

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

620B



FROM: TLMA - Transportation Department

SUBMITTAL DATE:
March 4, 2010

SUBJECT: Summarily vacating various public road easements, in the Temecula area, Third Supervisorial District.

RECOMMENDED MOTION: Adopt Resolution No. 2010-008, summarily vacating various public road easements.

BACKGROUND: The applicant, K. Hovnanian Homes of the Four Seasons Development is conveying the Tocalota Channel portion of their development to The Riverside Land Conservancy. As a requirement of the conveyance the Army Corps of Engineers is requiring the applicant to vacate road easements within the property being transferred to the Riverside Land Conservancy. The primary purpose for these easements is for drainage which will be retained / reserved. The Transportation Department finds that the use of these easements for road purposes is no longer needed and is excess right of way. The Riverside County Flood Department has reviewed this project and has no objections.

REVIEWED BY EXECUTIVE OFFICE

DATE 4/22/10
Tina Grande
Departmental Concurrence

FORM APPROVED COUNTY COUNSEL
BY: Synthia M. Gunzel 4-19-10
DATE
SYNTHIA M. GUNZEL

Juan C. Perez
Director of Transportation

WJH
Attachments: Resolution No. 2010-008
Exhibits "A", "B" and "C"

Policy

Consent

Dept's Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.

District: 3

Agenda Number:

2.21

2
3 **RESOLUTION NO. 2010-008**

4
5 **SUMMARILY VACATING VARIOUS ROAD EASEMENTS**
6 **IN THE TEMECULA AREA**

7
8 (AB 09007)

9
10 (THIRD Supervisorial District)

11
12 **WHEREAS**, the hereinafter-described road easements, described in Instrument
13 No. 43148, recorded December 13, 1991, Instrument No. 181179, recorded May 19,
14 1992, Instrument No.333255, recorded August 25, 1993, Instrument No. 346668,
15 recorded September 7, 1994, California, and in, Instrument No. 171574, recorded May
16 9, 1990, all Official Records of the Recorder, Riverside County, California;

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18 **WHEREAS**, the hereinafter described easements, are not necessary for road
19 purposes and are excess Right of Way, and not required for public street or highway
20 purposes, now, therefore;

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FORM APPROVED COUNTY COUNSEL
BY: Synthia M. Gunzel 4-19-10
SYNTHIA M. GUNZEL DATE

1 **RESOLUTION NO. 2010-008**

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3 **BE IT RESOLVED, DETERMINED AND ORDERED** by the Board of
4 Supervisors of the County of Riverside, State of California, in regular session
5 assembled on _____, 2010, as follows;

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7 1. Pursuant to Section 8334(a) of the Streets and Highways Code, that the
8 hereinafter said easements are excess Right-of-Way, and are no longer required for
9 public street and highway purposes and are hereby summarily vacated.

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11 **A portion of the following Instrument (See Exhibit's "A" and "B")**

12 A portion of Parcel "B" of Instrument No. 431418, Recorded December 13,
13 1991, Official Records of the Recorder, Riverside County, California, see Legal
14 Description and Plat attached hereto as Exhibits "A" and "B" and made a part hereof,

15

16 **All of the following Instruments (See Exhibit "C")**

17 Instrument No. 181179, recorded May 19, 1992, and in, Instrument
18 No.333255, recorded August 25, 1993, and in, Instrument No. 346668, recorded
19 September 7, 1994, California, and in, Instrument No. 171574, recorded May 9, 1990,
20 all Official Records of the Recorder, Riverside County, California, and Parcel "A" of
21 Instrument No. 431418, Recorded December 13, 1991, Official Records of the
22 Recorder, Riverside County, California, See Exhibit "C" attached hereto and made a
23 part hereof;

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25

1 **RESOLUTION NO. 2010-008**

2

3 **EXCEPTING AND RESERVING** from the vacation, an easement for any
4 existing public utilities, public service facilities and easements for drainage purposes,
5 together with the right to maintain, operate, replace, remove, or renew such facilities,
6 over, upon, across, and within the real property described, pursuant to Section 8340 of
7 the Streets and Highways Code.

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9 **BE IT FURTHER RESOLVED, DETERMINED AND ORDERED** that the Clerk
10 of the Board is directed to cause a certified copy of this resolution to be recorded in
11 the office of the Recorder of the County of Riverside, California.

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24 WJH

25 W.O. # AB 09007

EXHIBIT "A"
VACATION OF VARIOUS PUBLIC ROAD EASEMENTS
LEGAL DESCRIPTION

PARCEL B

THAT PORTION OF LOT 185 LOCATED IN SECTION 24, TOWNSHIP 7 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, MURRIETA PORTION OF THE TEMECULA RANCHO, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA AS SHOWN BY MAP OF THE TEMECULA LAND AND WATER COMPANY FILED IN BOOK 8 PAGE 359 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, STATE OF CALIFORNIA, AND AS DESCRIBED IN THE DOCUMENT RECORDED DECEMBER 13, 1991 AS INSTRUMENT NO. 431418 IN THE COUNTY OF RIVERSIDE. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF THE WINCHESTER ROAD WITH THE NORTHERLY BOUNDARY OF TEMECULA RANCHO, AS SHOWN ON RECORD OF SURVEY AS FILED IN BOOK 58 PAGES 75 THROUGH 83 RECORD OF SURVEYS IN THE OFFICE OF THE COUNTY RECORDER OF SAID RIVERSIDE COUNTY;

THENCE ALONG THE CENTERLINE OF SAID TEMECULA ROAD SOUTH $11^{\circ}10'15''$ WEST, 627.13 FEET;

THENCE CONTINUING, SOUTH $12^{\circ}58'31''$ WEST, 88.08 FEET TO THE BEGINNING OF A 2000.00 FOOT RADIUS CURVE, CONCAVE WESTERLY;

THENCE SOUTHERLY ALONG SAID CENTERLINE AND SAID CURVE THROUGH A CENTRAL ANGLE OF $09^{\circ}38'31''$ AN ARC DISTANCE OF 336.58 FEET;

THENCE ALONG SAID CENTERLINE SOUTH $22^{\circ}37'01''$ WEST, 1190.97 FEET;

THENCE LEAVING SAID CENTERLINE, SOUTH $67^{\circ}22'59''$ EAST 67.00 TO A POINT ON A LINE PARALLEL, WITH AND 67.00 FEET SOUTHEASTERLY OF SAID CENTERLINE, THENCE CONTINUING SOUTH $67^{\circ}22'59''$ EAST, 55.52 FEET TO THE NORTHERLY LINE OF SAID LOT 185 AS SHOWN ON SAID RECORD OF SURVEY AND BEING KNOWN AS **THE TRUE POINT OF BEGINNING**;

THENCE SOUTH $67^{\circ}22'59''$ EAST 73.48 FEET TO A POINT ON A LINE PARALLEL WITH AND 196.00 FEET SOUTHEASTERLY OF SAID CENTERLINE OF WINCHESTER ROAD HEREIN;

THENCE ALONG SAID PARALLEL LINE NORTH $22^{\circ}37'01''$ EAST, 105.44 FEET;

THENCE ALONG A LINE PARALLEL WITH AND 44 FEET SOUTH OF WILLOWS AVENUE NORTH $67^{\circ}22'59''$ WEST 106.00 FEET;

EXHIBIT "A"
VACATION OF VARIOUS PUBLIC ROAD EASEMENTS
LEGAL DESCRIPTION

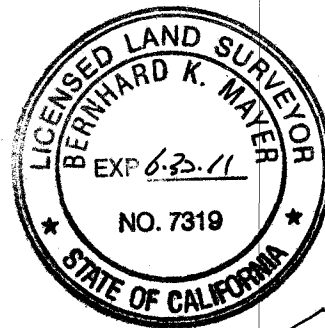
THENCE SOUTH 67°37'01" WEST, 32.53 FEET TO A POINT ON A LINE PARALLEL WITH AND 67.00 FEET SOUTHEASTERLY OF SAID WINCHESTER ROAD;

THENCE ALONG THE AFOREMENTIONED PARALLEL LINE SOUTH 22°37'01" WEST 55.67 FEET TO THE NORTHERLY LINE OF SAID LOT 185 HEREIN;

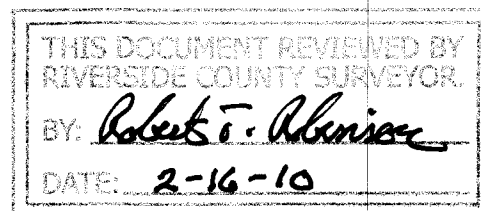
THENCE ALONG SAID NORTHERLY LINE SOUTH 41°38'28" EAST 61.63' TO THE POINT OF BEGINNING.

CONTAINING 0.29 ACRES, 12,594 SQ. FT. MORE OR LESS

SEE EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.



B. Mayer

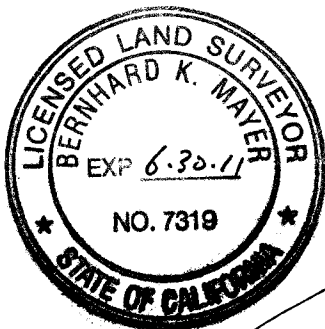




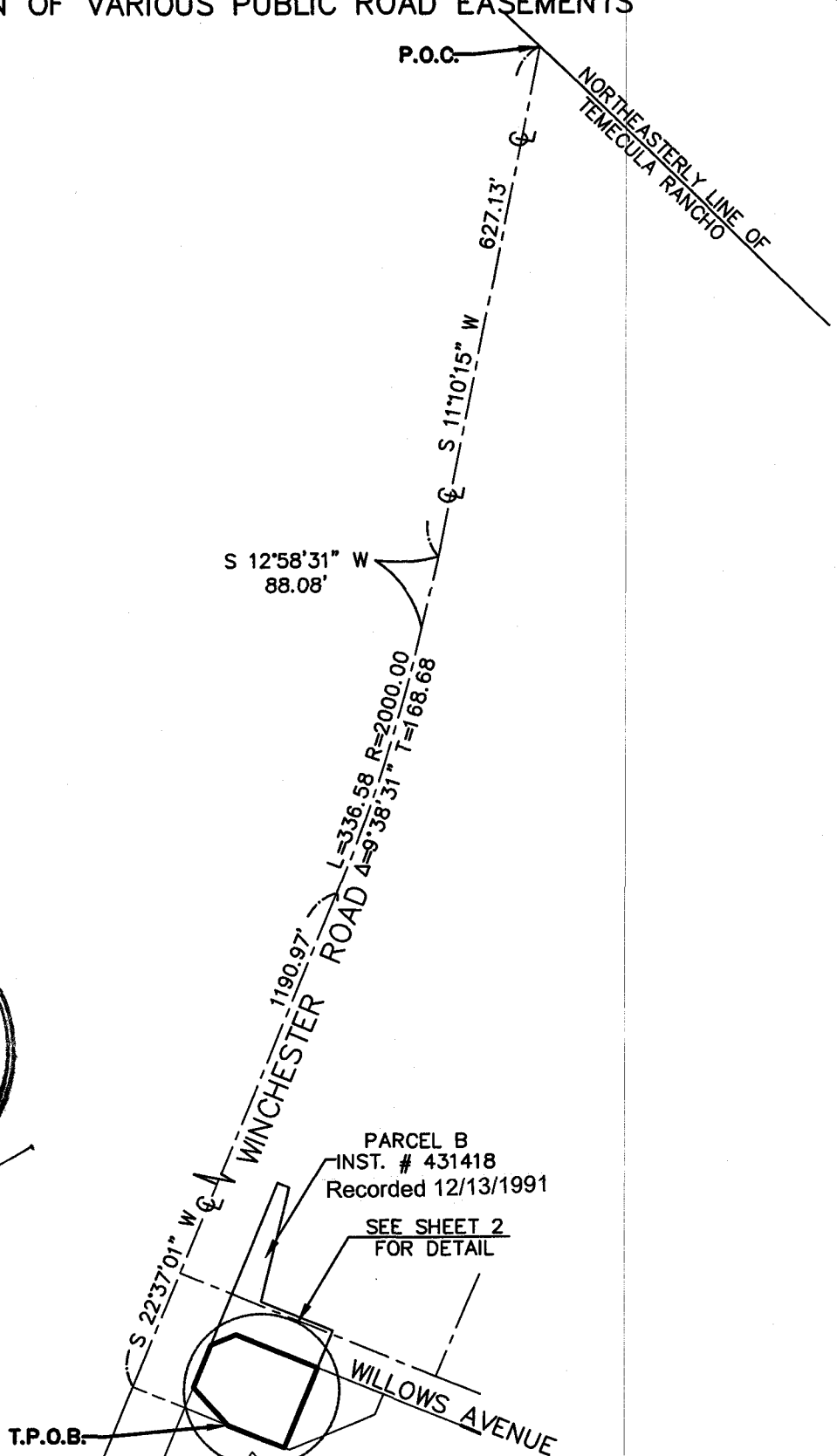
SCALE: 1"=200'

EXHIBIT "B"

VACATION OF VARIOUS PUBLIC ROAD EASEMENTS



B.K. Mayer



SECTION 24, TOWNSHIP 7 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, MURRIETA PORTION OF THE TEMECULA RANCHO,

EXHIBIT "B"

VACATION OF VARIOUS PUBLIC ROAD EASEMENTS



SCALE: 1"=40'

SEE SHEET 1

THIS DOCUMENT REVIEWED BY
 RIVERSIDE COUNTY SURVEYOR.
 BY: *Robert S. Klemmer*
 DATE: 2-16-10

WINCHESTER ROAD

WILLOWS AVENUE

R/W PER
PARCEL MAP 26913
P.M.B. 187/2126

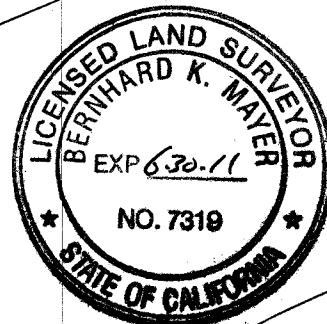
PARCEL B
INST. # 431418 O.R.
Recorded 12/13/1991

PARCEL A
INST. # 431418 O.R.
Recorded 12/13/1991

INST. # 333255 O.R.
RECORDED AUGUST 25, 1993

TRUE POINT
OF BEGINNING

LOT 184
M.B. 8/359 S.D.C.O.
TEMECULA LAND AND
WATER CO.



SECTION 24, TOWNSHIP 7 SOUTH, RANGE 3
WEST, SAN BERNARDINO BASE AND MERIDIAN,
MURRIETA PORTION OF THE TEMECULA RANCHO,

B.S.

EXHIBIT "C"

Vacation of various Public Road Easements in the Temecula area



N.T.S.
T. 7S, R. 3W
SECTION 24
SBM

