

RESOLUTION NO.

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. 23294; AND
5 MAKING ITS ORDER VACATING APPROXIMATELY 0.46 ACRE OF
6 FAIRMOUNT BOULEVARD BETWEEN UNIVERSITY AVENUE AND
7 MISSION INN AVENUE IN RIVERSIDE, CALIFORNIA.

8 WHEREAS, on April 17, 2018, the City Council of the City of Riverside in Planning
9 Case No. P17-0667 adopted Resolution No. 23294 declaring its intention to set a public hearing
10 in the vacation of approximately 0.46 acres of Fairmount Boulevard, between University Avenue
11 and Mission Inn Avenue, within the City of Riverside, California, and fixing the time and place
12 of hearing all persons interested in the proposed vacation pursuant to the provisions of the Public
13 Streets, Highways and Service Easements Vacation Law, being Sections 8300 et seq. of Part 3,
14 Division 9 of the Streets and Highways Code of the State of California; and

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

18 WHEREAS, said proposed vacation had been previously submitted to and considered by
19 the Planning Commission of the City of Riverside at a duly noticed public hearing held on March
20 8, 2018; and

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

23 WHEREAS, the recommendations of the Planning Commission were submitted to the
24 City Council for consideration together with the testimony, whether oral or in writing, presented
25 at the public hearing before said City Council; and

26 WHEREAS, the City Council heard and found and determined from all of the evidence
27 submitted to said Council on the day fixed for the hearing, on May 22, 2018, that the
28 approximately 0.46-acre segment of Fairmount Boulevard, between University Avenue and
Mission Inn Avenue, within the City of Riverside, proposed for vacation is unnecessary for
present or prospective public use.

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

3 Section 1: That the vacation of the approximately 0.46 acre segment Fairmount
4 Boulevard, between University Avenue and Mission Inn Avenue, in Planning Case P17-0667 is
5 undertaken pursuant to the provisions of and in accordance with the procedures set forth in the
6 Public Streets, Highways, and Services Easements Vacation Law being Sections 8300 et seq. of
7 the Streets and Highway Code, and all notices required thereby have been duly given.

8 Section 2: That from all evidence submitted to the City Council at the May 22, 2018,
9 public hearing before it on Planning Case P17-0667, whether such evidence was oral or in
10 writing, together with the recommendations from the Planning Commission, that approximately
11 0.46 acre segment of Fairmount Boulevard, between University Avenue and Mission Inn
12 Avenue, within the City of Riverside, California, as hereinafter described and ordered vacated is
13 unnecessary for present or prospective public use as a public street.

14 Section 3: That the vacation of the approximately 0.46 acre segment of Fairmount
15 Boulevard, between University Avenue and Mission Inn Avenue, within the City of Riverside,
16 California, and described and depicted in attached Exhibit "A", and by this reference made a part
17 hereof, be and the same is hereby ordered vacated.

18 Section 4: That the public convenience and necessity requires the exception of the
19 following easements and rights-of-way from the vacation hereinabove ordered: an easement for
20 electrical energy, underground facilities including water pipelines, gas lines, storm drains,
21 sanitary sewers, electrical energy, telephone, telegraph and communications structures, and the
22 right to construct, place, inspect, operate, maintain, repair, replace and remove such underground
23 facilities unless said facilities are satisfactorily relocated and/or abandoned, further, that the
24 public convenience and necessity require the exception and reservation from the vacation of
25 those easements and rights-of-way in, under, across, upon, over and along that portion of the
26 public streets ordered to be vacated necessary to maintain, operate, remove or renew any in-place
27 public utility facilities that are in use and not otherwise excepted and reserved hereinabove.

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Section 5: That the vacation, termination and abandonment of the approximately 0.46 acre of Fairmount Boulevard, between University Avenue and Mission Inn Avenue, described and depicted in Exhibit “A” shall occur only after the applicable conditions contained in the Planning Department’s report to the City Council and on file with the City Clerk, as approved or amended by the City Council, have been satisfied, and the City Clerk is hereby directed not to record this resolution of vacation until the applicable conditions have been satisfied.

Section 6: That the City Clerk of the City of Riverside shall cause a certified copy of this resolution to be recorded in the Office of the County Recorder of the County of Riverside, California, upon the satisfaction of the applicable conditions, and the approximate 0.46 acre of Fairmount Boulevard, between University Avenue and Mission Inn Avenue, within the City of Riverside, California, and described and depicted in Exhibit “A” shall no longer constitute a public street from and after the date of recordation.

ADOPTED by the City Council this _____ day of _____, 2018.

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

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 of said City at its meeting held on the _____ day of _____, 2018, by the following vote, to wit:

Ayes:

Noes:

Absent:

Abstain:

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

COLLEEN J. NICOL
City Clerk of the City of Riverside

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