

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

101 B



FROM: TLMA - Transportation Department

SUBMITTAL DATE:
March 15, 2012

SUBJECT: Resolution No. 2012-017, Rescinding the Adoption of Resolution No. 2009-039 Concerning Road Dedications in the Cherry Valley area, Excepting therefrom a portion of Lofty Lane. Fifth District/Fifth District

RECOMMENDED MOTION: That the Board of Supervisors adopt Resolution No. 2012-017, Rescinding the Adoption of Resolution No. 2009-039 Concerning Road Dedications in the Cherry Valley area, Excepting therefrom a portion of Lofty Lane.

BACKGROUND: On April 3, 2011, the Transportation Department received a request from the Cherry Valley Water Company to reinstitute the property lines for all properties within the areas affected by Resolution No. 2009-039. In 2009, the former President of the Board of Directors of the Cherry Valley Water Company improperly requested that the County accept various street dedications in the Cherry Valley area for public use, which was done through Resolution No. 2009-039. The request for the acceptance was done without an authorized vote of approval from the shareholders/property owners nor without approval by the Board of the Cherry Valley Water Company. The Transportation Department is recommending that Resolution No. 2009-039 be rescinded through adoption of Resolution No. 2012-017 (except that portion of Lofty Lane described in the resolution) and the dedication remains as it was prior to the 2009 resolution and that the Assessor adjust the acreages accordingly.

REVIEWED BY EXECUTIVE OFFICE

DATE 3/12/12
Tina Grande

FORM APPROVED COUNTY COUNSEL
BY: Cynthia M. Gunzel
DATE 3-7-12
SYNTHIA M. GUNZEL

WJH
Attachments: F-11, Resolution No. 2009-039, Director of Transportation

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

Prev. Agn. Ref. Item 2.13, 5/12/09 | District: 5/5 | Agenda Number:

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3 **RESOLUTION NO 2012-017**

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5 **RESCINDING THE ADOPTION OF RESOLUTION NO. 2009-039**
6 **(Fifth Supervisorial District)**

7
8 **WHEREAS**, in 2009 the former President of the Board of Directors of the Cherry
9 Valley Water Company improperly requested that the County accept various street
10 dedications in the Cherry Valley area for public use; and,

11
12 **WHEREAS**, Resolution no. 2009-039, Recorded May 13, 2009 concerning the
13 hereinafter described roads was erroneously put forth and adopted by the Board; and,

14
15 **WHEREAS**, This 2009 Resolution mistakenly included the acceptance of a portion of
16 Lofty Lane that had already been accepted on Parcel Map 22368; and,

17
18 **WHEREAS**, The adoption of Resolution No 2012-017 is excepting therefrom and shall
19 not affect the status or acceptance of the hereinafter described portion of Lofty that was
20 accepted on Parcel Map 22368; and,

21
22 **WHEREAS**, The Board of Directors of the Cherry Valley Water Company and the
23 current shareholders/property owners request that Resolution No. 2009-039 be rescinded
24 and reverse all actions concerning the roads described below:

FORM APPROVED COUNTY COUNSEL
BY: *Sybil M. Gunzel* 3-7-12
DATE
SYBIL M. GUNZEL

1 **Resolution No. 2012-017**

2
3 **Byham Lane** (See attached Resolution No. 2009-039)

4 That portion of Byham Lane (60.00 feet wide) designated as lot "B", as shown on Tract
5 Map No. 3898 filed in book 66, pages 13 thru 16 inclusive of Maps, Records of Riverside
6 County, California; and that portion described in the Declaration of Dedication by Instrument
7 No. 130793, dated October 10, 1974, Official Records of Riverside County, California.

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9
10 **Cherrystone Avenue** (See attached Resolution No. 2009-039)

11 That portion of Cherrystone Avenue (60.00 feet wide) designated as lot "D", as shown
12 on Tract Map No. 3898 filed in book 66, pages 13 thru 16 inclusive of Maps, Records of
13 Riverside County, California.

14
15 **Pine Drive** (See attached Resolution No. 2009-039)

16 That portion of Pine Drive (60.00 feet wide) designated as lot "B", as shown on Tract
17 Map No. 3898 filed in book 66, pages 13 thru 16 inclusive of Maps, Records of Riverside
18 County, California; and that portion (30.00 feet wide) described in the Declaration of
19 Dedication by Instrument No. 23309 dated February 23, 1972, Official Records of Riverside
20 County, California

21
22 **Newberry Street** (See attached Resolution No. 2009-039) That portion of Newberry Street
23 (60.00 feet wide) designated as lot "A", as shown on Tract Map No. 3898 filed in book 66,
24 pages 13 thru 16 inclusive of Maps, Records of Riverside County, California.

1 **Resolution No. 2012-017**

2
3 **Slope Drive** (See attached Resolution No. 2009-039)

4 That portion of Slope Drive (30.00 feet wide) designated as lot "B" as shown on Parcel
5 Map No. 12061 filed in book 60, pages 47 and 48 of Parcel Maps, Records of Riverside
6 County, California.

7
8 **A portion of Mountain View Avenue**(See attached Resolution No. 2009-039)

9 That portion of Mountain View Avenue (50.00 feet wide) designated as lot "C", as
10 shown on Tract Map 3898 filed in book 66, pages 13 thru 16 inclusive of Maps, Records of
11 Riverside County, California.

12
13 **Pernell Place** (See attached Resolution No. 2009-039)

14 That portion of Pernell Place (50.00 feet wide) designated as lots "C", "D" and "E" as
15 shown on Parcel Map No. 11303 filed in book 77, page 66 of Parcel Maps, Records of
16 Riverside County, California.

17
18 **Lofty Lane** (See attached Resolution No. 2009-039) That portion of Lofty Lane (60.00 feet
19 wide) designated as lot "E", as shown on Tract Map No. 3898 filed in book 66, pages 13 thru
20 16 inclusive of Maps, Records of Riverside County, California;

21 Excepting therefrom that portion of Lofty Lane (60.00 feet wide) designated as lots "A" and
22 "B" as shown on Parcel Map No. 22368 filed in book 181, page 57 and 58, of Parcel Maps,
23 Records of Riverside County, California.

1 **Resolution No. 2012-017**

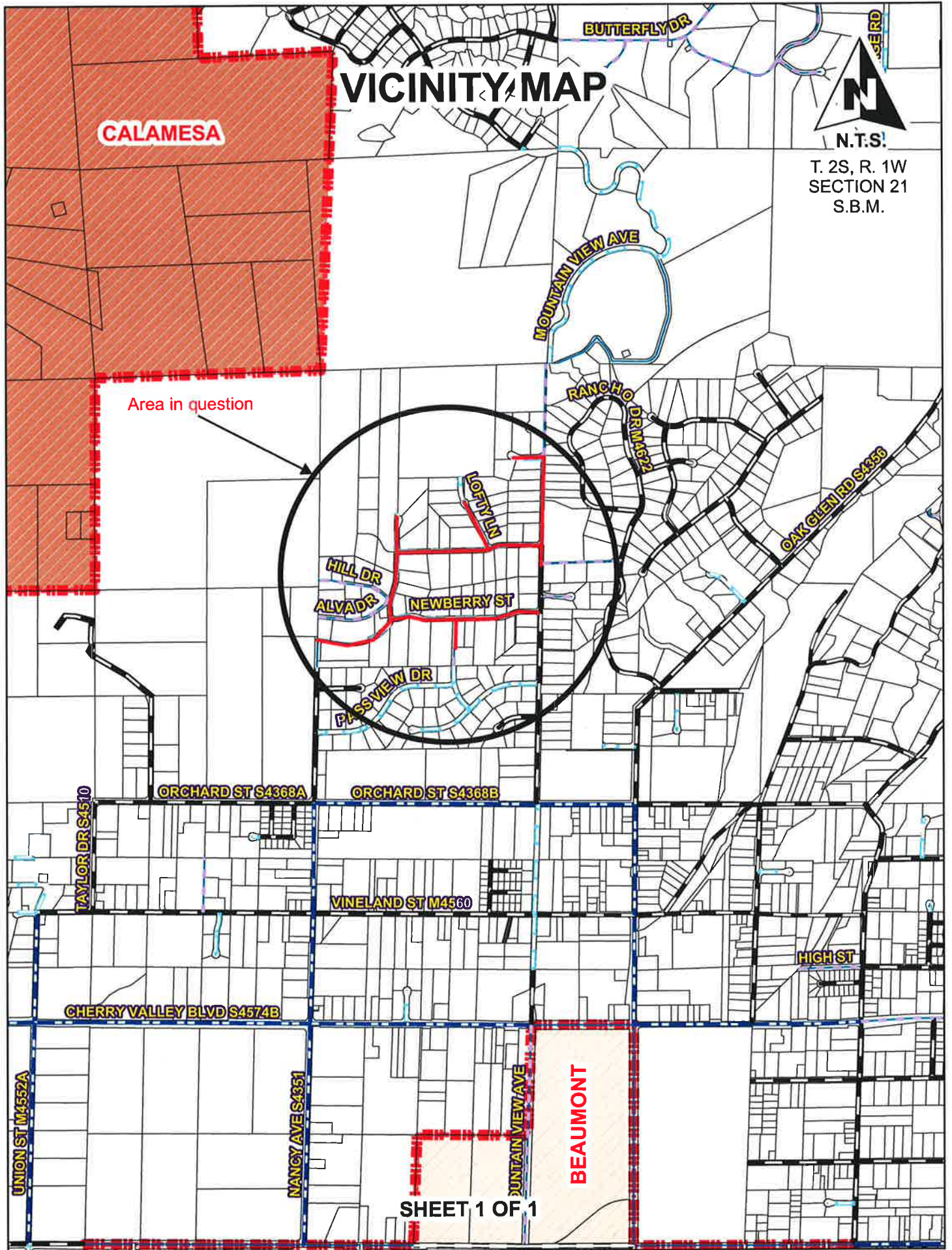
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3 **NOW THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** by the
4 Board of Supervisors of the County of Riverside, State of California, in regular session
5 assembled on _____, 2012, that this Board rescinds Resolution No. 2009-039,
6 excepting said portion of Lofty Lane.

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8 **BE IT FURTHER RESOLVED** that the Clerk of the Board shall cause a certified copy of this
9 resolution to be recorded in the Office of the County Recorder of Riverside County, California.

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23 WJH

24 W.O. No. SUR 11062

25 Attached: F-11 and Resolution No. 2009-039



To be removed before recording