 square
10 feet excess right-of-way known as McMillan Street situated on the northeasterly side of
11 La Sierra Avenue between Indiana Avenue and the railroad right-of-way, in the City of
12 Riverside, California, as described and depicted in Exhibit "A", attached hereto and
13 incorporated by reference ("Property"); and

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

16 WHEREAS, the adjoining properties and public service easements will not be affected by
17 the vacation of the Property; 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, the City Council wishes to proceed under the provisions of Section 8330, et
22 seq. of the Street and Highways Code to summarily vacate the Property; and

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

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

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

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

1 highway purposes.

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

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

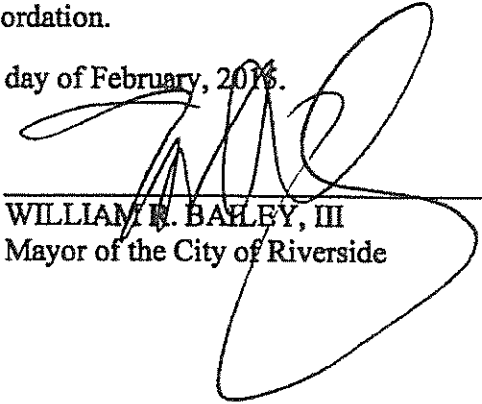
9 Section 4: The City Council hereby orders the Summary Vacation of approximately
10 9,923 square feet excess right-of-way known as McMillan Street situated on the northeasterly
11 side of La Sierra Avenue between Indiana Avenue and the railroad right-of-way , as particularly
12 described and depicted in Exhibit "A", attached hereto and incorporated herein by this reference,
13 subject to the Recommended Conditions contained in the Council Report, and further, reserving
14 and excepting in place easements and rights-of-way, if the same exist, from the vacation herein
15 above ordered: an easement for, and right to construct, maintain, operate, inspect, replace,
16 remove, renew, repair and enlarge lines of pipe, conduits, cables, wires, poles, vaults, manholes,
17 markers, equipment, fixtures and other convenient and appurtenant structures, for the distribution
18 and/or transmission of electrical energy, water pipelines, gas lines, storm drains, sanitary sewers,
19 telephone, telegraph, cable television and other communication facilities, as may from time to
20 time be required.

21 Section 5: The vacation shall occur only after the applicable conditions contained in the
22 Community Development Department's Planning Division's report to the City Council and on
23 file with the City Clerk, as approved or amended by the City Council, have been satisfied, and
24 the City Clerk is hereby directed not to record this resolution of vacation until the applicable
25 conditions have been satisfied.

26 Section 6: The City Clerk of the City of Riverside shall assign a deed number hereto and
27 cause a certified copy of this resolution to be recorded in the Office of the County Recorder of
28

1 Riverside County, California, of the public street described and depicted in Exhibit "A" shall be
2 and is hereby terminated as of the date of said recordation and shall no longer constitute a public
3 street or right-of-way from and after said date of recordation.

4 ADOPTED by the City Council and this 3rd day of February, 2015.

5
6 
7 WILLIAM E. BAILEY, III
8 Mayor of the City of Riverside

9 
10 COLLEEN J. NICOL
11 City Clerk of the City of Riverside

12 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the
13 foregoing resolution was duly and regularly adopted at a meeting of the City Council on the 3rd
14 day of February, 2015, by the following vote, to wit:

15 Ayes: Councilmembers Gardner, Melendrez, Soubirous, Davis, Mac Arthur, Perry,
16 and Adams

17 Noes: None

18 Absent: None

19 Abstained: None

20 IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of
21 the City of Riverside, California, this 4th day of February, 2015.

22
23 
24 COLLEEN J. NICOL
25 City Clerk of the City of Riverside

26 O:\Cycom\WPDocs\D006\P020\00224756.doc
27 CA: 15-0004

**EXHIBIT A
LEGAL DESCRIPTION**

McMILLAN STREET VACATION

That portion of Lot 13 in Block 39 of the Lands of the Riverside Land and Irrigating Company as shown by map on file in Book 1 of Maps, page 72 thereof, Records of San Bernardino County California, said portion also lying within that certain parcel described in deed to the State of California recorded October 15, 1958 as Instrument No. 73939, Official Records of Riverside County, California, being more particularly described as follows:

Commencing at the most Southerly corner of said Lot 13;

Thence North $55^{\circ} 58' 56''$ East along the northwesterly right-of-way of Indiana Avenue, as shown on said Map, a distance of 102.06 feet to the easterly corner of said deed;

Thence North $33^{\circ} 59' 27''$ West a distance of 10.10 feet to the beginning of a tangent curve concave to the southwest, having a radius of 530.00 feet;

Thence along said curve to the left, through a central angle of $01^{\circ} 07' 29''$, an arc length of 10.40 feet to a point in a line parallel with and distant northwesterly 20.50 feet, measured at right angles, from said northwest right-of-way line and to the POINT OF BEGINNING;

Thence South $55^{\circ} 58' 56''$ West along said parallel line a distance of 27.48 feet;

Thence North $79^{\circ} 01' 32''$ West a distance of 34.64 feet to a point in a line parallel with and distant northeasterly 90.00 feet, measured at right angles, from the centerline of La Sierra Avenue (formerly Taylor Street);

Thence North $34^{\circ} 02' 00''$ West, along said parallel line, a distance of 237.94 feet;

Thence North $29^{\circ} 51' 33''$ West a distance of 27.03 feet;

Thence North $60^{\circ} 08' 27''$ East a distance of 26.90 feet, to the most westerly corner of that certain parcel conveyed to Riverside Holdings, LLC, described in deed recorded May 27, 2014 as Document No. 2014-0191498, said corner also being in the northeasterly line of said deed to the State of California;

Thence South $29^{\circ} 51' 33''$ East along said deed to the State of California a distance of 32.90 feet to the beginning of a tangent curve concave to the northeast, having a radius of 470.00 feet;

Thence along said curve to the left, through a central angle of $17^{\circ} 29' 49''$, an arc length of 143.53 feet to a point of reverse curvature with a curve concave to the southwest, having a radius of 530.00 feet;

Thence along said curve to the right through a central angle of $12^{\circ} 14' 26''$, an arc length of 113.23 feet to the POINT OF BEGINNING, the preceding three courses being on the northeasterly line of said deed to the State of California;

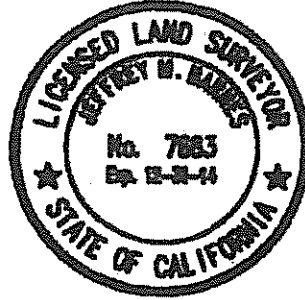
RESERVING THEREFROM permanent easements and rights-of-way for ingress and egress in favor of the City of Riverside, Riverside County Flood Control and Water Conservation District and for BNSF Railway over the real property described hereinabove;

ALSO RESERVING THEREFROM a permanent easement and right-of-way for sanitary sewer facilities and for storm drain facilities in favor of the City of Riverside within the real property described hereinabove.

Contains 0.228 acres / 9,923 square feet, more or less.

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

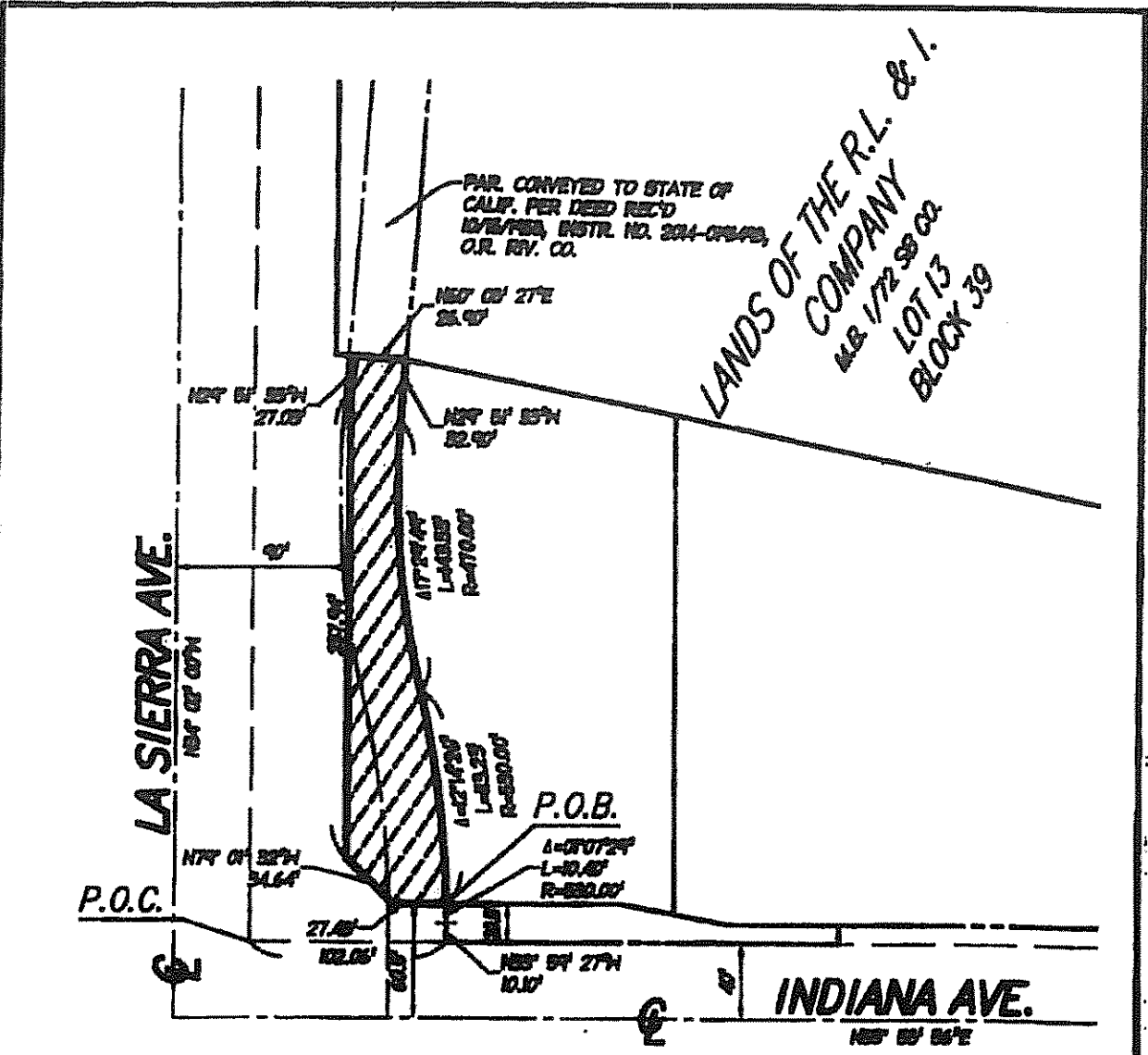
Jeffrey M. Barnes 12/16/2014
Jeffrey M. Barnes, PLS 7663, Exp. 12-31-14 Date



DESCRIPTION APPROVAL:

Curtis C. Stephens 12/17/14
CURTIS C. STEPHENS, L.S. 7819 DATE
CITY SURVEYOR

D-17173



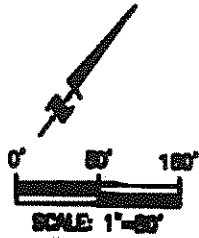
LEGEND

- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- VACATION AREA



THIS EXHIBIT WAS PREPARED UNDER MY DIRECTION:

JEFFREY M. BARBER, PLS 7883 DATE _____



VACATION
 PORTION OF LOT 13 BLOCK 39
 RIVERSIDE LAND AND IMPROVING
 COMPANY, M.B. 1/72, S.B. CO.

PSOMAS
 REAL ESTATE, INC.
 650 7th St. Riverside, CA 92501
 (951) 751-0211

SHEET 1 OF 1
DRAWN BY: JB
CHECKED BY: JB
DATE: 12/11/2014
JOB NO.: 04581

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

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

Executed on June 20, 2015
 Riverside, California

D-17175