

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

303 B



FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
June 20, 2006

SUBJECT: Arizona Channel, Line C – Parcel 1170-502, APN 136-030-010
Authorization to Relinquish Real Property From Riverside County Flood Control and Water Conservation District to KB Home Coastal, Inc. Owned Real Property

RECOMMENDED MOTION:

1. Approve Resolution No. F2006-23 Authorization to Relinquish an Interest in Real Property – Arizona Channel, Line C, property consisting of a Parcel 1170-502, Assessor's Parcel No. 136-030-010, by Quitclaim Deed to the KB Home Coastal Inc.
2. Authorize the Chairman of the Board of Riverside County Flood Control and Water Conservation District to execute the necessary Quitclaim Deed to complete the sale.
3. Authorize the General Manager-Chief Engineer or his designee to execute any other documents and administer all actions necessary to complete the transaction.

BACKGROUND:

See Page 2

AU:rlp:bjp

WARREN D. WILLIAMS
General Manager-Chief Engineer

FINANCIAL DATA	Current F.Y. District Cost:	N/A	In Current Year Budget:	N/A
	Current F.Y. County Cost:	N/A	Budget Adjustment:	N/A
	Annual Net District Cost:	N/A	For Fiscal Year:	N/A

SOURCE OF FUNDS: N/A	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input checked="" type="checkbox"/>

C.E.O. RECOMMENDATION: **APPROVE**

County Executive Office Signature

- Dep't Recomm.: Consent Policy
- Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.:

District: 1st

Agenda Number:

11.3

COUNTY COUNSEL

JUN 12 2006

Warren Williams

Departmental Concurrence

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

SUBJECT: Arizona Channel, Line C – Parcel 1170-502, APN 136-030-010
Authorization to Relinquish District Owned Real Property

SUBMITTAL DATE: June 20, 2006

Page 2

BACKGROUND:

Parcel 1170-502 was given to the District by the Gage Canal Company for the operation and maintenance of Arizona Channel, Line C Storm Drain. The original right of way was granted to the District by Instrument No. 265917 on July 19, 1990. It was the intent of the Gage Canal Company to have the title of this property revert to the adjacent property owner upon the development of the surrounding area and the surface rights no longer being required by the District.

KB Home Coastal, Inc., is developing the real property adjacent to the District's Parcel 1170-502. As a requirement for the conditions of development for Tract No. 32128, a 40-foot road dedication is required for Lyon Avenue, wherein 20 feet will be granted by Tract No. 32128 and the remaining 20 feet shall come from the District's Parcel 1170-502. As the District will no longer require surface rights as a result of the street improvements to Lyon Avenue, the public road will provide adequate access to the District's facility. This property contains approximately 8,373 square feet of land. It is located north of Victoria Avenue in the unincorporated area of Riverside County.

It has now been determined that the fee simple title, as shown on Exhibit "B", attached hereto and made a part hereof, would no longer be required by the District, but an easement will be reserved for operations and maintenance of this storm drain facility.

All costs including escrow and/or title insurance shall be borne by the purchaser.

1 BOARD OF SUPERVISORS

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

2 RESOLUTION NO. F2006-23

3 AUTHORIZATION TO RELINQUISH REAL PROPERTY FROM
4 RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
5 TO KB HOME COASTAL, INC.

6 WHEREAS, the Riverside County Flood Control and Water Conservation District (the
7 "District") is the fee simple owner of certain real property (with a size of approximately 8,373 square
8 feet) that is located in Riverside County, California, that is known to the District as its Parcel 1170-
9 502, that is presently designated as Riverside County Assessor's Parcel No. 136-030-010, and that is
10 further described on the document attached hereto as Exhibit "A" and made a part hereof (hereinafter
11 referred to as the "Subject Property"); and

12 WHEREAS, the Subject Property was deeded to the District by the Gage Canal Company
13 by deed recorded on July 19, 1990 as Instrument No. 265917 in the official records of Riverside
14 County, California; and

15 WHEREAS, said deed provides that the District shall convey the Subject Property to the
16 owner of record of the immediately adjacent real property if the District determines that the Subject
17 Property is no longer required by the District; and

18 WHEREAS, the owner of record of the real property that is immediately adjacent to the
19 Subject Property is KB Home Coastal, Inc.

20 NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED as
21 follows by the Riverside County Flood Control and Water Conservation District Board, in regular
22 session assembled on June 20, 2006:

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24
25 1. This Board finds and determines that it is no longer necessary for the District to retain
26 fee simple title to the Subject Property for the uses and purposes of the District.
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2. This Board finds and determines that the estimated value of the Subject Property does not exceed \$25,000 and, in fact, is nominal in amount.

3. Pursuant to Section 48-13 of Chapter 48 of the Water Code Appendix, the District is hereby given authority to convey the Subject Property to KB Home Coastal, Inc., upon the following terms and conditions:

(a) The District shall reserve an easement in the Subject Property for the operation and maintenance of storm drain facilities.

(b) KB Home Coastal, Inc., shall pay for any and all costs of sale.

(c) The conveyance of the Subject Property shall be by quitclaim deed, and shall be subject to all liens, encumbrances, easements, covenants, conditions, restrictions, rights and other exceptions of record.

4. The Chairman of the Riverside County Flood Control and Water Conservation District Board is hereby given authority to execute the quitclaim deed regarding the sale of the Subject Property. The General Manager-Chief Engineer (or his designee) is hereby given authority to execute any other documents and to administer any other actions necessary to complete the transaction.

AU:rlp:bjp

FORM APPROVED
COUNTY COUNSEL

JUN 12 2006

BY Steve Bolger

ARIZONA CHANNEL LINE C
PARCEL 1170-502

All of that portion of that certain strip of land as conveyed in Instrument No. 265917 dated July 19, 1990, Official Records of Riverside County, California.

Reserving therefrom an easement over and in said conveyed strip.



A handwritten signature in black ink, appearing to read "David L. Stone", written over a horizontal line.

DAVID L. STONE

Land Surveyor No. 4758

Signed For: Riverside County Flood Control
and Water Conservation District

Date: 6/14/06

EXHIBIT "A"

EXHIBIT "B"

NORTHEASTERLY PROLONGATION
OF THE NORTHWESTERLY LINE
OF LOT 7

PARCEL
1170-502

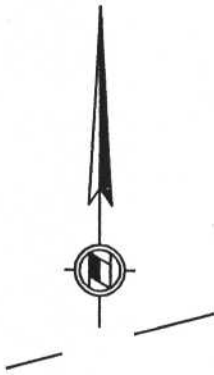
LOT 5

BLOCK 16

INST.*265917 DATED 7/19/1990
OFFICIAL RECORD OF RIV.CO.

M. B. 3 / 5 - 6

LOT 7



VICTORIA

MB 3/5-6
BLOCK 14
LOT 29

AVENUE

LYON
AVENUE

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

1995 MARKET ST. RIVERSIDE, CA. 92501

PROJECT: ARIZONA CHANNEL LINE C

PARCEL: 1170-502

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.

PREPARED BY: PO

SCALE: NO SCALE

APPROVED BY: *David L. Stone*

DATE: JUNE 13, 2006

DATE: 6/14/06

SHEET 1 OF 1

