

FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD SUBMITTAL
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

837 B



FROM: General Manager-Chief Engineer SUBMITTAL DATE: August 19, 2003

SUBJECT: Murrieta Master Drainage Plan Line F-1
Project No. 7-0-0143
Right of Way Transfer and Agreements

RECOMMENDED MOTION:

- 1) Adopt Resolution No. F2003-50 authorizing grant of fee interest in real property;
- 2) Approve the Agreement of Purchase and Sale between the District and Big Tree Homeowners Association (Big Tree HOA);
- 3) Approve the Cooperative Agreement between the District, Keystone Murrieta 55, LLC. (Keystone) and Big Tree HOA, which sets forth the terms and conditions by which a certain road crossing is to be constructed across District's existing Murrieta MDP Line F-1 channel (Channel);
- 4) Authorize the Chairman to execute the Agreements on behalf of the District; and
- 5) Direct the Clerk to the Board to file a Notice of Determination in accordance with the California Environmental Quality Act (CEQA).

JUSTIFICATION:

Keystone is developing Tract 29923 in the city of Murrieta. In order to proceed with its development plans, a portion of District's existing Channel right of way is to be acquired in fee to provide ingress and egress to Tract 29923. Big Tree HOA will purchase the property and be responsible for future operation and maintenance of the crossing as a private street.

County Counsel has approved the Resolution and Agreement documents as to legal form. The Developer has executed the agreement documents.

FINANCIAL:

Big Tree HOA is purchasing a single parcel in fee from District at a fair market value of \$18,000.00. Keystone is funding all construction costs and is reimbursing District for its plan check and inspection costs.

WARREN D. WILLIAMS
General Manager-Chief Engineer

C.E.O. RECOMMENDATION

APPROVE

County Executive Officer Signature

SEM
MHW:mcv
PC\83611

Prev. Agn. Ref.

**ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD**

Depts. Comments

3rd Dist.

AGENDA NO. **11** . **8**