

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



FROM: Economic Development Agency and Transportation Department

SUBMITTAL DATE:
July 29, 2010

SUBJECT: Resolution No. 2010-134, Authorization to Convey an Easement Interest in Real Property – City of Indio

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve Resolution No. 2010-134, Authorization 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 Coachella Valley Water District;
2. Authorize the Chairman of the Board of Supervisors to execute the Grant of Easement Deed to complete the conveyance of the easement interest in real property and this transaction; and

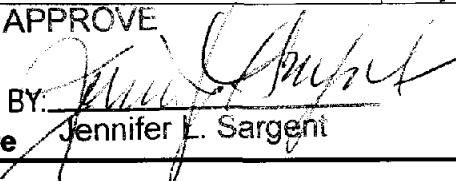
(Continued)

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

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL
BY:  6.6.10
SYNTHIA M. GUNZEL DATE
Departmental Concurrence

Consent Policy
 Consent Policy

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

Prev. Agn. Ref.: 3.29 of 9/16/2008; District: 4
3.18 of 12/1/09 ; 3.35 of 7/27/10

Agenda Number:

3.33

RECOMMENDED MOTION: (Continued)

3. Authorize the Assistant County Executive Officer/EDA, or his designee, to execute any other documents and administer all actions to complete this transaction.

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.

On July 27, 2010, the Board adopted Resolution No. 2010-133, approving their notice of intent to convey the County's easement interest to Coachella Valley Water District and notice was also published by the Clerk of the Board as provided in Section 6061 of the Government Code.

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. 2010-134
4 AUTHORIZATION TO CONVEY AN EASEMENT INTEREST
5 IN REAL PROPERTY, CITY OF INDIIO,
6 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 WHEREAS, on July 27, 2010, the Board of Supervisors of the County of Riverside
17 adopted Resolution No. 2010-133, approving their notice of intent to convey a portion of the
18 County's easement interest to Coachella Valley Water District;

19 AND NOW, THEREFORE, the Board of Supervisors hereby resolves as follows:

20 1. The Board authorizes the conveyance to Coachella Valley Water District of
21 permanent easement right of a portion of Assessor's Parcel Number 606-200-077 referenced
22 as Parcel 0389-003C, and more particularly described in Exhibits "A" and "B" attached hereto
23 and made a part hereof, by Grant of Easement Deed consisting of fifty six (56) square feet of
24 land.

25 2. The Chairman of the Board of Supervisors of the County of Riverside is
authorized to execute the documents to complete the conveyance of the easement interest
and this transaction.

FORM APPROVED COUNTY COUNSEL
BY: *Synthia M. Gunzel* 6-16-10
SYNTHIA M. GUNZEL DATE

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3. The Assistant County Executive Officer/EDA or his designee is authorized to execute any other documents to complete this transaction.

4. The Clerk of the Board of Supervisors has given notice hereof as provided in Section 6061 of the Government Code.

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;

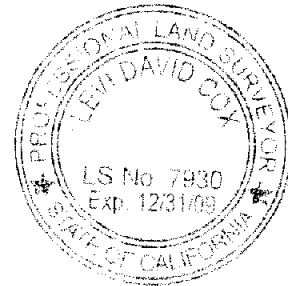
Thence leaving said Northerly right-of-way line at right angles, North 00°14'20" West 12.59 feet to a point of intersection with said westerly line of said Parcel No. 7;

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.

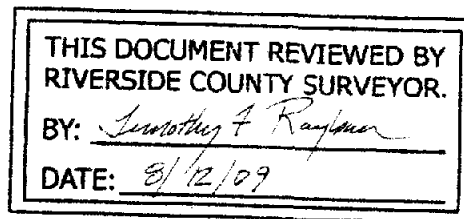
This description was prepared by
me or under my direction.



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

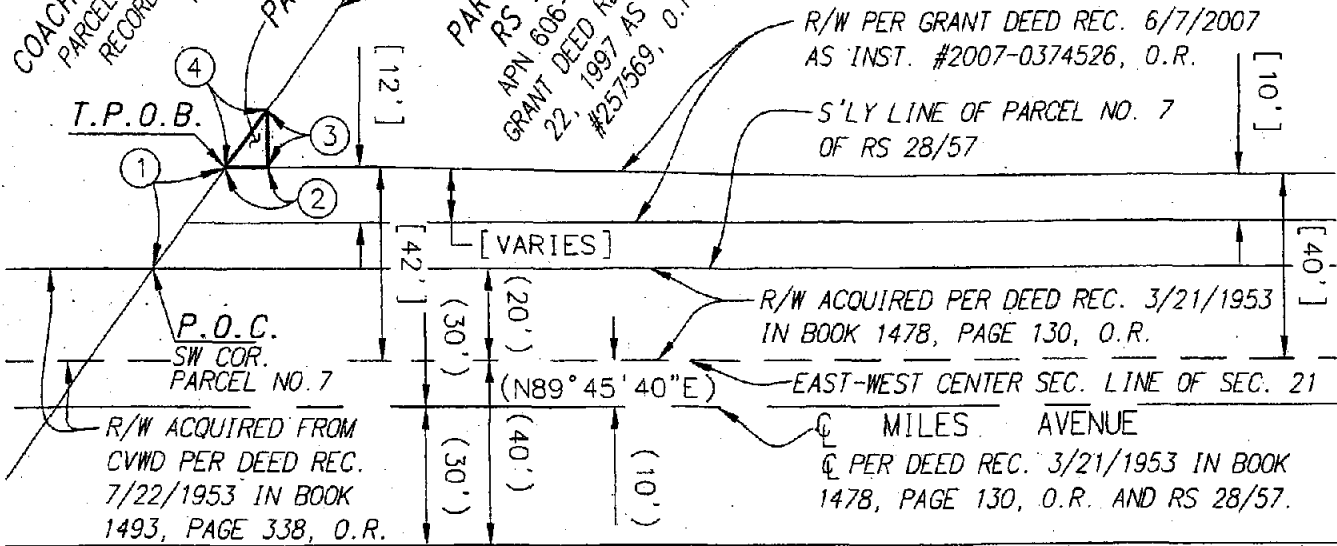
SCALE: 1"=40'

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

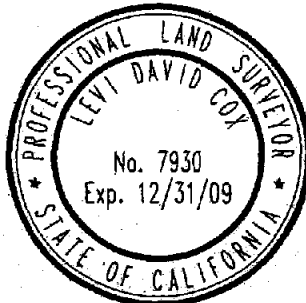
[] INDICATES RECORD DATA PER INST. NO. 2007-0374526.

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

THIS DOCUMENT REVIEWED BY
RIVERSIDE COUNTY SURVEYOR.
BY: Jonathan 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 CONSULTING
PLANNING ■ DESIGN ■ CONSTRUCTION
74-130 COUNTRY CLUB DRIVE, SUITE 201
PALM DESERT, CALIFORNIA 92260-1655
760.346.7481 • FAX 760.346.8316 • www.RBF.com

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

Recorded at request of and return to:
Coachella Valley Water District
P O Box 1058
Coachella CA 92236-1058

FREE RECORDING

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

(Space above this line reserved for Recorder's use)

PROJECT: Miles Avenue & Clinton Street Project
PARCEL: 0389-003C
APN: 606-200-077 (PORTION)

GRANT OF EASEMENT

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, **COUNTY OF RIVERSIDE, a political subdivision**, hereinafter called "Grantor" grants to **COACHELLA VALLEY WATER DISTRICT, a public agency of the State of California**, its successors and assigns, hereinafter called "Grantee," all of Grantor's right, title and interest in that Easement Deed dated July 22, 2009 and recorded on February 5, 2010, as Instrument Number 2010-0055299 ("Prior Deed"), a copy of which is attached hereto as Attachment "A" and by this reference incorporated herein. The easement area is described and depicted on exhibits to the Prior Deed.

Grantor warrants and represents to the Grantee that (1) Grantor has not previously assigned or transferred Grantor's rights in the Prior Deed; and (2) after the recordation of this Deed, Grantor retains no right, title and interest in the Prior Deed which right, title and interest shall be owned by Grantee.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

PROJECT: Miles Avenue & Clinton Street
PARCEL: 0389-003C
APN: 606-200-077 (PORTION)

Dated: _____

GRANTOR:

COUNTY OF RIVERSIDE

By: _____
Marion Ashley, Chairman
Board of Supervisors

ATTEST:
Kecia Harper-Ihem
Clerk of the Board

By: _____
Deputy

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

State of California)
County of) ss

On _____, before me, _____, a Notary Public in and for Said County and State, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) who name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

[SEAL]

PROJECT: Miles Avenue & Clinton Street
PARCEL: 0389-003C
APN: 606-200-077 (PORTION)

ATTACHMENT "A"

PROJECT: Miles Avenue & Clinton Street
PARCEL: 0389-003C
APN: 606-200-077 (PORTION)

CERTIFICATE OF ACCEPTANCE

[District to attach its standard Certificate of Acceptance.]

RECORDED BY L.T.C.

Recorded at request of and return to:
Economic Development Agency
Real Estate Division
On behalf of the Transportation Department
3133 Mission Inn Avenue
Riverside, California 92507-4199

DOC # 2010-0055299

02/05/2010 08:00A Fee:NC

Page 1 of 6

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



FREE RECORDING

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

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PROJECT: Miles Avenue and Clinton
Street Project
APN: 606-200-077 (portion)
PARCEL: 0389-003C

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Dona K. Lane, Surviving Trustee of the Lane Trust dated October 9, 1979 and James S.
Harrison and Linda Marie Harrison, husband and wife as joint tenants

GRANTS to the COUNTY OF RIVERSIDE, a political subdivision, an easement for access
purposes, over, upon, across, and within the real property in the County of Riverside, State of
California, described as:

See Exhibits "A" and "B" attached hereto
and made a part hereof

PROJECT: Miles Avenue and Clinton Street
APN: 606-200-077 (portion)

Dated: 7/22/09

GRANTOR

Dona K. Lane, Surviving Trustee of the Lane
Trust dated October 9, 1979

By: Dona K. Lane Trustee
Dona K. Lane, Surviving Trustee

By: James S. Harrison
James S. Harrison

By: Linda Marie Harrison
Linda Marie Harrison

State of California)
) ss
County of)

On _____, before me, _____ a Notary Public
in and for said County and State, personally appeared _____
personally known to me (or proved to me on the basis of satisfactory evidence) to be the
person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me
that he/she/they executed the same in his/her/their authorized capacity(ies), and that by
his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the
person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

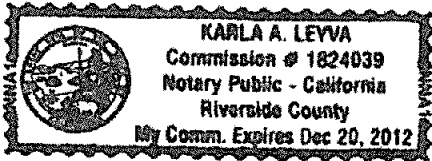
State of California

County of Riverside

On July 22 2009 before me, Karla A. Leyva Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Dona Kathleen Lane, James Scott Harrison and Linda Marie Harrison
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Karla A. Leyva
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Easement Deed

Document Date: 7-22-09 Number of Pages: 4

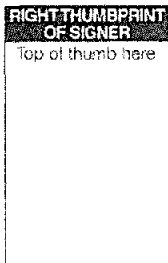
Signer(s) Other Than Named Above: —

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

Signer Is Representing: _____



Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____


Signer Is Representing: _____



CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the within deed to the COUNTY OF RIVERSIDE, a political subdivision, is hereby accepted by order of the Board of Supervisors on the date below and the grantee consents to the recordation thereof by its duly authorized officer.

Dated: 9-1-09

By: 
Robert Field
Assistant County Executive Officer/EDA

FORM APPROVED COUNTY COUNSEL
BY: Synthia M. Gunzel 9-1-09
SYNTHIA M. GUNZEL DATE

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 $34^{\circ}52'13''$ 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 $89^{\circ}45'40''$ East 8.85 feet;

Thence leaving said Northerly right-of-way line at right angles, North $00^{\circ}14'20''$ West 12.59 feet to a point of intersection with said westerly line of said Parcel No. 7;

Thence along said westerly line South $34^{\circ}52'13''$ West 15.39 feet to the **TRUE POINT OF BEGINNING**.

CONTAINING: 56 Square Feet, more or less

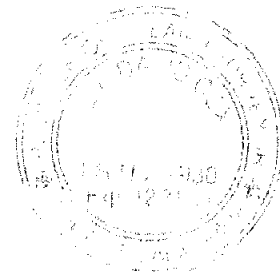
EXHIBIT "B" attached and by this reference made a part hereof.

This description was prepared by
me or under my direction.

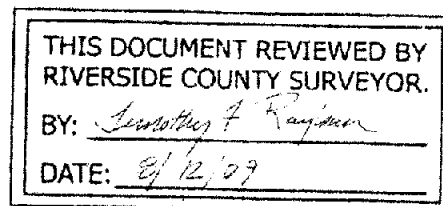


Levi David Cox, P.L.S. 7930
My license expires 12/31/09

Date: 8/11/2009



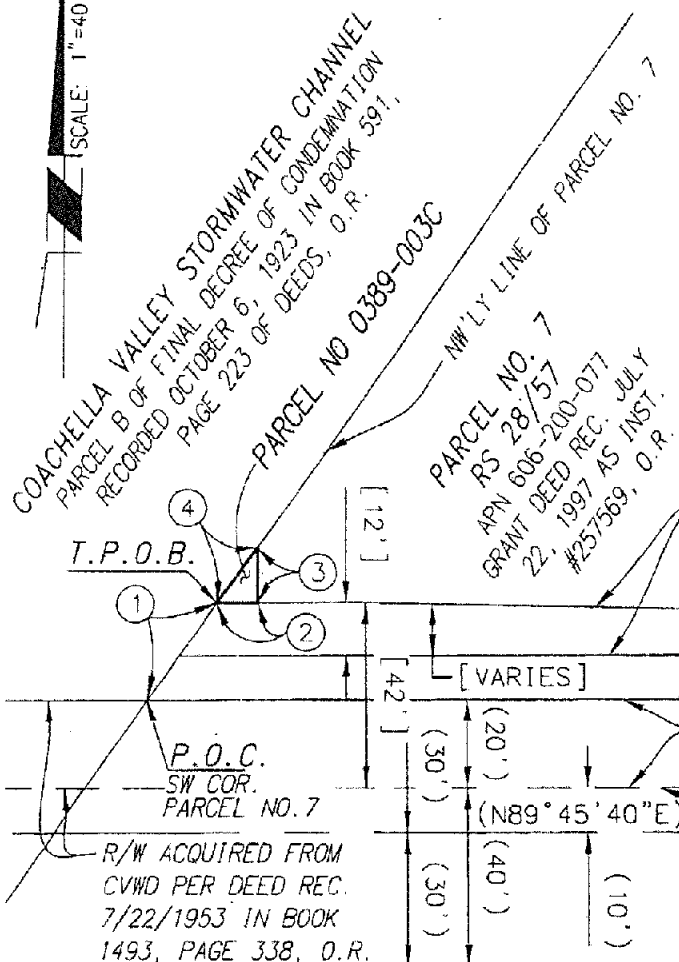
RBF CONSULTING
74-130 Country Club Drive, Suite 201
Palm Desert, CA 92260
Job No. 20-100220-003C
Prepared: August 11, 2009
Page 1 of 1



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

EXHIBIT "B"

PLAT
MILES AVENUE
CVWD ACCESS EASEMENT



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'

R/W PER GRANT DEED REC. 6/7/2007
AS INST. #2007-0374526, O.R.

S'LY LINE OF PARCEL NO. 7
OF RS 28/57

R/W ACQUIRED PER DEED REC. 3/21/1953
IN BOOK 1478, PAGE 130, O.R.

EAST-WEST CENTER SEC. LINE OF SEC. 21

MILES AVENUE
C PER DEED REC. 3/21/1953 IN BOOK
1478, PAGE 130, O.R. AND RS 28/57.

- () 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
760.346.7461 • FAX 760.346.8315 • www.RBF.com

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