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VAC-4-790

12-28-79
JW/h

REQUEST FOR RECORDATION

Request of City Clerk for recordation of this Instrument, and return to,
City Clerk, City Hall, 3900 Main Street ORDINANCE NO. 4757
Riverside, CA 92522

RECEIVED FOR REC'D
AT 11:00 O'CLOCK A.M.
City Clerk
Book 1980, Page 27855
FEB 11 1980
Recorded in Official Records
of Riverside County, California
D. J. [Signature]
FILE 5

2 AN ORDINANCE 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. 13822; RESERVING A PERMANENT
6 EASEMENT AND RIGHT OF WAY FOR GAS LINE FACILITIES
AND DETERMINING THAT THE PUBLIC CONVENIENCE AND
NECESSITY REQUIRE THE RESERVATION OF SUCH EASEMENT;
AND MAKING ITS ORDER VACATING PORTIONS OF FREMONT
STREET AND KINCAID AVENUE.

7 WHEREAS on November 13, 1979, the City Council of the
8 City of Riverside adopted Resolution No. 13822 declaring its
9 intention to order the vacation of portions of Fremont Street
10 and Kincaid Avenue and fixing the time and place of hearing all
11 persons interested in the proposed vacation, pursuant to the
12 provisions of the Street Vacation Act of 1941, being Section 8300
13 et seq. of Part 3, Division 9 of the Streets and Highways Code
14 of the State of California; and

15 WHEREAS said proposed vacation was submitted to and acted
16 upon by the Planning Commission of the City of Riverside and
17 notice of hearing said resolution was given as provided by said
18 Street Vacation Act of 1941; and

19 WHEREAS on the day fixed for the hearing the City Council
20 heard and considered the evidence offered by persons interested
21 and found and hereby finds from all of the evidence submitted
22 that the portion of Fremont Street and the portion of Kincaid
23 Street ordered vacated are unnecessary for present or prospective
24 public use;

25 NOW, THEREFORE, IT IS RESOLVED AND ORDERED by the City
26 Council of the City of Riverside, California, as follows:

27 Section 1: That the said portion of Fremont Street in
28 the City of Riverside, County of Riverside, State of California,
29 described as follows:

All that portion of Fremont Street (rejected)
of Riverview Addition Tract No. 5, as shown by map
on file in Book 7 of Maps, at Page 7 thereof, records
of Riverside County, California, more particularly
described as follows:

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All that portion of said Fremont Street (rejected) which lies northerly of the northerly line of that certain parcel of land described in Resolution No. 9618 of the City of Riverside, recorded February 7, 1963, as Instrument No. 13382 of Official Records of Riverside County, California, and which lies southerly of the following described line:

Commencing at the southwest corner of Lot 1 of Tract No. 3025, as shown by map on file in Book 53 of Maps, at Pages 82 and 83 thereof, Records of Riverside County, California;

Thence North 00° 01' 00" West, along the westerly line of said Tract No. 3025 and along the westerly line of Tract No. 3766, as shown by map on file in Book 60 of Maps, at Pages 53 and 54 thereof, Records of said Riverside County, a distance of 1032.99 feet to the true point of beginning;

Thence South 89° 59' 00" West, 410 feet, more or less, to a point in the westerly line of said Fremont Street of said Riverview Addition Tract No. 5, and the end of this line description.

RESERVING unto the Southern California Gas Company and the Southern Counties Gas Company of California, an easement for a natural gas pipeline and appurtenances including ingress and egress thereto, over the following described parcel;

Those portions of Lot 1, Block 34, and Fremont Avenue, as shown on map of Riverview Addition Tract No. 5, recorded in Book 7, page 7 of Maps, in the office of the Recorder of the County of Riverside, being a strip of land 16.50 feet in width, lying 8.25 feet on each side of the following described centerline:

Beginning at a point in the center line of Kincaid Avenue, as shown on said map, distant thereon South 89° 43' 45" West, 178.83 feet from the intersections of the center lines of said Kincaid Avenue and said Fremont Street;

Thence South 17° 27' 45" East, 8.64 feet;

Thence South 45° 01' 21" East, 1405.37 feet to a point in the easterly line of said Lot 1.

The rights reserved herein shall be as granted by Instrument Number 1684 recorded July 14, 1950, and Easement recorded in Book 1218 of Deeds at Page 265 thereof on November 8, 1950, Official Records of Riverside County;

be and the same is hereby vacated.

Section 2: That the said portion of Kincaid Avenue in the City of Riverside, County of Riverside, State of California, described as follows:

All that portion of Kincaid Avenue (rejected) of Riverview Addition Tract No. 5, as shown by map on file in Book 7 of Maps, at Page 7 thereof, Records of Riverside County, California, more particularly described as follows:

All that portion of said Kincaid Avenue (rejected), which lies easterly of the easterly line of Fremont Street as described in Section 2 hereinabove and which lies westerly of the east line of said Riverview Addition Tract.No. 5,

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1 be and the same is hereby vacated.

2 BE IT FURTHER ORDAINED that the City Council does hereby
3 determine that the public convenience and necessity require the
4 reservation of a permanent easement and right of way for gas line
5 facilities and reserving the right to construct, maintain,
6 operate, replace, remove, renew and enlarge lines of pipe,
7 conduit, cables, wires, poles, and other convenient structures,
8 equipment and fixtures for the operation of gas line facilities;
9 including access and the right to keep the property free from
10 inflammable materials and wood growth that would interfere
11 with the use of said permanent easement and right of way.

12 IT IS FURTHER ORDAINED that the City Clerk of said City
13 of Riverside shall cause a certified copy of this order,
14 attested by the City Clerk under the seal of said City to be
15 recorded in the office of the County Recorder of Riverside County,
16 California.

17 IT IS FURTHER ORDAINED that the City Clerk shall certify
18 to the adoption of this ordinance and cause it to be published
19 once in The Press . This ordinance shall become effective
20 on the 30th day after the date of its adoption.

21 ADOPTED by the City Council and signed by the Mayor and
22 attested by the City Clerk this 5th day of February, 1980.

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25 *Ch Brown*
26 Mayor of the City of Riverside

27 Attest:

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30 *Alicia A. Stone*
31 City Clerk of the City of Riverside

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I, Alice A. Hare, City Clerk of the City of Riverside, California, hereby certify that the foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the 11th day of December, 1979, and that thereafter the said ordinance was duly and regularly adopted at a meeting of the City Council on the 5th day of February, 1980, by the following vote, to wit:

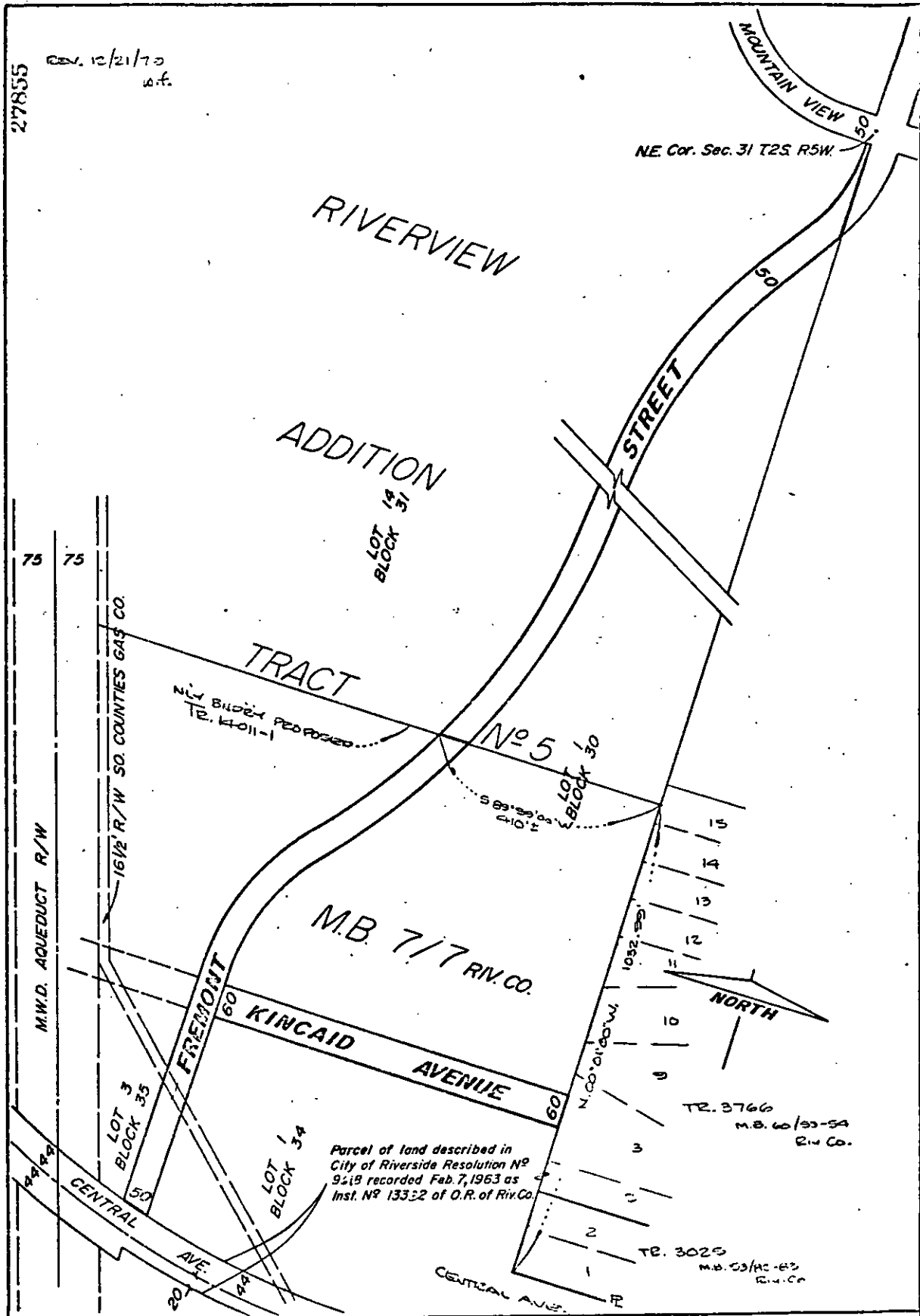
Ayes: Councilmen Loveridge, Shepard, Mansfield, Bowers, Buster, Digati and Frizzel.

Noes: None.

Absent: None.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this 5th day of February, 1980.

Alice A. Hare
City Clerk of the City of Riverside



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 Rev. 12/21/70
 w.f.

NE Cor. Sec. 31 T2S. R5W.

• 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 <u>1</u> OF <u>1</u>	79-224 591.83
SCALE: 1" = 200'	DRAWN BY <u>Byrd</u> DATE <u>09/25/79</u>	SUBJECT <u>VACATION 4 - 790</u>

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