

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

629B



FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
September 30, 2008

SUBJECT: Palm Canyon Wash Levee, Stage 4, Portion of Parcel 6040-13
Project No. 6-0-00040
Authorization to Convey an Easement to Relocate an Existing Easement
in District Owned Real Property

RECOMMENDED MOTION:

1. Approve Resolution No. F2008-29, Authorization to Convey an Easement to Relocate an Existing Easement in District Owned Real Property, Portion of Parcel 6040-13.
2. Authorize the Chairman of the Board of Supervisors to execute the necessary documents to complete the conveyance.
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:rp

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

BY: Alex Gann
Alex Gann

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL
BY: Synthia M. Gunzel 9-18-08
DATE
SYNTHIA M. GUNZEL

Departmental Concurrence

Dept Recomm.: Consent Policy

Per Exec. Ofc.: Consent Policy

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

SUBJECT: Palm Canyon Wash Levee, Stage 4, Portion of Parcel 6040-13
Project No. 6-0-00040
Authorization to Convey an Easement to Relocate an Existing Easement
in District Owned Real Property

SUBMITTAL DATE: September 30, 2008

Page 2

BACKGROUND:

A 60 foot road and water pipeline easement was reserved to Lawrence Crossley and Martha Crossley upon their dedication of the fee title to Coachella Valley Water District, the real property referred to as APN 681-270-020, to provide legal access to APN 681-270-003. The District was conveyed the property in order to maintain the flood control facilities and received the property with the existing encumbrances, per Grant Deed recorded on December 10, 1990 as Instrument Number 457948.

The road was never constructed or utilized within the dedicated area. Over time, a road and water pipeline were built in another location and the road is currently being used for access to this site. The property owners are now requesting that the easement be relocated to where the actual street improvements are currently located. Therefore, the Palms Springs Investment Company, L.P, the current property owner, has relinquished their existing rights and the District will grant an easement, 60 feet in width, for road and water pipeline purposes, over the improved road location. The easement consists of approximately 32,654 square feet of land. There are no costs to the Flood Control District associated with this conveyance.

BOARD OF SUPERVISORS

**RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT**

RESOLUTION NO. F2008-29

PALM CANYON WASH LEVEE, STAGE 4, PORTION OF PARCEL 6040-13
AUTHORIZATION TO CONVEY AN EASEMENT TO RELOCATE
AN EXISTING EASEMENT IN DISTRICT OWNED REAL PROPERTY

WHEREAS, by the Board of Supervisors of the RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT in regular session assembled on September 30, 2008, at least four-fifths of all members concurring, that an easement 60 feet wide, for road and utility purposes, will be granted by the District to Palm Springs Investment Company, L.P., in certain real property in the city of Palm Springs, County of Riverside, State of California, a portion of Assessor's Parcel Number 681-270-020, being approximately 32,654 square feet, as described in Exhibit "A" and shown on Exhibit "B", attached hereto and made a part hereof, to relocate an easement interest reserved for legal access and pipelines by the preceding property owner; and

WHEREAS, the interest to be granted will not interfere with the District's use and is required for legal access by the adjacent property owner, Palm Springs Investment Company, L.P.; and

THEREFORE, BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED, the Chairman of the Board of Supervisors is authorized to execute the necessary documents to complete the conveyance.

BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the General Manager-Chief Engineer or his designee is authorized to execute any other documents and administer all actions necessary to complete the transaction.

AU:rlp

FORM APPROVED COUNTY COUNSEL
BY: *Synthia M. Gunzel* 9-18-08
DATE
SYNTHIA M. GUNZEL

EXHIBIT A

BEING A 60.00 FEET WIDE EASEMENT FOR ROAD AND WATER PIPELINE PURPOSES, IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, OVER, ACROSS AND UNDER A PORTION OF LOT 16 OF SECTION 29, TOWNSHIP 4 SOUTH RANGE 5 EAST, SAN BERNARDINO BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 16, THENCE SOUTH 00°01'30" EAST 506.12 FEET ALONG THE EASTERLY LINE OF SAID LOT 16 TO THE NORTHEAST CORNER OF THE LAND DESCRIBED IN A GRANT DEED RECORDED IN BOOK 2343, PAGE 223 OF OFFICIAL RECORDS;

THENCE ALONG THE NORTHERLY LINE OF SAID GRANT DEED NORTH 68°23'50" WEST 61.72 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID NORTHERLY LINE NORTH 68°23'50" WEST 62.60 FEET;

THENCE LEAVING SAID NORTHERLY LINE SOUTH 05°02'29" WEST 521.63 FEET TO THE SOUTHERLY LINE OF SAID GRANT DEED;

THENCE SOUTH 68°23'50" EAST 62.60 FEET ALONG SAID SOUTHERLY LINE TO POINT THAT IS 111.18 FEET FROM THE SOUTHEASTERLY CORNER OF SAID GRANT DEED;

THENCE NORTH 05°02'29" EAST 521.63 FEET TO THE NORTHERLY LINE OF SAID GRANT DEED AND THE TRUE POINT OF BEGINNING.




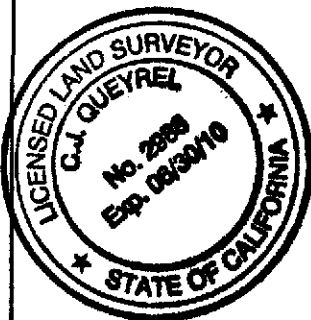
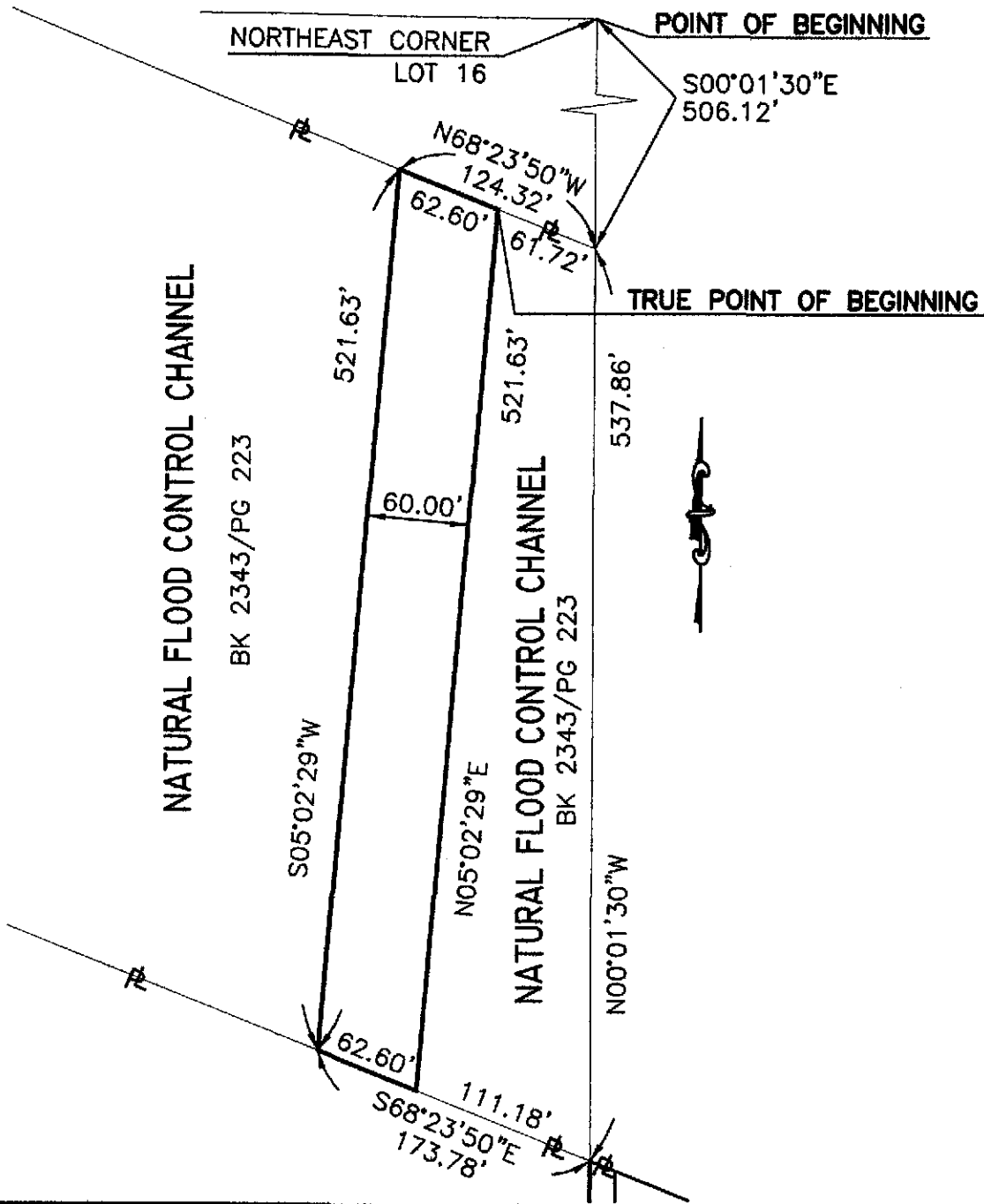
 7-21-08
C.J. QUEYREL LS 2988 DATE

EXHIBIT B



RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
1995 MARKET ST., RIVERSIDE, CA. 92501

PROJECT: CALLE ARRIBA ST. REALIGNMENT

PARCEL: 6040-13A

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN.

PREPARED BY: R.W.J.

SCALE: 1"=100'

APPROVED BY: *[Signature]*

DATE: 7/18/08

DATE: *7-21-08*

SHEET 1 OF 1