

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

105B



SUBMITTAL DATE:  
June 2, 2010

FROM: TLMA - Transportation Department

SUBJECT: Summarily vacating a portion of Benton Road and Execution of a Quitclaim Deed  
in the Temecula area, Third Supervisorial District.

RECOMMENDED MOTION: Adopt Resolution No. 2010-146, summarily vacating a portion of  
Benton Road and execute the quitclaim deed and forward to the Riverside County Recorder's  
Office for recording.

BACKGROUND: The property owners and applicants of Parcel Map No. 30474 have  
requested the vacation and quitclaim of a portion of Benton Road. This portion of Benton Road  
will be included within the boundary of Parcel Map No. 30474 per the approved tentative map.  
This portion Benton Road is now excess right of way due to re-alignment of the road. The  
County previously vacated a portion of this segment of Benton Road by Resolution 92-015, but  
due to an oversight, neglected to include the all references pertaining to the right of way. The  
adjacent property owners have been notified and the County has not received any objections.

REVIEWED BY EXECUTIVE OFFICE

DATE 6/2/10  
Tina Grandé  
Departmental Concurrence

FORM APPROVED COUNTY COUNSEL  
BY: Synthia M. Gunzel 6-2-10  
DATE  
SYNTHIA M. GUNZEL

Juan C. Perez  
Director of Transportation

AM  
Attachments: Resolution No. 2010-146  
Exhibits "A" & "B"

Policy  
 Policy

Consent  
 Consent

Dep't Recomm.:  
Per Exec. Ofc.:

Prev. Agn. Ref.

District: 3

Agenda Number:

2.16

2  
3 **RESOLUTION NO. 2010-146**

4 **SUMMARILY VACATING A PORTION BENTON ROAD AND EXECUTION OF**  
5 **QUITCLAIM DEED IN THE FRENCH VALLEY AREA**

6 (AB 04024)

7 (Third Supervisorial District)

8  
9 **WHEREAS**, the hereinafter-described portion of Benton Road was granted to  
10 the County by deed recorded on November 13, 1929, in Book 722 Page 449 of deeds,  
11 official records of the Recorder of Riverside County, California;

12  
13 **WHEREAS**, the hereinafter-described portion Benton Road has been  
14 superseded by relocation, and no longer required for public street or highway  
15 purposes, now, therefore;

16  
17 **BE IT RESOLVED, DETERMINED AND ORDERED** by the Board of  
18 Supervisors of the County of Riverside, State of California, in regular session  
19 assembled on \_\_\_\_\_, 2010, as follows:

- 20  
21 1. Pursuant to Section 8334(a) of the Streets and Highways Code that  
22 the hereinafter-described portion of Benton Road is excess Right of Way and is  
23 no longer required for public street and highway purposes and is hereby  
24 summarily vacated.

FORM APPROVED COUNTY COUNSEL  
BY: *Synthia M. Gunzel* 6-3-10  
SYNTHIA M. GUNZEL DATE

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**RESOLUTION NO. 2010-146**

**SEE LEGAL DESCRIPTION AND PLAT ATTACHED HERETO  
AS EXHIBIT "A" AND "B" AND MADE A PART HEREOF**

**EXCEPTING AND RESERVING** from the vacation an easement for any existing public utilities and public service facilities, together with the right to maintain, operate, replace, remove, or renew such facilities, pursuant to section 8340 of the Streets and Highways Code.

**BE IT FURTHER RESOLVED, DETERMINED AND ORDERED** that the Chairman of the Board is authorized the execute Quitclaim Deed and that the Clerk of the Board is directed to cause a certified copy of this resolution and quitclaim deed to be recorded in the office of the Recorder of the County of Riverside, California,

AM  
W.O. # AB 04024

**EXHIBIT "A"**  
LEGAL DESCRIPTION  
RIGHT-OF-WAY VACATION

THAT PORTION OF BENTON ROAD GRANTED TO THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, BY DOCUMENT RECORDED NOVEMBER 13, 1929 IN BOOK 722, PAGE 449 OF DEEDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, LYING IN THE EAST ONE-HALF OF SECTION 6, TOWNSHIP 7 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE CENTERLINE INTERSECTION OF BENTON ROAD, 55.00 FOOT HALF WIDTH AND WINCHESTER ROAD (HIGHWAY 79), 67.00 FOOT HALF WIDTH, AS SHOWN ON PARCEL MAP 23199, RECORDED IN BOOK 170, PAGES 73 THROUGH 76, INCLUSIVE OF PARCEL MAPS, RECORDS OF SAID COUNTY;

THENCE NORTH 89°54'40" EAST, ALONG SAID CENTERLINE OF BENTON ROAD, A DISTANCE OF 84.38 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID WINCHESTER ROAD AND THE **TRUE POINT OF BEGINNING**, SAID POINT BEING A POINT IN A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 3433.00 FEET, A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARS SOUTH 52°18'46" EAST;

THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°51'51", AN ARC DISTANCE OF 51.78 FEET TO A POINT IN THE NORTHERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN SAID BOOK 722, PAGE 449 OF DEEDS;

THENCE SOUTH 89°54'20" EAST, ALONG SAID NORTHERLY LINE, A DISTANCE OF 742.49 FEET TO A POINT IN THAT CERTAIN COURSE DESCRIBED AS "SOUTH 23°57'08" EAST 30.97 FEET" IN PARCEL 1 OF RESOLUTION NO. 92-015 OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, RECORDED SEPTEMBER 3, 1992 AS INSTRUMENT NO. 92-332830 OF OFFICIAL RECORDS, RECORDS OF SAID COUNTY;

THENCE SOUTH 23°57'08" EAST, ALONG SAID DESCRIBED COURSE, A DISTANCE OF 11.50 FEET TO THE SOUTHEASTERLY TERMINUS OF SAID DESCRIBED COURSE, LAST SAID POINT ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 589.00 FEET, A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARS SOUTH 69°36'20" EAST;

THENCE SOUTHWESTERLY ALONG THE EASTERLY LINE OF SAID PARCEL 1 OF INSTRUMENT NO. 92-332830 AND SAID CURVE THROUGH A CENTRAL ANGLE OF 05°47'13", AN ARC DISTANCE OF 59.49 FEET TO A POINT IN THE SOUTHERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN SAID BOOK 722, PAGE 449 OF DEEDS;

THENCE SOUTH 89°49'20" WEST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 431.29 FEET TO A POINT IN THE SOUTHERLY LINE OF SAID PARCEL 1 OF INSTRUMENT NO. 92-332830, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 100.00 FEET, A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARS NORTH 35°21'30" EAST;

THENCE NORTHWESTERLY ALONG SAID SOUTHERLY LINE OF PARCEL 1 OF INSTRUMENT NO. 92-332830 AND SAID CURVE THROUGH A CENTRAL ANGLE OF 08°49'52", AN ARC DISTANCE OF 15.41 FEET;

THENCE NORTH 45°48'38" WEST, ALONG SAID SOUTHERLY LINE OF PARCEL 1 OF INSTRUMENT NO. 92-332830, A DISTANCE OF 41.26 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 88.00 FEET;

THENCE ALONG SAID SOUTHERLY LINE OF PARCEL 1 OF INSTRUMENT NO. 92-332830, NORTHWESTERLY, WESTERLY AND SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 109°58'02", AN ARC DISTANCE OF 168.90 FEET;


THENCE SOUTH 24°13'26" WEST, ALONG SAID SOUTHERLY LINE OF PARCEL 1 OF INSTRUMENT NO. 92-332830, A DISTANCE OF 13.38 FEET TO A POINT ON SAID SOUTHERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN BOOK 722, PAGE 449 OF DEEDS;

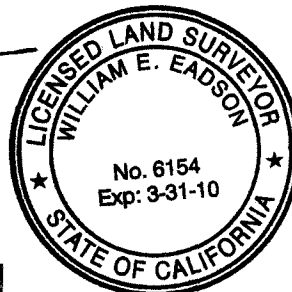
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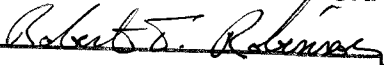
THENCE NORTHEASTERLY ALONG SAID CURVE AND SAID SOUTHEASTERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 00°37'53", A DISTANCE OF 37.84 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINING AN AREA OF 1.03 ACRES, MORE OR LESS.

ALL AS SHOWN ON EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

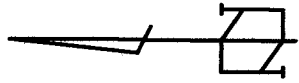
  
WILLIAM E. EADSON, L.S. 6154



THIS DOCUMENT REVIEWED BY  
RIVERSIDE COUNTY SURVEYOR.  
BY:   
DATE: 03-02-09

# EXHIBIT "B"

## RIGHT-OF-WAY VACATION



1 inch = 120 feet

**CL BENTON ROAD**  
 PER INST. NO. 402908 O.R.  
 REC. 11/26/1992

**CL TEMEKU COURT**

**CL MAGDAS COLORADAS STREET**

**CL BRIGGS ROAD**

**CL WINCHESTER ROAD (STATE HIGHWAY 79)**

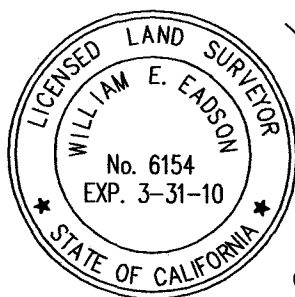
N'LY LINE  
 722/449 OF DEEDS  
 REC. NOV. 13, 1929

N.E. 1/4  
 SECTION 6  
 T.7S., R.2W., S.B.M.

NORTH LINE OF THE S.E. 1/4,  
 SECTION 6, T.7 S., R.2 W., S.B.M.

S'LY LINE  
 722/449 OF DEEDS  
 REC. NOV. 13, 1929

THIS DOCUMENT REVIEWED BY  
 RIVERSIDE COUNTY SURVEYOR.  
 BY: *Robert J. Roberts*  
 DATE: 03-02-09



*William E. Eadson*  
 WILLIAM E. EADSON, L.S. 6154

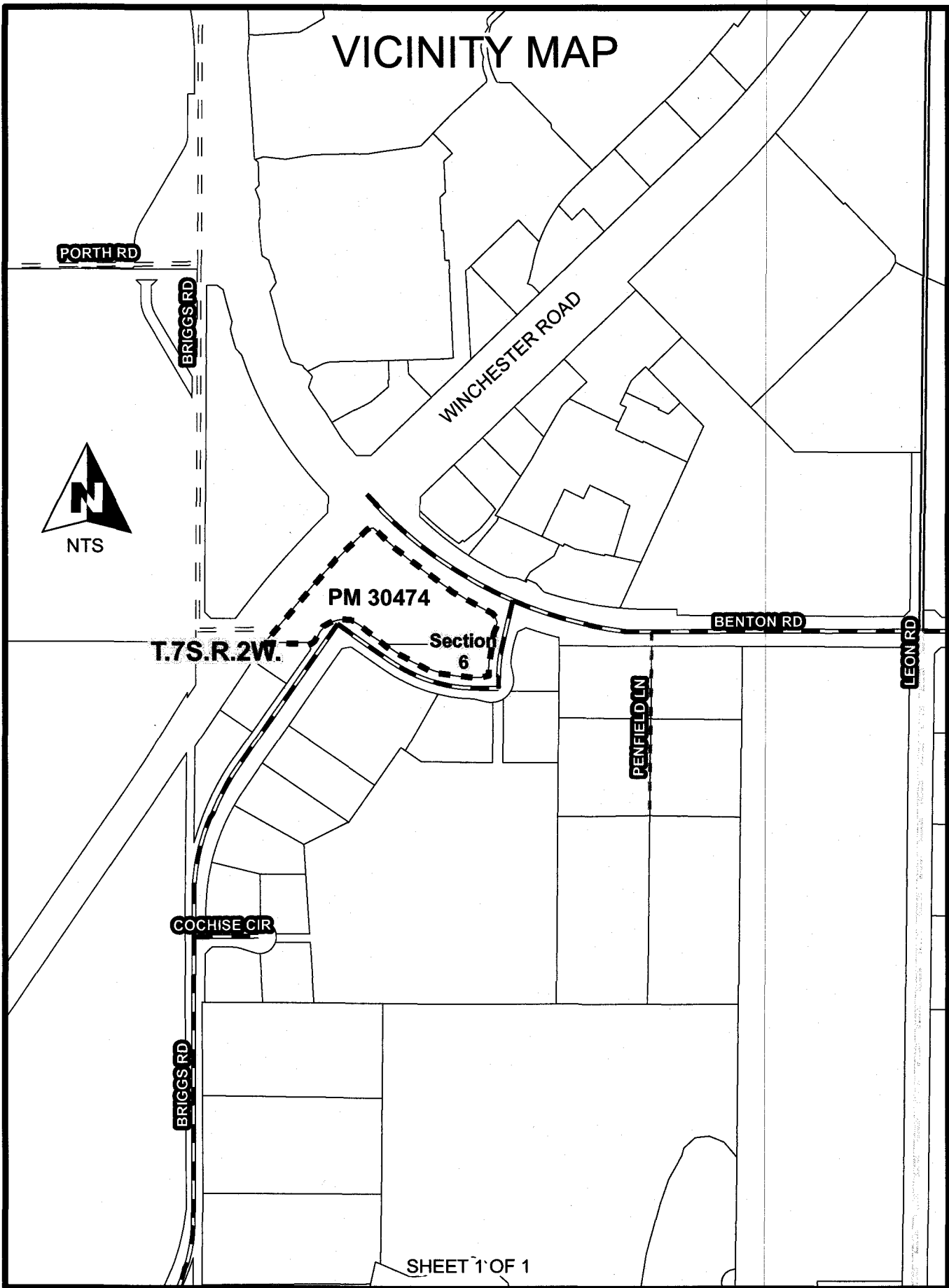
TRUE POINT OF BEGINNING

POINT OF COMMENCEMENT

STORM DRAIN EASEMENT  
 RECORDED NOV. 19, 1991  
 AS INST. NO. 401429, O.R.

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	0°51'51"	3433.00'	51.78'
C2	0°37'53"	3433.00'	37.84'

# VICINITY MAP



SHEET 1 OF 1

REMOVE PRIOR TO RECORDATION

Recorded at the request of and return to:  
Transportation Department  
Office of the County Surveyor  
4080 Lemon Street  
Riverside, CA 92501  
STOP NO. 1080

This instrument is for the benefit  
the County of Riverside, and is  
entitled to be recorded without fee.  
(Gov. Code 6103)

THE UNDERSIGNED GRANTOR DECLARES  
DOCUMENTARY TRANSFER TAX IS \$0

- Computed on full value of property conveyed, or  computed on full value less value of liens or encumbrances remaining at time of sale,
- Unincorporated area:  City of \_\_\_\_\_

Robert T. Robinson  
Robert T. Robinson – Signature of Declarant or Agent

### QUITCLAIM DEED

The COUNTY OF RIVERSIDE, a political subdivision of the State of California, hereby REMISES, RELEASES, AND QUITCLAIMS to

**FRENCH VALLEY 35 LTD., A CALIFORNIA LIMITED PARTNERSHIP, AS TO AN UNDIVIDED 50% INTEREST; MICHAEL N. MONTELEONE AND HENDRIKA MONTELEONE, HUSBAND AND WIFE, AS TO AN UNDIVIDED 21.666% INTEREST; ANNA VAN GALE, A WIDOW, AS TO AN UNDIVIDED 11.667% INTEREST; STEPHEN R. GOLDSMITH AND MAUREEN E. GOLDSMITH, TRUSTEES OF THE STEPHEN AND MAUREEN GOLDSMITH FAMILY TRUST, AS TO AN UNDIVIDED 6.481% INTEREST; PETER SINGER AND MARJORIE SINGER, HUSBAND AND WIFE, AS TO AN UNDIVIDED .926% INTEREST; JEAN-LOUIS LERENARD AND DALIA LERENARD, HUSBAND AND WIFE, AS TO AN UNDIVIDED .926%; DANIEL E. ROUSE FAMILY TRUST AS TO AN UNDIVIDED 8.334% INTEREST.**

The following real property in the County of Riverside, State of California, described as follows:



SEE LEGAL DESCRIPTION AND PLAT ATTACHED HERETO  
AS EXHIBITS "A" AND "B" AND MADE A PART HEREOF.

COUNTY OF RIVERSIDE

ATTEST:

Kecia Harper-Ihem  
Clerk of the Board

By: \_\_\_\_\_

Marion Ashley, Chairman  
Board of Supervisors

By: \_\_\_\_\_  
Deputy

FORM APPROVED COUNTY COUNSEL

BY: Synthia M. Gunzel 10-3-10  
SYNTHIA M. GUNZEL DATE

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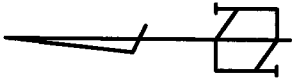
  
WILLIAM E. EADSON, L.S. 6154



THIS DOCUMENT REVIEWED BY  
RIVERSIDE COUNTY SURVEYOR.  
BY:   
DATE: 03-02-09

# EXHIBIT "B"

## RIGHT-OF-WAY QUITCLAIM



1 inch = 120 feet

**⊕ BENTON ROAD**  
 PER INST. NO. 4029, O.R.  
 REC. 11/26/1992

⊕ BENTON ROAD  
 (PER P.M.B. 170/73-76)

⊕ TEMEKU COURT  
 PARCEL 14

⊕ MAGDAS COLORADAS STREET  
 NORTH LINE OF THE S.E. 1/4,  
 SECTION 6, T.7 S., R.2 W., S.B.M.

⊕ BRIGGS ROAD  
 PARCEL 9

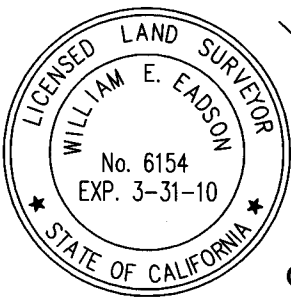
⊕ WINCHESTER ROAD  
 (STATE HIGHWAY 79)

N'LY LINE  
 722/449 OF DEEDS  
 REC. NOV. 13, 1929

N.E. 1/4  
 SECTION 6  
 T.7S., R.2W., S.B.M.

S'LY LINE  
 722/449 OF DEEDS  
 REC. NOV. 13, 1929

THIS DOCUMENT REVIEWED BY  
 RIVERSIDE COUNTY SURVEYOR.  
 BY: *Robert E. Palmer*  
 DATE: 03-02-09



TRUE POINT OF BEGINNING

POINT OF COMMENCEMENT

CURVE TABLE			
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 RECORDED NOV. 19, 1991  
 AS INST. NO. 401429, O.R.