

628A

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



FROM: Economic Development Agency and Transportation Department

SUBMITTAL DATE:

July 15, 2010

SUBJECT: Resolution No. 2010-133, Notice of Intention to Convey an Easement Interest in Real Property – City of Indio

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve Resolution No. 2010-133, Notice of Intention to Convey an Easement Interest in Real Property located in the City of Indio, County of Riverside, on a portion of Assessor's Parcel Number 606-200-077 by Grant of Easement Deed to the Coachella Valley Water District; and
2. Direct the Clerk of the Board to give notice pursuant to Government Code Section 6061.

BACKGROUND: (Commences on Page 2)

Juan C. Perez, Director
Transportation Department

Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current F.Y. Total Cost:	\$0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$0	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 type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

BY: *Jennifer L. Sargent*
Jennifer L. Sargent

County Executive Office Signature

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

Consent Policy
 Consent Policy

Dept Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.: 3.29 of 9/16/2008; District: 4 Agenda Number:

3.35

BACKGROUND:

The Miles Avenue and Clinton Street Road Widening Project, is located in the City of Indio in eastern Riverside County. In order to significantly reduce construction cost and accelerate construction of the project, the project is proposed to be constructed in three phases, under three separate contracts, as discussed below.

Phase I will widen Miles Avenue to four lanes and replace existing low water crossing at the Whitewater River with a bridge. These improvements have already been completed.

Phase 2A will widen Miles Avenue between Madison Street and Clinton Street to four lanes and construct curb, gutter, sidewalk and storm drain improvements within the existing right of way. These improvements have already been completed.

Phase 2B will widen Clinton Street between Miles Avenue and Fred Waring Drive to four lanes and construct curb, gutter, sidewalk, and storm drain improvements. These improvements will commence Summer 2010.

On December 1, 2009, the Board approved item 3.18, approving the acquisition of the permanent easement for access purposes of a portion of Assessor's Parcel Number 606-200-077. The access easement was purchased to allow Coachella Valley Water District (CVWD) access to their channel for operation and maintenance activities once the bridge was installed. This conveyance will fulfill the County's obligation to CVWD to provide access to their facility for any maintenance and operational activities.

Pursuant to Government Code Section 25365, the County may transfer interests in real property or interest therein, belonging to the County to another public agency, upon the terms and conditions as are agreed upon and without complying with any other provisions of the Government Code, if the property or interest therein to be conveyed is not required for county use. The County intends to convey an Easement Interest in Real Property located in the City of Indio, County of Riverside, an 56 square foot portion of Assessor's Parcel Number 606-200-077 by Grant of Easement Deed to Coachella Valley Water District.

The Form 11 and Resolution have been reviewed and approved by County Counsel as to legal form.

FINANCIAL DATA:

There are no costs associated with this transaction.

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3 RESOLUTION NO. 2010-133

4 NOTICE OF INTENTION TO CONVEY AN
5 EASEMENT INTEREST IN REAL PROPERTY
6 CITY OF INDIO, COUNTY OF RIVERSIDE, CALIFORNIA
7 PORTION OF ASSESSOR PARCEL NUMBER 606-200-077
8 BY GRANT OF EASEMENT DEED

9 WHEREAS, the County of Riverside (County) acquired a permanent easement for
10 access purposes of a portion of Assessor's Parcel Number 606-200-077, consisting of fifty six
11 (56) square feet for the Miles Avenue and Clinton Street Road Widening Project.

12 WHEREAS, the County determined that the easement interest is no longer required for
13 County's use and desires to convey its interest to Coachella Valley Water District (CVWD) to
14 allow CVWD access to maintain and operate their facility and would fulfill the County's
15 obligation.

16 BE IT RESOLVED, DETERMINED AND ORDERED that the Board of Supervisors
17 hereby finds and declares that the above recitals are true and correct.

18 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED and NOTICE IS
19 HEREBY GIVEN by the Board of Supervisors of the County of Riverside, California, in regular
20 session that the County of Riverside, intends to convey an easement interest to Coachella
21 Valley Water District, identified as a portion of Assessor's Parcel Number 606-200-077
22 referenced as Parcel 0389-003C and more particularly described in Exhibits "A" and "B"
23 attached hereto and made a part hereof, by Grant of Easement Deed consisting of fifty six (56)
24 square feet of land. The terms and conditions of the proposed conveyance are as follows:
25 County will grant its easement interest in the portion of real property to CVWD which will be
used for access related to the operation and maintenance activities of their facility.

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

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The Board of Supervisors intends to meet to conclude the proposed transaction on or after August 10, 2010, at 9:00 am at the meeting room of the Board of Supervisors located on the 1st floor of the County Administrative Center, 4080 Lemon Street, Riverside, California.

BE IT FURTHER RESOLVED AND DETERMINED that the Clerk of the Board of Supervisors is directed to give notice hereof as provided in Section 6061 of the Government Code.

SS:ra
07/12/10
243TR
13.285

EXHIBIT "A"
LEGAL DESCRIPTION
MILES AVENUE
CVWD ACCESS EASEMENT
PARCEL NO. 0389-003C

That certain parcel of land situated in the City of Indio, County of Riverside, State of California, being a portion of a Grant Deed recorded July 22, 1997 as Instrument No. 257569, being Parcel No. 7 as shown on a Record of Survey filed in Book 28, Page 57 of Surveys, all of Official Records of the Recorder of said Riverside County, lying within the northeast quarter of Section 21, Township 5 South, Range 7 East, San Bernardino Meridian, more particularly described as follows:

COMMENCING at the southwesterly corner of said Parcel No. 7;

Thence along the northwesterly line of said Parcel No. 7, also being the southeasterly line of the Coachella Valley Stormwater Channel per Final Order of Condemnation recorded October 6, 1923 in Book 591, Page 223, Official Records of said County, as described in said Grant Deed and as shown on said Record of Survey, North 34°52'13" East 26.89 feet to a point of intersection with the northerly right-of-way line of Miles Avenue per Grant Deed recorded June 7, 2007 as Instrument No. 2007-0374526, Official Records of said County, said point being the **TRUE POINT OF BEGINNING**;

Thence leaving said westerly line and along said northerly right-of-way line North 89°45'40" East 8.85 feet;

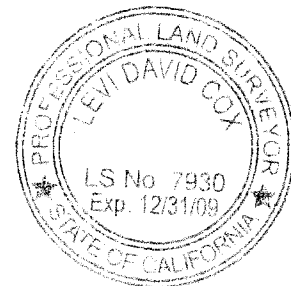
Thence leaving said Northerly right-of-way line at right angles, North 00°14'20" West 12.59 feet to a point of intersection with said westerly line of said Parcel No. 7;

Thence along said westerly line South 34°52'13" West 15.39 feet to the **TRUE POINT OF BEGINNING**.


CONTAINING: 56 Square Feet, more or less

EXHIBIT "B" attached and by this reference made a part hereof.

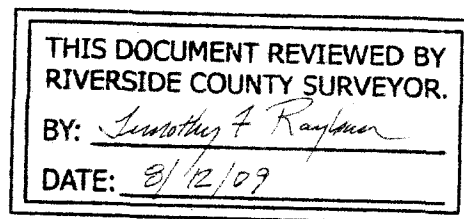
This description was prepared by
me or under my direction.



Date: 8/11/2009


Levi David Cox, P.L.S. 7930
My license expires 12/31/09

RBF CONSULTING
74-130 Country Club Drive, Suite 201
Palm Desert, CA 92260
Job No. 20-100220-003C
Prepared: August 11, 2009
Page 1 of 1



INDICATES CVWD
ACCESS EASEMENT:
56 +/- S.F.

EXHIBIT "B"

PLAT
MILES AVENUE
CVWD ACCESS EASEMENT

SCALE: 1"=40'

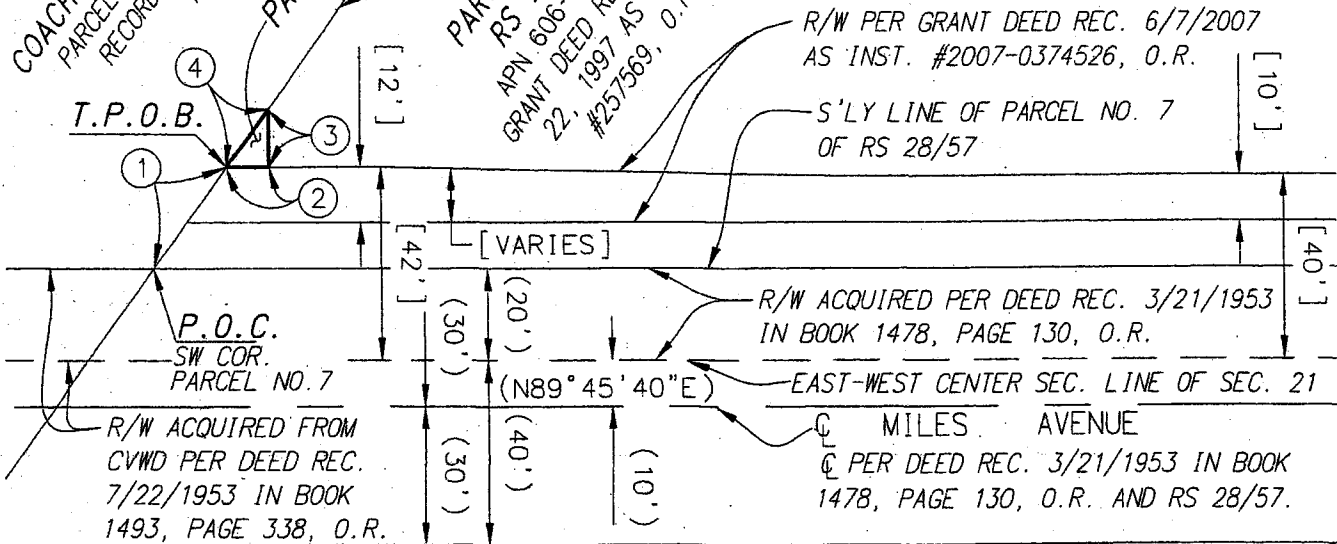
COACHELLA VALLEY STORMWATER CHANNEL
PARCEL B OF FINAL DECREE OF CONDEMNATION
RECORDED OCTOBER 6, 1923 IN BOOK 591,
PAGE 223 OF DEEDS, O.R.

PARCEL NO 0389-003C

PARCEL NO. 7
RS 28/57

APN 606-200-077
GRANT DEED REC. JULY
22, 1997 AS INST.
#257569, O.R.

DATA TABLE		
(NO)	BEARING/DELTA	LENGTH
1	(N34° 52' 13"E)	26.89'
2	(N89° 45' 40"E)	8.85'
3	N00° 14' 20"W	12.59'
4	(S34° 52' 13"W)	15.39'



() INDICATES RECORD DATA PER
RS 28/57

[] INDICATES RECORD DATA PER
INST. NO. 2007-0374526.

TRACT NO. 12783-7
M.B. 203/6-8

THIS DOCUMENT REVIEWED BY
RIVERSIDE COUNTY SURVEYOR.
BY: Janet F. Rayburn
DATE: 8/12/09

NORTHEAST QUARTER OF SECTION 21
TOWNSHIP 5 SOUTH, RANGE 7 EAST,
SAN BERNARDINO MERIDIAN
PARCEL NO. 0389-003C

PLAT TO ACCOMPANY A LEGAL
DESCRIPTION FOR MILES AVENUE
CVWD ACCESS EASEMENT



SHEET 1 OF 1 SHEET

RBF PLANNING ■ DESIGN ■ CONSTRUCTION
CONSULTING
74-130 COUNTRY CLUB DRIVE, SUITE 201
PALM DESERT, CALIFORNIA 92260-1655
760.346.7481 • FAX 760.346.8315 • www.RBF.com

DATE: AUGUST 11, 2009 JN: 20-100220-003C