

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

405



FROM: Economic Development Agency / Facilities Management and Transportation Department

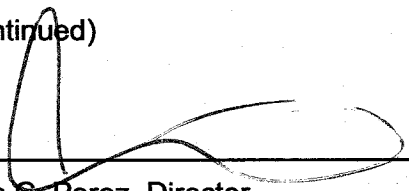
SUBMITTAL DATE:
April 5, 2012

SUBJECT: Resolution No. 2012-058, Authorization to Convey Fee Simple Interest in Real Property from the County of Riverside to the City of Palm Desert and Relinquish Access Rights from the County of Riverside to the State of California

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2012-058, Authorization to Convey Fee Simple Interest in Real Property, from the County of Riverside to the City of Palm Desert by Quitclaim Deed and Relinquish Access Rights in Real Property, from the County of Riverside to the State of California by Grant Deed, both of which are further described as a portion of Varner Road right-of-way, located in unincorporated area of Thousand Palms, California;

(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:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2011/12

COMPANION ITEM ON BOARD OF DIRECTORS AGENDA: No

SOURCE OF FUNDS: N/A	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input checked="" type="checkbox"/>

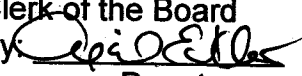
C.E.O. RECOMMENDATION: APPROVE


County Executive Office Signature BY: 
Jennifer Sargent

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Tavaglione, seconded by Supervisor Stone and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: April 17, 2012
xc: EDA, Transp.

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

FORM APPROVED COUNTY COUNSEL
BY: 
DATE: 3-7-12
SYNTHIA M. GUNZEL
Departmental Concurrence

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



RECOMMENDED MOTION: (Continued)

2. Approve the attached Memorandum of Understanding by and between the City of Palm Desert and County of Riverside and authorize the Chairman of the Board of Supervisors to execute this Memorandum of Understanding on behalf of the County;
3. Authorize the Chairman of the Board of Supervisors to execute the Quitclaim Deed to complete the conveyance of the fee simple interest in real property and this transaction;
4. Authorize the Chairman of the Board of Supervisors to execute the Grant Deed to release and relinquish any and all abutters rights, including access rights, to complete this transaction;
5. Authorize the Assistant County Executive Officer/EDA, or his designee, to execute any other documents and administer all actions to complete this transaction; and
6. Direct the Clerk of the Board to return all documents to the Economic Development Agency/Facilities Management for further processing and recordation.

BACKGROUND:

The City of Palm Desert (City) as lead agency, in cooperation with the California Department of Transportation (Caltrans) and County of Riverside (County), proposes the reconstruction of the westbound ramps at the Interstate 10 and Monterey Avenue Interchange to provide congestion relief for northbound Monterey Avenue to the existing westbound on-ramps. The preferred alternative proposes to construct a new westbound loop on-ramp from Monterey Avenue to Interstate 10 and realign the westbound off-ramp to Varner Road with a new signalized intersection (Project).

The City's Project requires relinquishment of the westerly access from Assessor's Parcel Number 693-230-016, vested in the name of Netreit, who owns and operates Sparky's Self-Storage (Sparky's). The City approached the County as the County owned a portion of Varner Road right-of-way, legally described as Attachment 1 (portion of Varner Road) adjacent to Sparky's that could provide and replace in kind the secondary westerly access being relinquished by Netreit. Based upon the County's due diligence, it was determined that the portion of Varner Road right-of-way is no longer necessary for any County public purposes and cannot be independently developed as a free-standing parcel. In addition, the City's Project also requires relinquishment of access rights along the county-owned portion of Varner Road right-of-way, legally described as Attachment 2 (Access Relinquishment)

On or after March 13, 2012, the County is summarily vacating the portion of Varner Road right-of-way with the intention to convey the vacated right-of-way to the City by Quitclaim Deed. The City intends to enter into a separate agreement to convey the vacated right-of-way to Netreit in exchange for the relinquishment of the westerly access.

On or after April 10, 2012, the Board adopted Resolution No. 2012-057, a Notice of Intention to Convey Fee Simple Interest in Real Property from the County of Riverside to the City of Palm Desert by Quitclaim Deed and Relinquish Access Rights in Real Property, from the County of Riverside to the State of California by Grant Deed and notice was also published by the Clerk of the Board as provided in Section 6061 of the Government Code.



BACKGROUND: (Continued)

Staff recommends that the County, in furtherance of the City's project, (1) convey the portion of vacated Varner Road to the City which would ultimately transfer insurance and maintenance responsibility from the County and return the Property to the tax rolls and (2) convey the relinquishment of access rights from the county-owned portion of Varner Road right-of-way to Caltrans.

Pursuant to Government Code Section 25365, a county may transfer 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 and City of Palm Desert intend to enter into a Memorandum of Understanding to provide the terms and conditions for the conveyance made by the County to the City.

This Form 11 and Resolution has been approved as to form by County Counsel.

Attachments:

Attachment 1 – Portion of Vacated Varner Road Legal Description and Plat Map

Attachment 2 – Access Relinquishment Legal Description and Plat Map

Memorandum of Understanding

Quitclaim Deed (to the City of Palm Desert)

Grant Deed (to the State of California)



1 Board of Supervisors

County of Riverside

2
3 **RESOLUTION NO. 2012-058**

4
5 **AUTHORIZATION TO CONVEY FEE SIMPLE INTEREST IN REAL PROPERTY**
6 **FROM THE COUNTY OF RIVERSIDE TO THE CITY OF PALM DESERT**
7 **AND RELINQUISH ACCESS RIGHTS FROM THE COUNTY OF RIVERSIDE TO THE**
8 **STATE OF CALIFORNIA**
9 **(PORTION OF VACATED VARNER ROAD)**

10
11 WHEREAS, the City of Palm Desert (City) is the lead agency, in cooperation
12 with the California Department of Transportation (Caltrans) for the Interstate 10 and
13 Monterey Avenue Interchange Project (Project);

14 WHEREAS, the County of Riverside (County) is the owner of certain real
15 property consisting of 6,495 square foot portion of Varner Road right-of-way located in
16 unincorporated county area of Thousand Palms and has full legal title to the portion of
17 Varner Road right-of-way, and has full power and authority to convey all property rights
18 described herein to the City, as shown on Attachment 1, attached hereto and
19 incorporated by this reference, as well as the relinquishment of access rights to
20 Caltrans, as shown on Attachment 2, attached hereto and incorporated by this
21 reference;

22 WHEREAS, on or after March 13, 2012, the County summarily vacated the
23 portion of Varner Road right-of-way;

24 WHEREAS, restricted access rights are needed from Assessor's Parcel Number
25 693-230-016 adjacent to the Property for the Project (Adjacent Property);

26 WHEREAS, the Property is needed by the City in order to provide secondary
27 access to the Adjacent Property;

28 ///

FORM APPROVED COUNTY COUNSEL
BY: *Syngiam G. Gunzel* 3-7-12
DATE: SYNGIAM GUNZEL



1 WHEREAS, the conveyance of the Property to the City will serve two purposes:
2 (1) provide secondary access to the Adjacent Property in furtherance of the City's
3 Project and (2) ultimately transfer insurance and maintenance responsibility from the
4 County and return the property to the tax rolls;

5 WHEREAS, the Project also requires relinquishment of access rights along the
6 portion of vacated Varner Road right-of-way to the State of California, in furtherance of
7 the City's Project;

8 WHEREAS, pursuant to Government Code Section 25365, the County may
9 transfer interests in real property or interest belonging to the County to another public
10 agency;

11 WHEREAS, the County and City intend to enter into a Memorandum of
12 Understanding to provide the terms and conditions for the conveyance of the Property
13 from County to City;

14 WHEREAS, the County intends to convey its fee simple interest in the Property
15 to the City by Quitclaim Deed;

16 WHEREAS, the County intends to release and relinquish any and all abutter's
17 rights, including access rights to the State of California by Grant Deed; and

18 WHEREAS, on April 10, 2012, the Board of Supervisors of the County of
19 Riverside adopted Resolution No. 2012-057, a Notice of Intention to Convey the Fee
20 Simple Interest in Real Property from the County of Riverside to the City of Palm
21 Desert and Relinquish Access Rights from the County of Riverside to the State of
22 California, now, therefore,

23 BE IT RESOLVED, DETERMINED AND ORDERED by the Board of
24 Supervisors of the County of Riverside, California, in regular session assembled on or
25 after April 17, 2012, at 9:00 am in the meeting room of the Board of Supervisors
26 located on the 1st floor of the County Administrative Center, 4080 Lemon Street,
27 Riverside, California, authorizes the conveyance of the property legally described in
28 Attachments 1 and 2.



1 BE IT FURTHER RESOLVED AND DETERMINED that the Chairman of the
2 Board of Supervisors of the County of Riverside is authorized to execute the
3 Memorandum of Understanding between the City of Palm Desert and County of
4 Riverside;

5 BE IT FURTHER RESOLVED AND DETERMINED that the Chairman of the
6 Board is authorized to execute the Quitclaim Deed to complete the conveyance of the
7 fee simple interest in real property and this transaction;

8 BE IT FURTHER RESOLVED AND DETERMINED that the Chairman of the
9 Board is authorized to execute the Grant Deed to release and relinquish any and all
10 abutters rights, including access rights, to complete this transaction;

11 BE IT FURTHER RESOLVED AND DETERMINED that the Assistant County
12 Executive Officer/EDA, or his designee, is authorized to execute any other documents
13 and administer all actions to complete this transaction;

14 BE IT FURTHER RESOLVED AND DETERMINED that the Clerk of the Board
15 return all documents to the Economic Development Agency/Facilities Management for
16 further processing and recordation;

17 BE IT FURTHER RESOLVED AND DETERMINED that the Clerk of the Board of
18 Supervisors has given notice hereof as provided in Section 6061 of the Government
19 Code.

20 /// ROLL CALL:

Ayes: Buster, Tavaglione, Stone, Benoit, and Ashley

21 /// Nays: None

Absent: None

22 ///

23 /// The foregoing is certified to be a true copy of a resolution duly
adopted by said Board of Supervisors on the date therein set forth.

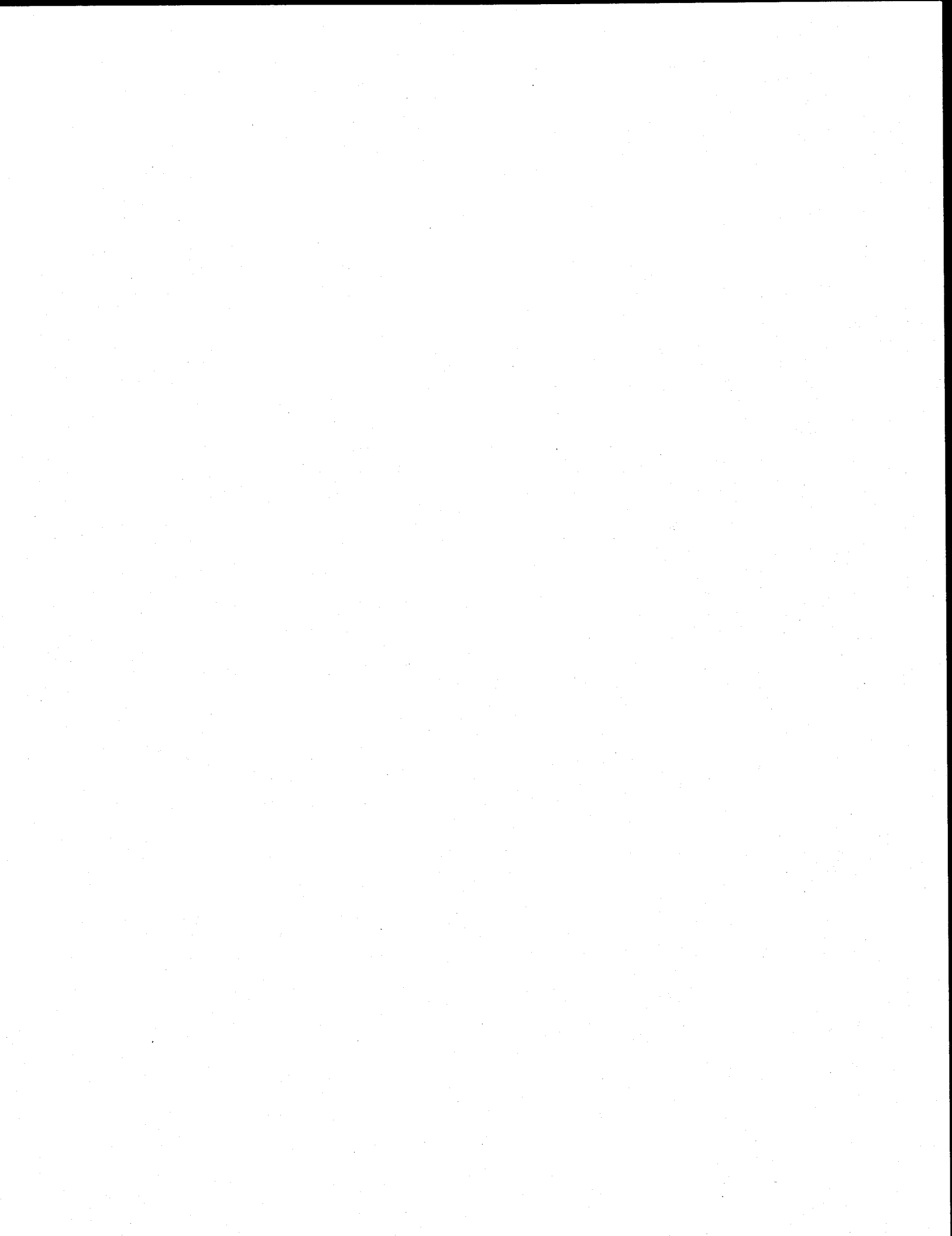
24 /// KECIA HARPER-IHEM, Clerk of said Board

25 /// By: _____

26 /// Deputy

27 ///

28 CAO:ra/030812/393TR/14.549 S:\Real Property\TYPING\Docs-14.500 to 14.999\14.549.doc



1 CITY OF PALM DESERT, a body politic and a municipal corporation of the State of
2 California (City)

3
4 COUNTY OF RIVERSIDE, a political subdivision of the State of California
5 (County)

6 PROJECT: Interstate 10/Monterey Avenue
7 Interchange

8
9 **MEMORANDUM OF UNDERSTANDING**

10 This Memorandum of Understanding (MOU) is made and entered into this
11 9th day of February, 2012, (Effective Date) between CITY OF PALM
12 DESERT, a body politic and a municipal corporation of the State of California (City),
13 and the COUNTY OF RIVERSIDE, a political subdivision of the State of California
14 (County). City and County are sometimes collectively referred to as "Parties".

15 **RECITALS**

16 WHEREAS, the State of California, acting by and through its Department of
17 Transportation (State) and City of Palm Desert (City) entered into a Construction
18 Cooperative Agreement (District Agreement No. 8-1425) dated April 6, 2009 to modify
19 the existing Monterey Avenue Interchange ramps on Interstate 10 (Project); and

20 WHEREAS, the City is the lead currently working on the Project; and

21 WHEREAS, the County is the owner of certain real property located in
22 unincorporated county area of Thousand Palms that is the subject of this MOU,
23 identified as Exhibit A, attached hereto and made a part hereof (County Property) and
24 has full legal title to the County Property, and has full power and authority to convey all
25 property rights described herein to City; and

26 WHEREAS, restricted access rights are needed from Assessor's Parcel Number
27 693-230-016 adjacent to the County Property for the Project, identified as Exhibit B,
28 attached hereto and made a part hereof (Adjacent Property); and

4-17-12 3.10



1 WHEREAS, the County Property is needed by the City in order to provide
2 secondary access to the Adjacent Property; and

3 WHEREAS, pursuant to Government Code Section 25365, the County may
4 transfer interests in real property or interest belonging to the County to another public
5 agency; and

6 NOW, THEREFORE, County and City do hereby agree as follows:

7 **AGREEMENT**

8 1. All the above recitals are true and correct and by this reference are incorporated
9 herein.

10 2. The County shall execute and deliver a Quitclaim Deed as shown on "Exhibit
11 "C", attached hereto and incorporated herein by this reference, to City conveying the
12 County's Property in accordance to the terms and condition provided herein to satisfy
13 the access requirements for the Project.

14 3. The City shall:

15 A. Accept the County Property in an "as-is" condition "with all faults" and
16 specifically and expressly without any warranties, representations or guarantees, either
17 express or implied, of any kind, nature or type whatsoever from or on behalf of County.

18 B. Acknowledge that County has made no representation as to the physical
19 condition or compliance with local, state or federal building code requirements or
20 ordinances regarding County Property.

21 C. Accept ownership of the County Property; provided however, if the City
22 determines that the County Property is not used for the use intended, then City shall
23 provide written notice to the County that the County Property may be conveyed back to
24 the County.

25 4. Execution and delivery of the Quitclaim Deed by the County to the City shall
26 occur within 30 days after Parties have obtained authorization from its respective
27 bodies and full execution of this MOU. Parties may mutually agree in writing to extend
28 the time for performance of the conveyances.



1 5. No part of this MOU may be modified, altered, amended, waived or changed
2 without the express written consent of the parties hereto.

3 6. As used in this MOU, notice includes but is not limited to, the communication of
4 any notice, request, demand, approval, statement, report, acceptance, consent, waiver
5 and appointment. All notices must be in writing. Notice is given either (i) when
6 delivered in person to the person or company intended names below, (ii) when
7 delivered via facsimile with confirmation from the receiving party via return fax; or (iii)
8 when sent via reputable overnight courier (such as Federal Express), addressed by
9 name and addressed to the party or persons intended, as follows, until such time as a
10 party gives notice of a change of address in accordance with the terms of this section:

11	<u>If to County:</u>	<u>If to City:</u>
12	Craig Olsen	(Insert City Information)
13	Senior Real Property Agent	John Wohlmuth
14	Economic Development Agency	City Manager
15	Real Property Division	City of Palm Desert
16	3403 10 th Street, Suite 500	73510 Fred Waring Drive
17	Riverside, California 92501	Palm Desert, California 92260
18	Telephone: (951) 955-4840	Telephone: 760-346-0611
19	Facsimile: (951) 955-4837	Facsimile: 760-340-0574
20	E-mail: caolsen@rivcoeda.org	E-mail: jwohlmuth@cityofpalmdesert.org
21		

22 7. Indemnification: Neither County nor any officer or employee thereof shall be
23 responsible for any damage or liability occurring by reason of anything done or omitted
24 to be done by City under or in connection with any work, authority or jurisdiction of City
25 for the Project or upon any liability arising out of the performance of this MOU. County
26 shall not be liable to City, its officers, employees, subcontractors, or third parties for
27 any indirect, special, or consequential damages, including lost profits or revenue,
28 arising from or relating to the Project or this MOU. In no event will County be liable for



1 any damages arising from or related to this MOU, for any cause whatsoever, and
2 regardless of the form of action, whether in contract or in tort. It is further agreed that
3 pursuant to Government Code Section 895.4, City shall indemnify, hold harmless and
4 defend the County from any acts or omissions whatsoever by City or any liability
5 imposed for injury (as defined by Government Code Section 810.8) occurring by
6 reason of anything done or omitted to be done by City under or in connection with any
7 work, authority or jurisdiction of the City for the Project or under this MOU.

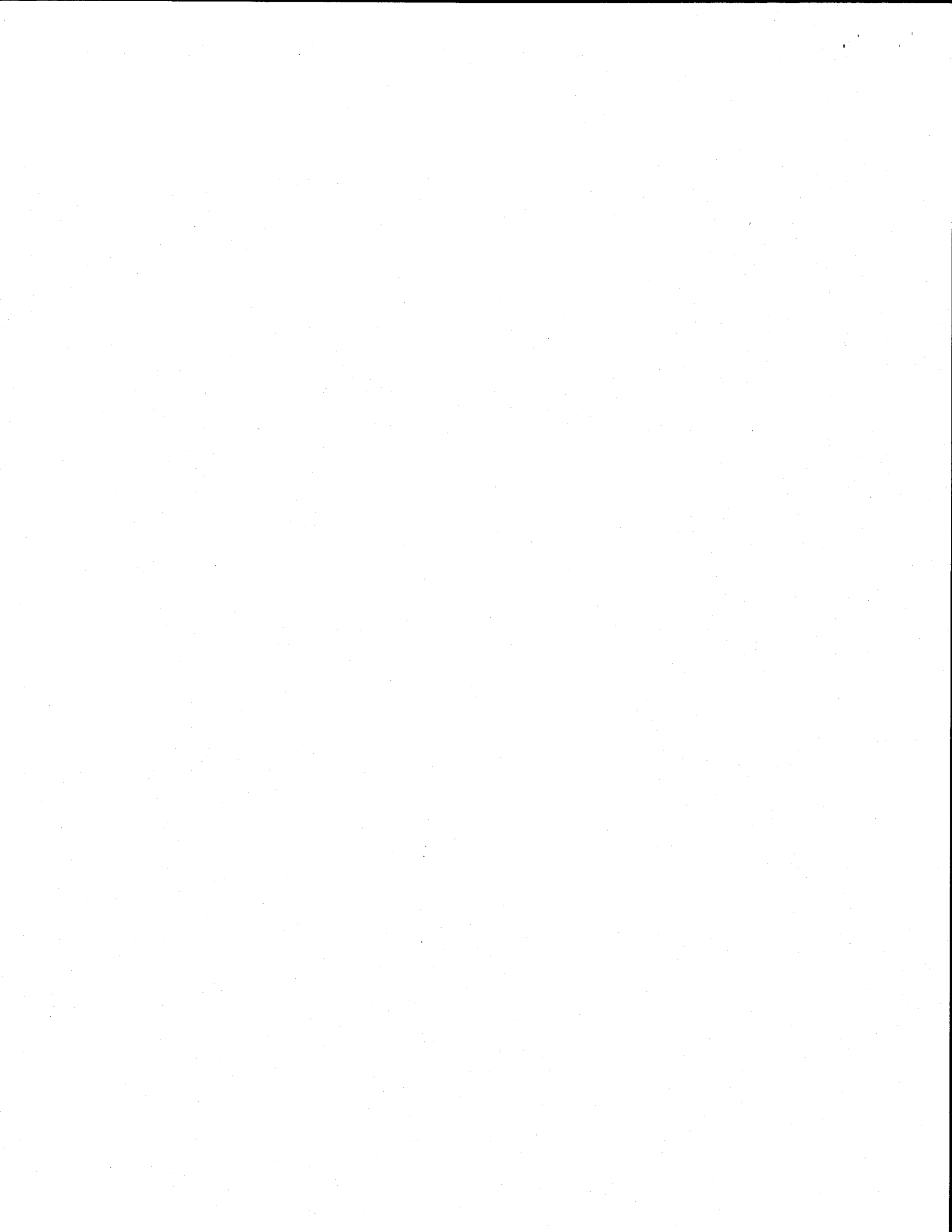
8 8. Authority of Parties: The Parties warrant that this Memorandum of
9 Understanding and all other documents delivered in accordance with this MOU have
10 been authorized and executed by the respective parties' authorized to do so.

11 9. Administration: The Assistant County Executive Officer of the County or
12 designee shall administer this MOU on behalf of the County. The ^{City Manager}~~City~~ ~~to insert name~~
13 ~~name~~ or designee shall administer this MOU on behalf of the City.

14 10. Assignment: This MOU shall not be assigned by either party, in whole or in part,
15 without the prior written consent of the other party.

16 11. Waiver: Any waiver by either party of a breach of any of the terms of this MOU
17 shall not be construed as a waiver of any succeeding breach of the same or other term
18 of this MOU.

19 12. Approval: This MOU must be approved by the City and the Board of
20 Supervisors for Riverside County, on behalf of the County, respectively. This MOU
21 shall be binding upon the successors of the City and the County. The parties hereto,
22 by their due execution of this MOU, represent to every other party that they have
23 reviewed each term of this MOU with their counsel or have had the opportunity for such
24 review with their counsel, and that no parties shall deny the validity of this MOU on the
25 grounds that the party did not have advice of counsel. Each party had the opportunity
26 to receive legal advice with respect to the advisability of this MOU. Each party had the
27 opportunity to participate in the drafting and preparation of this MOU. Any construction
28



1 to be made in this MOU of any of its terms or provisions shall not be construed against
2 any one party.

3 13. Counterparts: This MOU may be executed in one or more counterparts, all of
4 which together shall constitute one and the same MOU.

5 14. Time is of the Essence: Time is of the essence in the performance of terms and
6 conditions provided in this MOU.

7 15. Severability: In the event that any provision of this MOU is held by a court of
8 competent jurisdiction to be invalid, void, or unenforceable, or against public policy, the
9 Parties shall use their best efforts to negotiate and implement amendments to this
10 MOU that are necessary to and consistent with the purpose of this MOU and the intent
11 of the Parties.

12 16. Governing Law/Venue: This MOU and its construction and interpretation as to
13 validity, performance, and breach shall be construed under the laws of the State of
14 California applicable to agreements both entered into and to be performed in California.
15 Any disputes that may arise out of this MOU shall be handled in a court of competent
16 jurisdiction in the County of Riverside.

17 17. Complete Agreement: This MOU is intended by the Parties to be the final
18 expression of their agreement with respect to the subject matter hereof, and is
19 intended as the complete and exclusive statement of the terms of the agreement
20 between the Parties, whether oral or written.

21 (SIGNATURES ON NEXT PAGE)

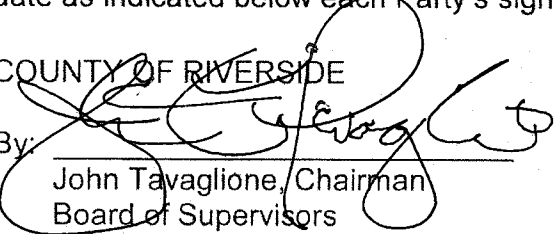
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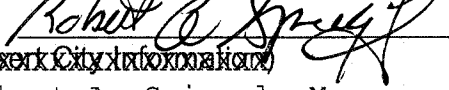


1 IN WITNESS WHEREOF, the Parties hereto have executed this MOU on the
2 date as indicated below each Party's signature.

3 COUNTY OF RIVERSIDE

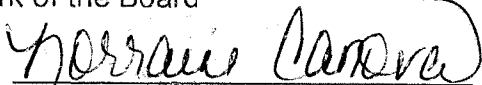
CITY OF PALM DESERT

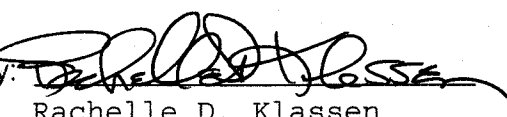
4 By: 
5 John Tavaglione, Chairman
6 Board of Supervisors

By: 
~~(insert City Information)~~
Robert A. Spiegel, Mayor

7 ATTEST:
8 Kecia Harper-Ihem
9 Clerk of the Board

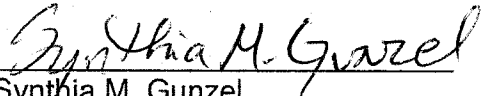
ATTEST:
~~(insert City Information)~~

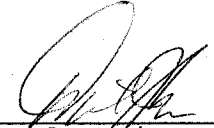
By: 
10 Deputy

By: 
11 Rachelle D. Klassen
12 City Clerk

13
14
15
16
17 APPROVED AS TO FORM:
18 Pamela J. Walls
19 County Counsel

APPROVED AS TO FORM:
~~(insert City Information)~~

20 By: 
21 Cynthia M. Gunzel
22 Deputy County Counsel

By: 
23 David Erwin, City Attorney

4-17-12 3.10



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

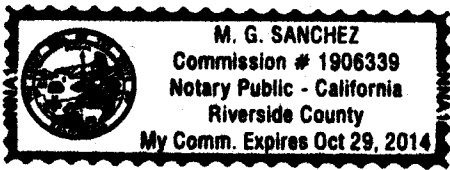
State of California

County of Riverside

On February 14, 2012 before me, M. G. Sanchez, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Robert A. Spiegel
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: [Handwritten Signature]
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: 031600 - County of Riverside - M011 - I-10/monterey Ave. Interchange

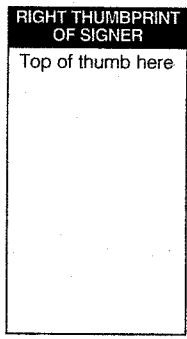
Document Date: February 9, 2012 Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Robert A. Spiegel

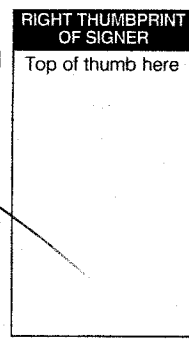
- Corporate Officer — Title(s): _____
- Individual
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: Mayor



Signer Is Representing: _____
 City of Palm Desert

Signer's Name: _____

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



Signer Is Representing: _____

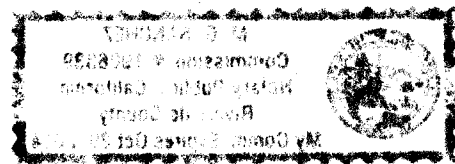


EXHIBIT "A"
COUNTY PROPERTY



RBF Consulting
3300 East Guasti Road, Suite 100
Ontario, CA 91761

December 8, 2011
JN 10-104249-M7

EXHIBIT "A"

QUITCLAIM – PORTION OF VARNER ROAD

That portion of Tract 4143-R in the unincorporated territory of the County of Riverside, State of California as shown on the map recorded in Book 67, Pages 38 and 39 of Maps, in the Office of the County Recorder of said Riverside County, being that portion of Varner Road described as Parcel No. 0717-004A of the Final Order of Condemnation recorded September 10, 1997 as Instrument No. 329158 of Official Records in the Office of the County Recorder of Riverside County, California, more particularly described as follows:

COMMENCING at the most northerly corner of Lot B of Lot Line Adjustment No. 05224 recorded September 15, 2008, as Instrument No. 2008-0504304 and as described in a grant deed recorded August 24, 2009 as Instrument No. 2009-0439513, both of Official Records, in the office of said Riverside County Recorder;

Thence along the northwesterly line of said Lot B, South 46°25'06" West 5.09 feet to a line parallel with and 5.00 feet southwesterly, measured at right angles, from the northeasterly line of said Tract No. 4143-R, being also the southwesterly line of Tract No. 3747 as shown on the map recorded in Book 65, Pages 60 through 74, inclusive, of Maps in the Office of said County Recorder, and the **TRUE POINT OF BEGINNING**;

Thence continuing along said northwesterly line of Lot B, South 46°25'06" West 49.79 feet to the most westerly corner of said Lot B, being also an angle point in the northeasterly right of way line of said Varner Road (48.00 foot half-width as described in that certain quitclaim deed recorded May 22, 2007 as Instrument No. 2007-0336820 of Official Records), said corner being the beginning of a non-tangent curve concave southwesterly and having a radius of 1648.00 feet, a radial line of said curve from said point bears South 46°25'19" West;

Thence along the northwesterly prolongation of said curve, northwesterly 182.22 feet through a central angle of 06°20'07";

Thence radially from said curve North 40°05'12" East 24.28 feet to said parallel line;

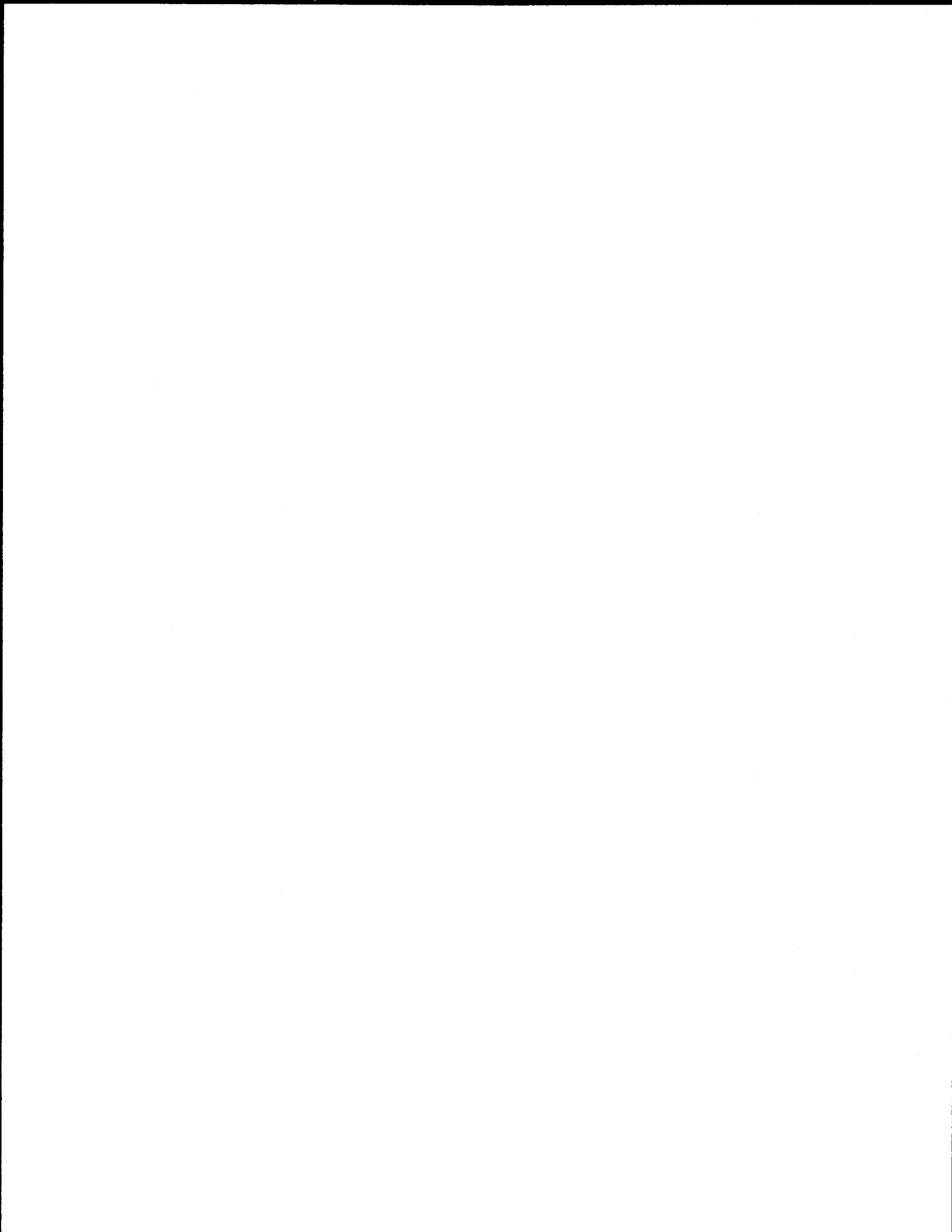


Exhibit "A"
Quitclaim – Portion of Varner Road

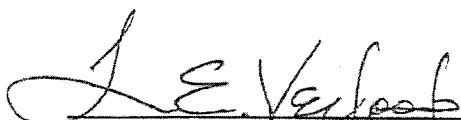
December 8, 2011
JN 10-104249-M7

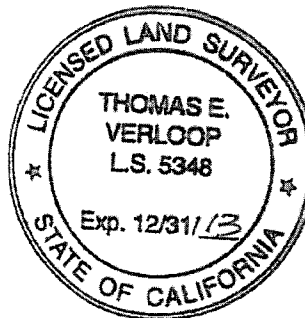
Thence along said parallel line South 54°32'01" East 187.95 feet to the **TRUE POINT OF BEGINNING**.

CONTAINING: 6,495 square feet, or 0.149 Acres, more or less.

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

This description was prepared by me or under my direction.

 03/06/2012
Thomas E. Verloop, P. L.S. 5348 Date
My license expires 12/31/13



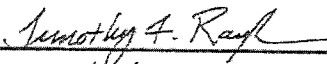
THIS DOCUMENT REVIEWED BY
RIVERSIDE COUNTY SURVEYOR.
BY: 
DATE: 3/7/2012



EXHIBIT "B"
B5-0686
 QUITCLAIM - PORTION OF VARNER ROAD

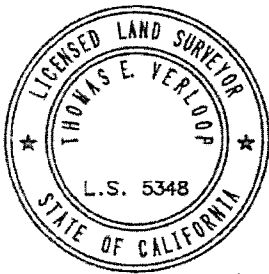
THIS DOCUMENT REVIEWED BY
 RIVERSIDE COUNTY SURVEYOR.

BY: *Timothy F. Raaf*

DATE: *3/7/2012*

DATA TABLE			
(NO)	BEARING/DELTA	RADIUS	LENGTH
1	S46° 25' 06" W	--	5.09'
2	S46° 25' 06" W	--	49.79'
*3	10° 58' 06"	1648.00'	315.48'
4	06° 20' 07"	1648.00'	182.22'
5	N40° 05' 12" E	(R)	24.28'
6	S54° 32' 01" E	--	187.95'

* INDICATES RECORD DATA
 PER LLA 05224, INST. NO.
 2008-0504304 O.R. (9/15/08)



Thomas E. Verloop 03/06/12
 THOMAS E. VERLOOP, P.L.S. 5348
 MY LICENSE EXPIRES 12/31/13

SKETCH TO ACCOMPANY A
 LEGAL DESCRIPTION FOR

COUNTY OF RIVERSIDE
 QUITCLAIM
 PORTION OF VARNER ROAD

I-10 FREEWAY

MONTEREY AVE.

TRACT NO. 4143-R
 M.B. 61/38-39
 P.O.I. No. 0717-004A
 INST. No. 329158 O.R.
 (09/10/1995)

S46° 25' 19" W(R)

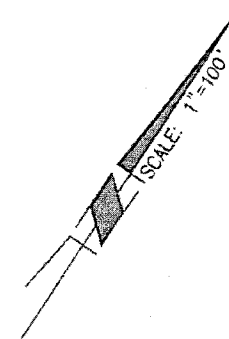
VARNER ROAD

SW'LY LINE
 INST. NO. 2007-0336820 O.R.
 (05/22/2007)

LOT LINE ADJUSTMENT
 INST. NO. LLA 05224
 (09/15/2008)
 GRANT DEED
 INST. NO. 2009-0439513 O.R.
 (08/24/2009)

WESTCHESTER DRIVE
 TRACT NO. 3747
 M.B. 65/60-74

T.P.O.B.
 P.O.C.
 MOST N'LY
 COR., LOT B



CONSULTING
 JUNE 6, 2011

SHEET 1 OF 1 SHEET
 PLANNING ■ DESIGN ■ CONSTRUCTION

3300 EAST GUASTI ROAD, SUITE 100
 ONTARIO, CALIFORNIA 91761
 909.974.4900 • FAX 909.390.9817 • www.RBF.com
 JN: 10-104249-M7

H:\PDATA\10104249\CADD\MAPPING\EXHIBITS\4249EX005ORIG.DWG TVERLOOP 3/6/12 3:33 pm

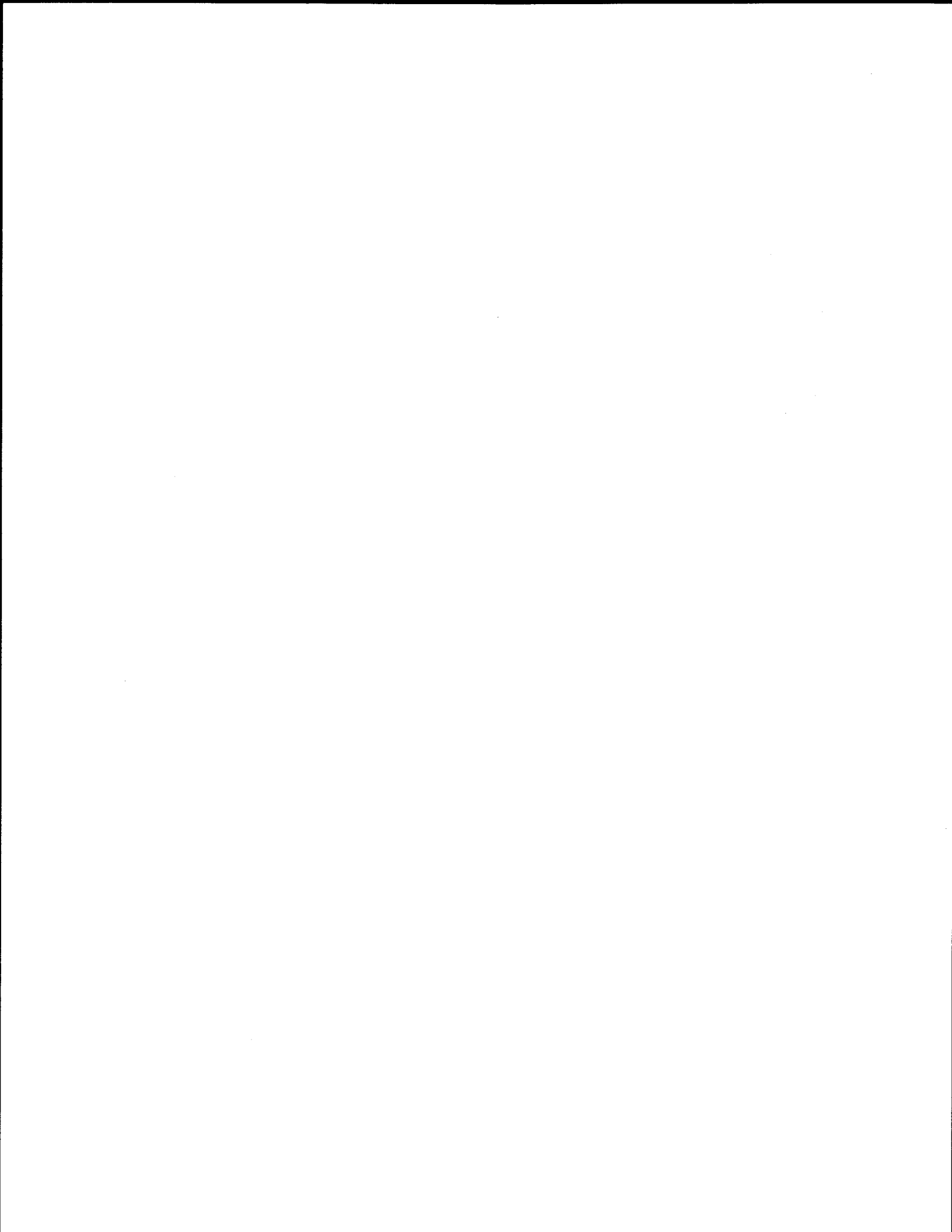
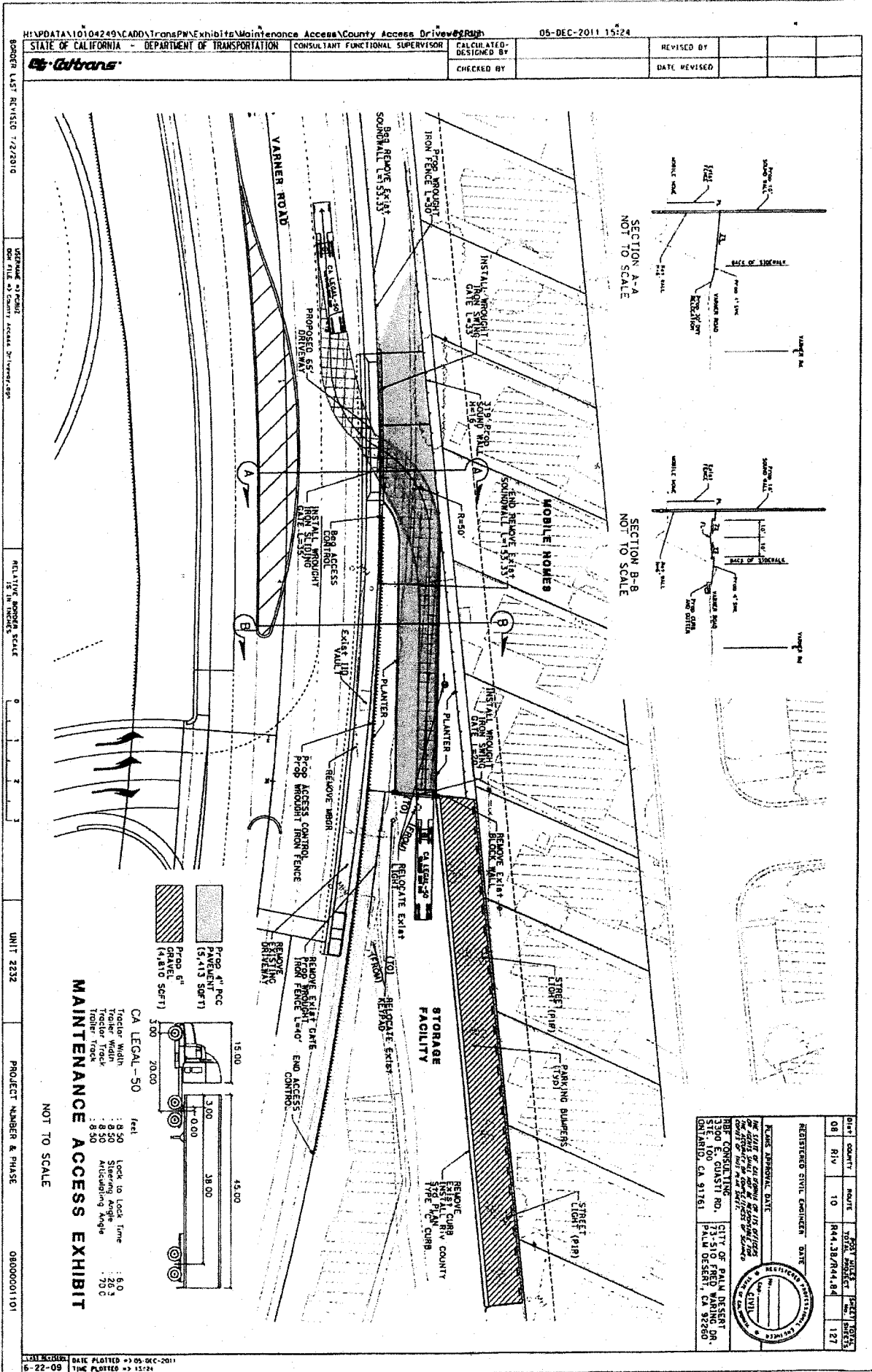


EXHIBIT "B"
ADJACENT PROPERTY



EXHIBIT "B"

Contract No. C31600



STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION	CONSULTANT FUNCTIONAL SUPERVISOR	DATE PREPARED / DESIGNED BY	REVISIONS
05-DEC-2011 15:24			
CHECKED BY		DATE REVISED	

08	08	10	10	127
08	RIV	10	R44.38/R44.84	127
REGISTERED CIVIL ENGINEER DATE				
PLANS APPROVAL DATE				
THE STATE OF CALIFORNIA DIVISION OF INDUSTRIAL RELATIONS OFFICE OF INDUSTRIAL ACCIDENT INVESTIGATION 3300 E. QUINCY RD. PALM DESERT, CA 92260 (951) 941-1111				
REF CONSULTING CITY OF PALM DESERT 3300 E. QUINCY RD. PALM DESERT, CA 92260 (951) 941-1111				



EXHIBIT "C"
QUITCLAIM DEED



Recorded at request of and return to:
Economic Development Agency/
Facilities Management
On behalf of Transportation Department
3403 10th Street, Suite 500
Riverside, California 92501

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

SV:ra/122111/393TR/14.532

Space above this line reserved for Recorder's Use

PROJECT: INTERSTATE 10 /
MONTEREY AVENUE
INTERCHANGE

QUITCLAIM DEED

NOW THEREFORE, for good and valuable consideration, the receipt and adequacy of which are acknowledged,

COUNTY OF RIVERSIDE, a political subdivision of the State of California

does hereby remise, release and forever quitclaim to CITY OF PALM DESERT, a body politic and municipal corporation of the State of California, all right, title, and interest Grantor has in the real property located in Riverside County, California, described in Exhibit "A" and shown on Exhibit "B" and incorporated by reference.



PROJECT: INTERSTATE 10/MONTEREY AVENUE INTERCHANGE

Dated: _____

GRANTOR:

COUNTY OF RIVERSIDE, a political
subdivision of the State of California

By: _____

John Tavaglione, Chairman
Board of Supervisors

STATE OF CALIFORNIA

)

)ss

COUNTY OF _____

)

On _____, before me, _____, a Notary
Public in and for said County and State, personally appeared
_____, who proved

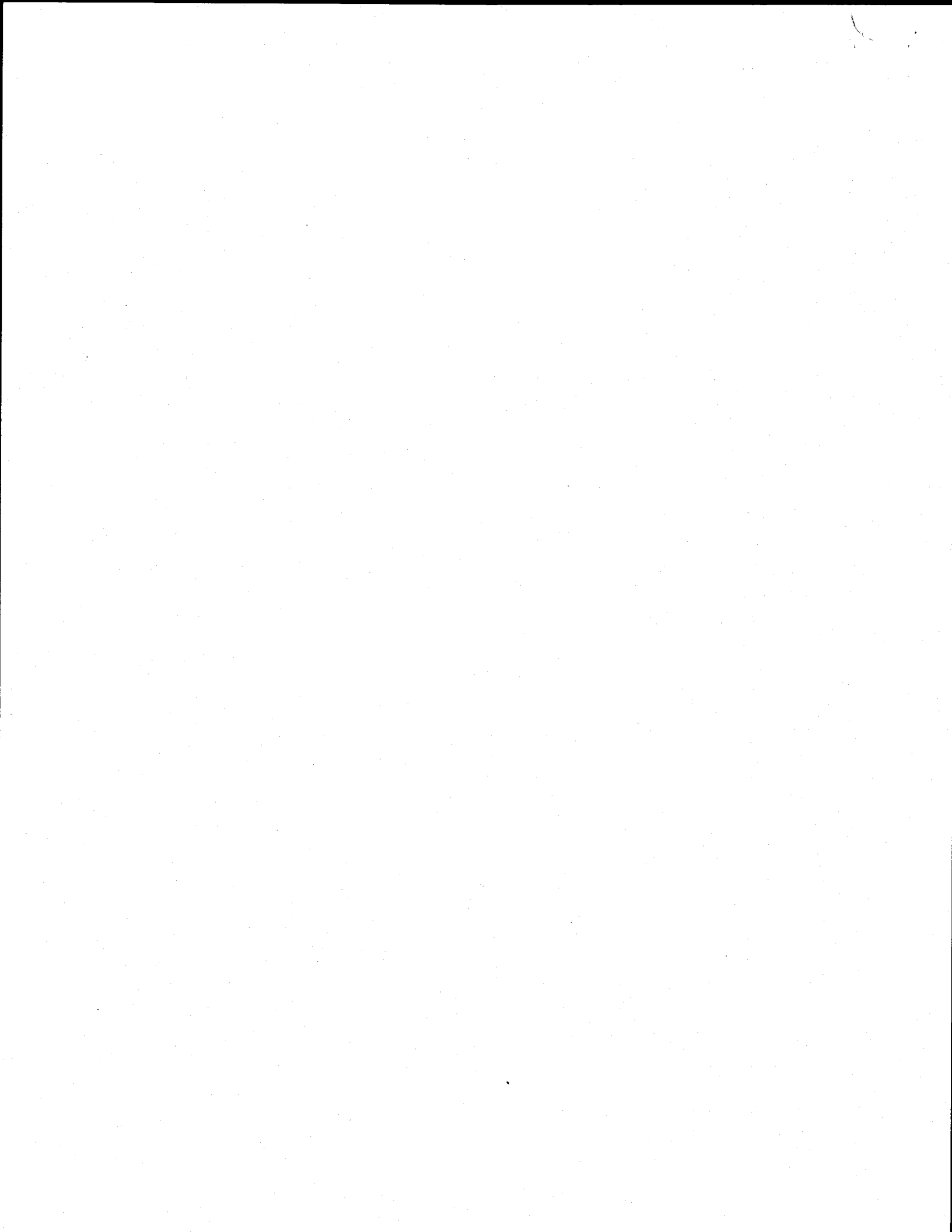
to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the
same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the
instrument the person(s), or the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

[SEAL]



RBF Consulting
3300 East Guasti Road, Suite 100
Ontario, CA 91761

December 8, 2011
JN 10-104249-M7

EXHIBIT "A"

QUITCLAIM – PORTION OF VARNER ROAD

That portion of Tract 4143-R in the unincorporated territory of the County of Riverside, State of California as shown on the map recorded in Book 67, Pages 38 and 39 of Maps, in the Office of the County Recorder of said Riverside County, being that portion of Varner Road described as Parcel No. 0717-004A of the Final Order of Condemnation recorded September 10, 1997 as Instrument No. 329158 of Official Records in the Office of the County Recorder of Riverside County, California, more particularly described as follows:

COMMENCING at the most northerly corner of Lot B of Lot Line Adjustment No. 05224 recorded September 15, 2008, as Instrument No. 2008-0504304 and as described in a grant deed recorded August 24, 2009 as Instrument No. 2009-0439513, both of Official Records, in the office of said Riverside County Recorder;

Thence along the northwesterly line of said Lot B, South 46°25'06" West 5.09 feet to a line parallel with and 5.00 feet southwesterly, measured at right angles, from the northeasterly line of said Tract No. 4143-R, being also the southwesterly line of Tract No. 3747 as shown on the map recorded in Book 65, Pages 60 through 74, inclusive, of Maps in the Office of said County Recorder, and the **TRUE POINT OF BEGINNING**;

Thence continuing along said northwesterly line of Lot B, South 46°25'06" West 49.79 feet to the most westerly corner of said Lot B, being also an angle point in the northeasterly right of way line of said Varner Road (48.00 foot half-width as described in that certain quitclaim deed recorded May 22, 2007 as Instrument No. 2007-0336820 of Official Records), said corner being the beginning of a non-tangent curve concave southwesterly and having a radius of 1648.00 feet, a radial line of said curve from said point bears South 46°25'19" West;

Thence along the northwesterly prolongation of said curve, northwesterly 182.22 feet through a central angle of 06°20'07";

Thence radially from said curve North 40°05'12" East 24.28 feet to said parallel line;



Exhibit "A"
Quitclaim – Portion of Varner Road

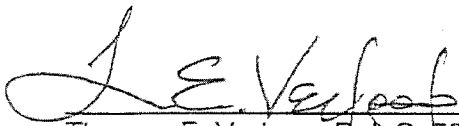
December 8, 2011
JN 10-104249-M7

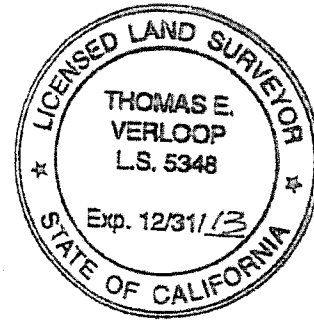
Thence along said parallel line South 54°32'01" East 187.95 feet to the TRUE POINT OF BEGINNING.

CONTAINING: 6,495 square feet, or 0.149 Acres, more or less.

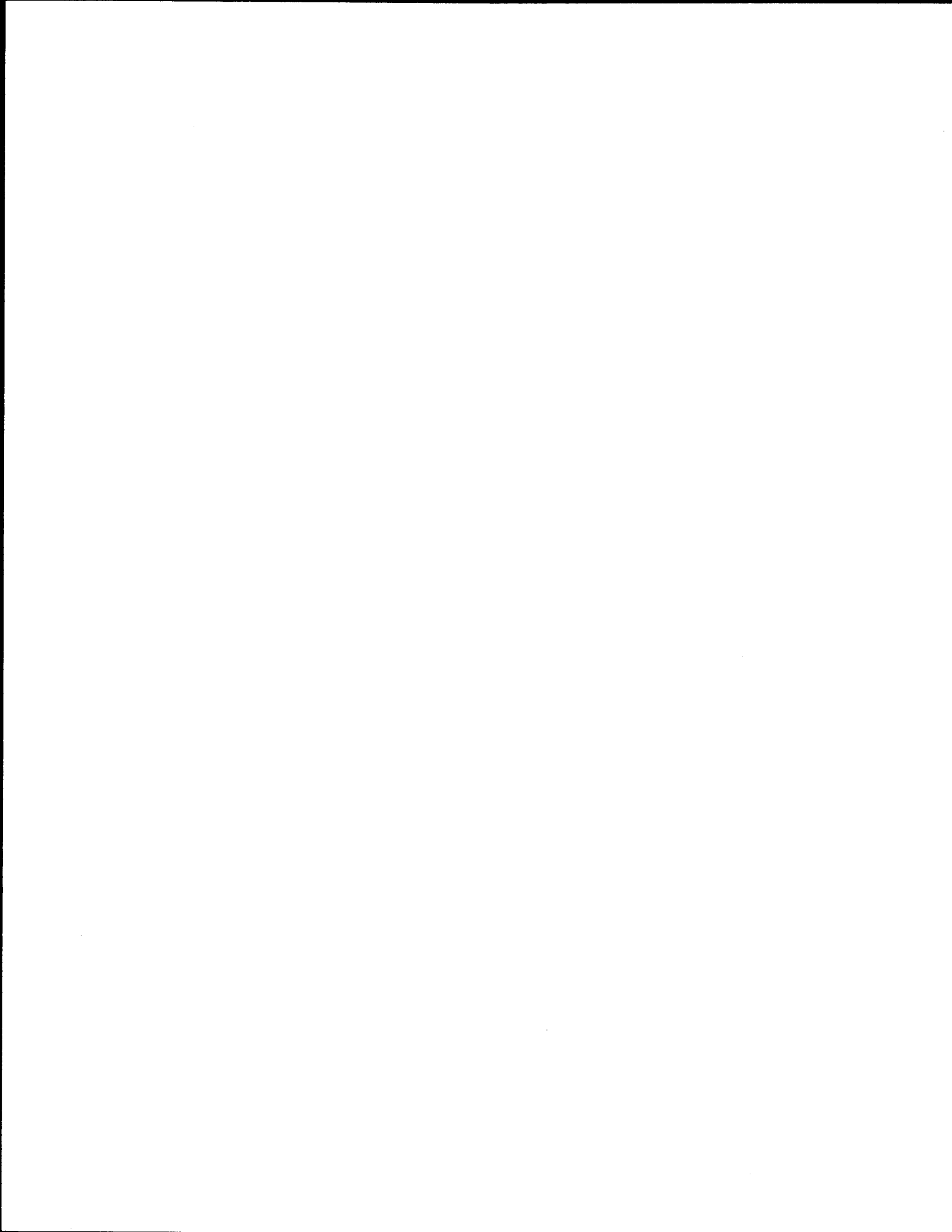
EXHIBIT "B" attached hereto and by this reference made a part hereof.

This description was prepared by me or under my direction.

 03/06/2012
Thomas E. Verloop, P. L.S. 5348 Date
My license expires 12/31/13



THIS DOCUMENT REVIEWED BY
RIVERSIDE COUNTY SURVEYOR.
BY: Amotby 4. Ray
DATE: 3/9/2012





RECORDING REQUESTED BY

When Recorded Mail To

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
464 W. 4th STREET, 6th FLOOR
SAN BERNARDINO, CA 92401-1400
Attention C. Camarillo – MS 650

FREE RECORDING:

This instrument is for the benefit of The State of California, and is entitled to be recorded without fee or tax. (Govt. Code 6103, 27383 and Rev. & Tax Code 11922)

CAO:ra/021512/393TR/14.649

Space above this line for Recorder's Use

GRANT DEED
(CORPORATION)
(Relinquishment of Access Rights)

District	County	Route	Post	Number
08	RIV	10	R44.60	22373-1

County of Riverside, a political subdivision of the State of California, does hereby release and relinquish to the STATE OF CALIFORNIA, any and all abutter's rights, including access rights appurtenant to the property in the County of Riverside, State of California, described as:

See Exhibits "A" & "B"

08-RIV-10-PM R44.60-22373 (22373-1)



IN WITNESS WHEREOF, said corporation has caused its corporate name to be hereunto subscribed and its corporate seal to be affixed hereto, this _____ day of _____, 20____.

ATTEST:

KECIA HARPER-IHEM, Clerk

By *[Signature]*
DEPUTY

GRANTOR:

County of Riverside, a political subdivision of the State of California

By: *[Signature]*
John Tavaglione, Chairman
Board of Supervisors

FORM APPROVED COUNTY COUNSEL

BY: *[Signature]* 3-7-12
SYNTHIA M. GUNZEL DATE

State of California }
County of _____ } ss

ACKNOWLEDGMENT

On _____ before me, _____
(here insert name and title of the officer)
personally appeared _____

_____, 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.

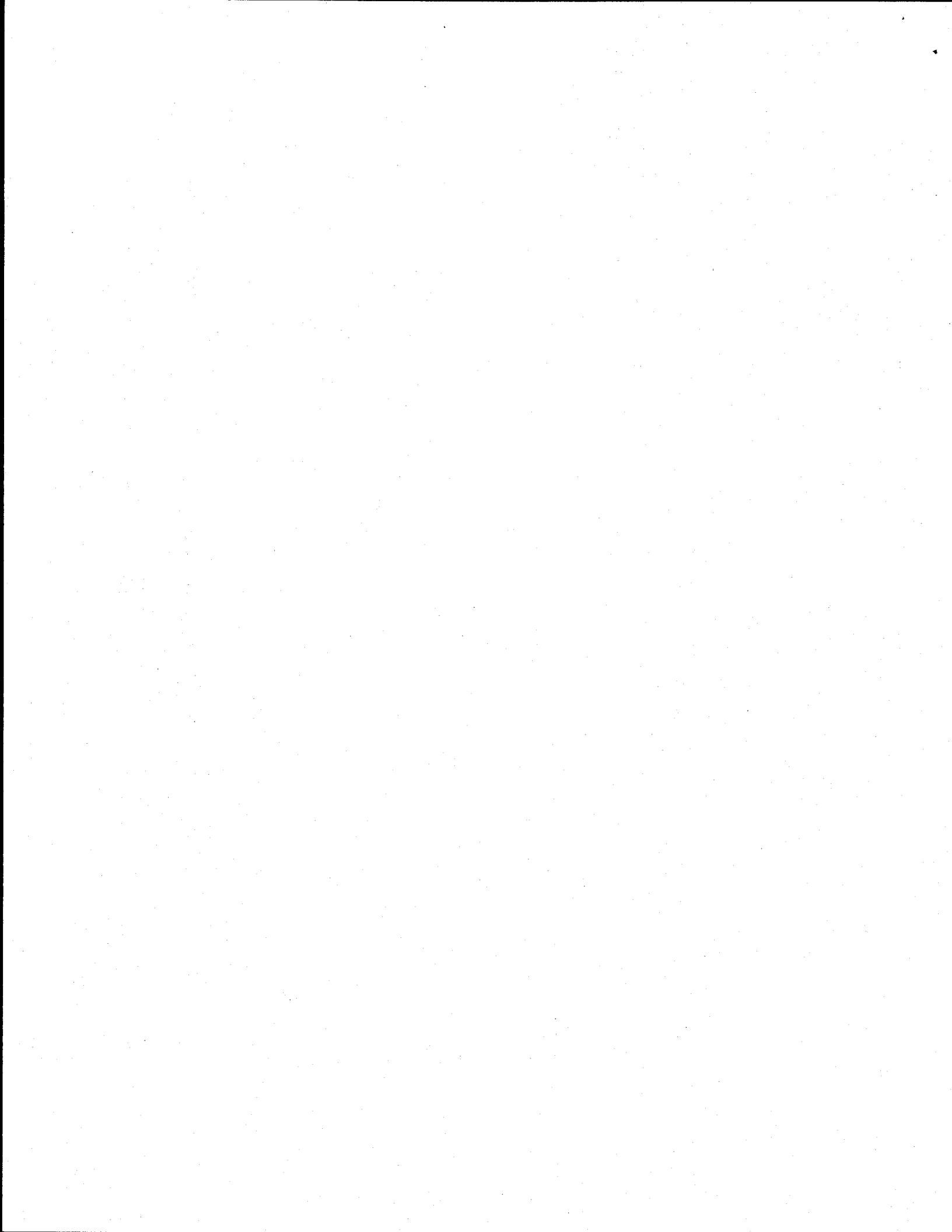
Signature _____ (Seal)

THIS IS TO CERTIFY, That the State of California, acting by and through the Department of Transportation (pursuant to Government Code Section 27281), hereby accepts for public purposes the real property described in the within deed and consents to the recordation thereof.

IN WITNESS WHEREOF, I have hereunto set my hand
this _____ day of _____, 20____

Malcom Dougherty
Director of Transportation

By _____
Attorney in Fact



STATE OF CALIFORNIA

COUNTY OF RIVERSIDE

} §

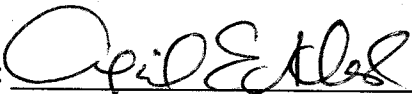
On April 17, 2012, before me, April Eckles, Board Assistant, personally appeared John Tavaglione, Chairman of the Board of Supervisors, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument; and that a copy of this paper, document or instrument has been delivered to the chairperson.

I certify under the 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

Kecia Harper-Ihem
Clerk of the Board of Supervisors

By: _____



Deputy Clerk

(SEAL)





**LARRY W. WARD
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER**

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

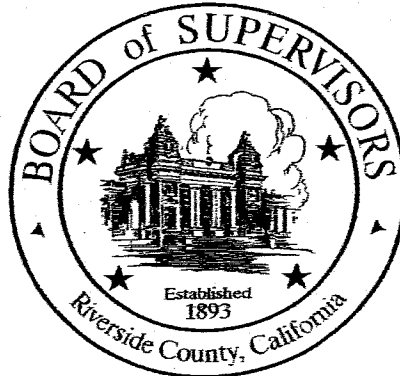
<http://riverside.asrcrkrec.com>

CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

CLARIFICATION OF THE SEAL for the Riverside County Board of Supervisors
(embossed on document)



Date: 4-18-12

Signature: April Eckles

Print Name: April Eckles , Board Assistant, Riverside County Clerk of the Board

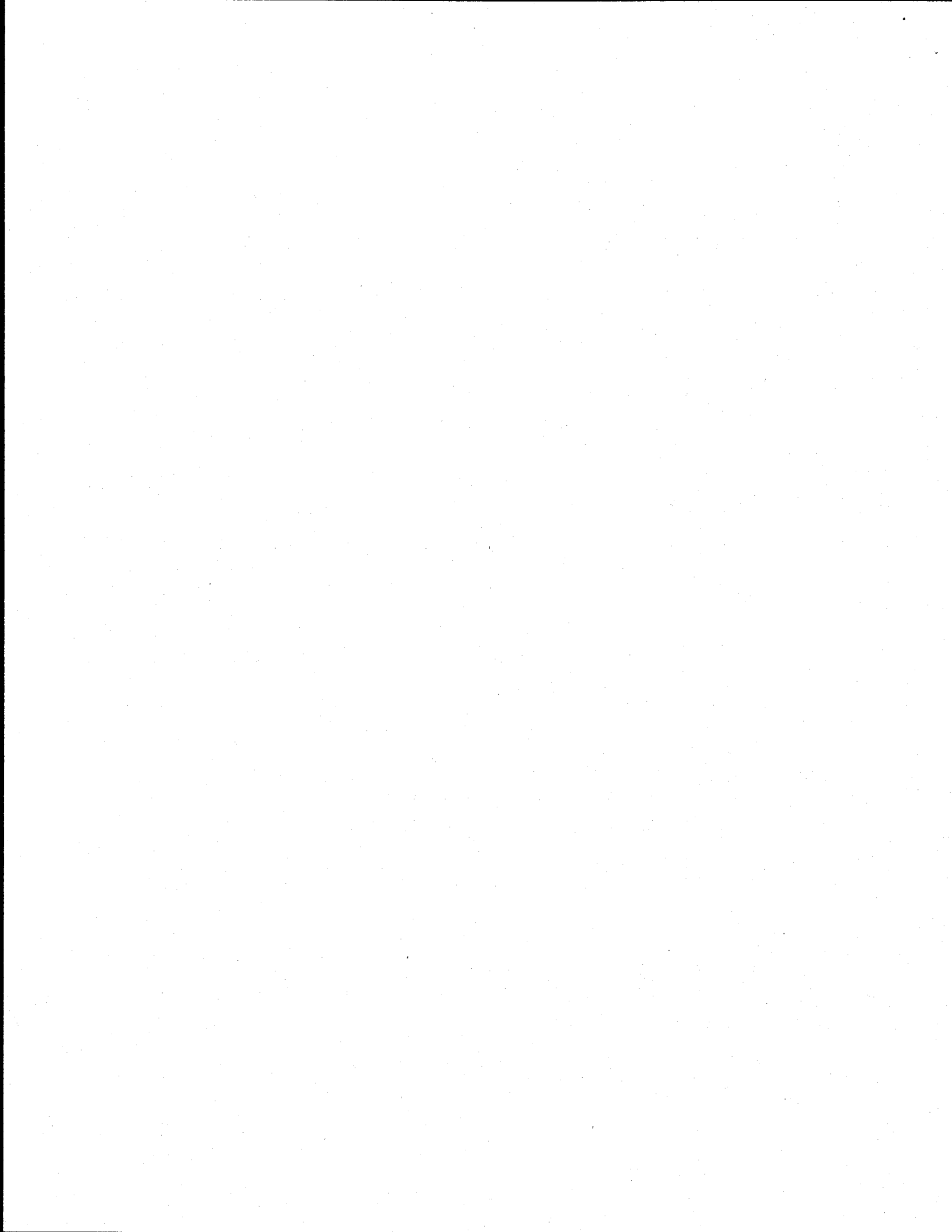


EXHIBIT "A"

PARCEL 22373-1

This conveyance is made for the purpose of a freeway and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights, including access rights appurtenant to Course "A", hereinafter described, over and across that portion of Varner Road described as Parcel No. 0717-004A of the Final Order of Condemnation recorded September 10, 1997 as Instrument No. 329158 of Official Records in the Office of the County Recorder of Riverside County, California, more particularly described as follows:

COMMENCING at the most northerly corner of Lot B of Lot Line Adjustment No. 05224 recorded September 15, 2008, as Instrument No. 2008-0504304 and as described in a grant deed recorded August 24, 2009 as Instrument No. 2009-0439513, both of Official Records, in the office of said Riverside County Recorder;

Thence along the northwesterly line of said Lot B, South 46°25'06" West 54.88 feet to the **TRUE POINT OF BEGINNING**, being the most westerly corner of said Lot B, being also the most southerly corner of that certain right of way vacation recorded _____, 2012 as Instrument No. 2012-_____ of Official Records in the Office of said Riverside County Recorder, and a point in the northeasterly right of way line of said Varner Road (48.00 foot half-width as described in that certain quitclaim deed recorded May 22, 2007 as Instrument No. 2007-0336820 of Official Records), said corner being the beginning of a non-tangent curve concave southwesterly and having a radius of 1648.00 feet, a radial line of said curve from said point bears South 46°25'19" West;

Thence, Course "A", along said northeasterly right of way line of Varner Road and along said non-tangent curve, northwesterly 137.02 feet through a central angle of 04°45'49" to the **POINT OF TERMINUS**.

The bearings and distances used in the above description are on the California Coordinate System of 1983 (1992.88) Zone 6. Multiply all distances used in the above description by 1.00001858 to obtain ground level distances.

Reference is hereby made to State of California, Department of Transportation-District 8 Map, file number RW 000075/01 through 02, inclusive.

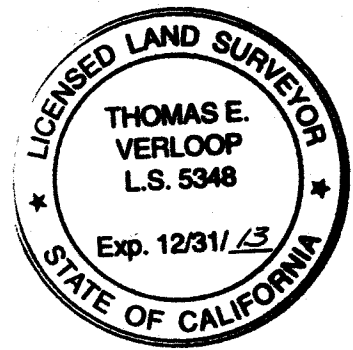
08-Riv-10 PM R44.60-22373 (22373-1)



This real property description has been prepared by me, or under my direction, in conformance with the provisions of the Professional Land Surveyors Act.

Signature: Thomas E. Verloop 02/07/2012
Thomas E. Verloop, PLS #348, Exp. 12/31/2013

Date:



THIS DOCUMENT REVIEWED BY
RIVERSIDE COUNTY SURVEYOR.
BY: Suzanne A. Raff
DATE: 3/6/2012

08-Riv-10 PM R44.60-22373 (22373-1)

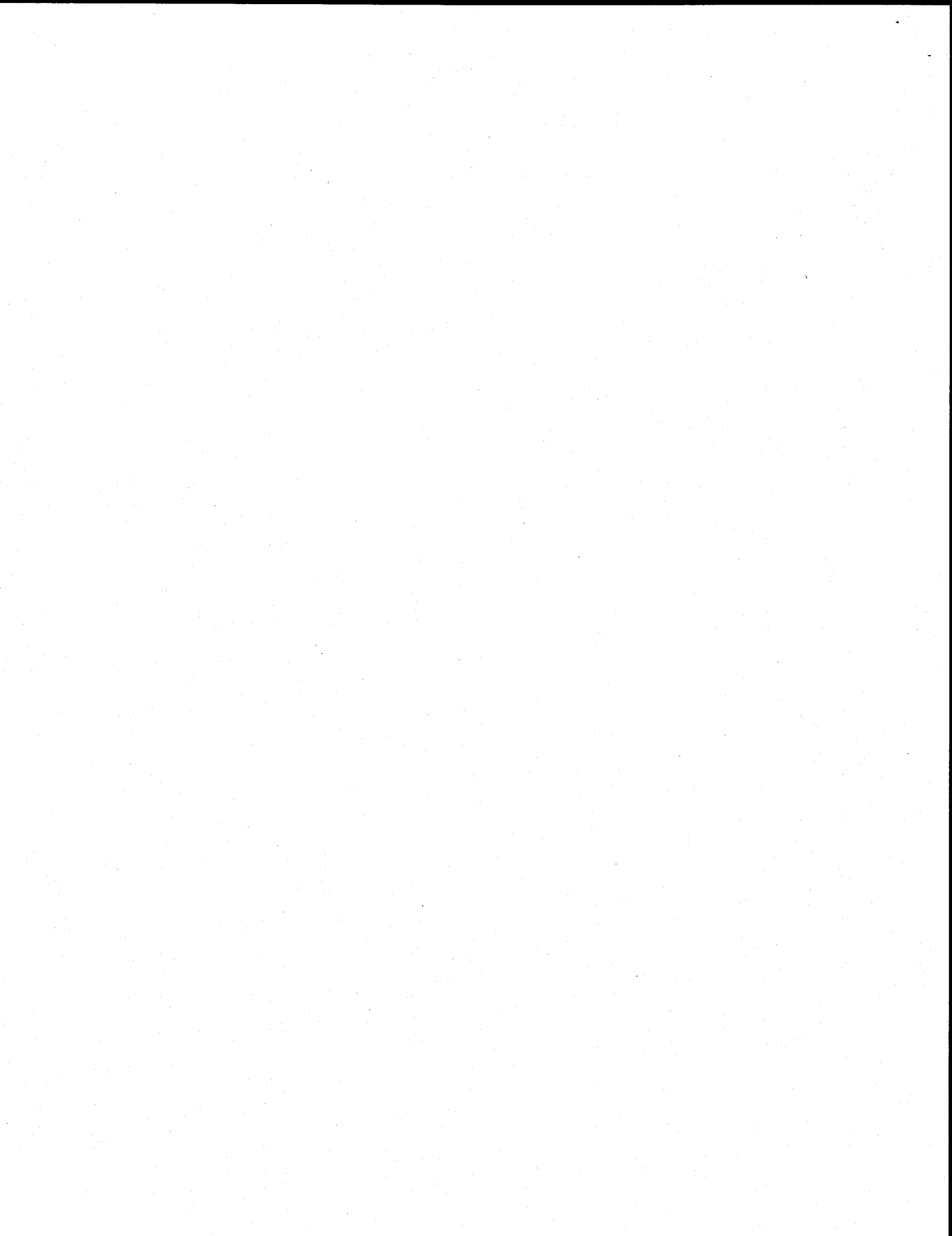


EXHIBIT "B"

ABUTTER'S RIGHTS (ACCESS RESTRICTION)
08-RIV-10-PM-R44.60-22373 (22373-1)

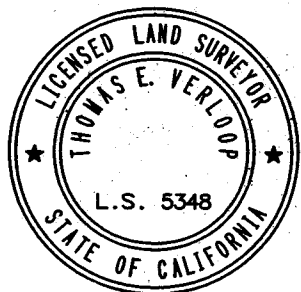
① INDICATES LLA NO. 05224
NOTICE; REC. 9/15/2008 AS
INST. NO. 2008-0504304
GRAND DEED; REC. 8/24/2009
AS INST. NO. 2009-0439513

② INDICATES RIGHT OF WAY
VACATION PER INST. NO.
2012-_____, RECORDED
_____, 2012.

* INDICATES RECORD DATA
PER LLA 05224, INST. NO.
2008-0504304 O.R. (9/15/08)

DATA TABLE			
(NO)	BEARING/Delta	RADIUS	LENGTH
1	S46°25'06"W	--	54.88'
2	04°45'49"	1648.00'	137.02'
*3	10°58'06"	1648.00'	315.48'

THIS DOCUMENT REVIEWED BY
RIVERSIDE COUNTY SURVEYOR.
BY: Thomas E. Verloop
DATE: 3/6/2012

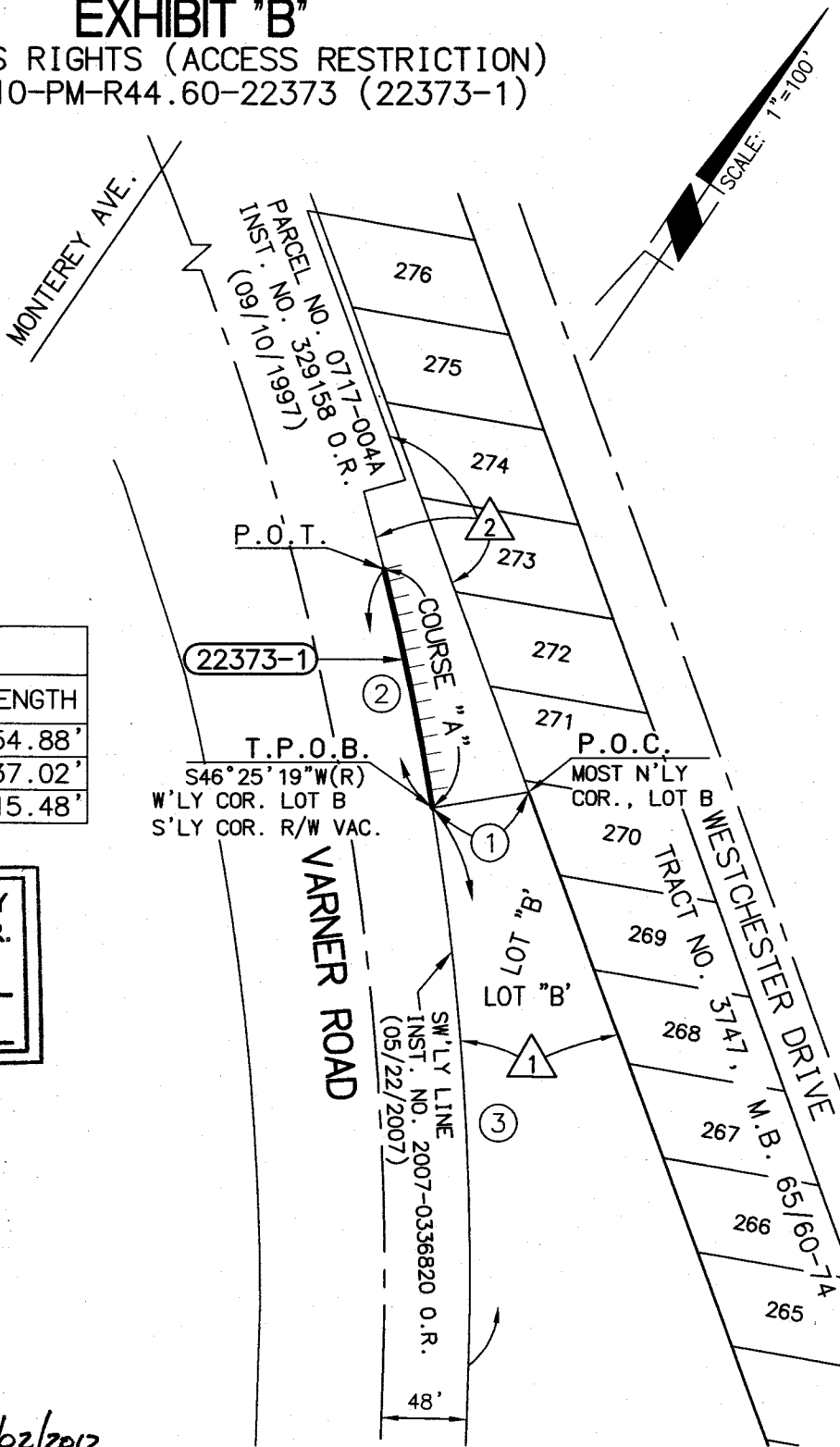


Thomas E. Verloop 03/02/2012

THOMAS E. VERLOOP, P.L.S. 5348
MY LICENSE EXPIRES 12/31/13

SKETCH TO ACCOMPANY A
LEGAL DESCRIPTION FOR

COUNTY OF RIVERSIDE
RELINQUISHMENT OF ACCESS RIGHTS
VARNER ROAD
COUNTY OF RIVERSIDE TO CALTRANS



SHEET 1 OF 1 SHEET
PLANNING ■ DESIGN ■ CONSTRUCTION

3300 EAST GUASTI ROAD, SUITE 100
ONTARIO, CALIFORNIA 91761
909.974.4900 • FAX 909.390.9817 • www.RBF.com



Recorded at request of and return to:
Economic Development Agency/
Facilities Management
On behalf of Transportation Department
3403 10th Street, Suite 500
Riverside, California 92501

FREE RECORDING
This instrument is for the benefit of
County of Riverside, and is
entitled to be recorded without fee.
(Govt. Code 6103)
SV:ra/122111/393TR/14.532

Space above this line reserved for Recorder's Use

PROJECT: INTERSTATE 10 /
MONTEREY AVENUE
INTERCHANGE
Contract No. C31600

QUITCLAIM DEED

NOW THEREFORE, for good and valuable consideration, the receipt and adequacy of which are acknowledged,

COUNTY OF RIVERSIDE, a political subdivision of the State of California

does hereby remise, release and forever quitclaim to CITY OF PALM DESERT, a body politic and municipal corporation of the State of California, all right, title, and interest Grantor has in the real property located in Riverside County, California, described in Exhibit "A" and shown on Exhibit "B" and incorporated by reference.



PROJECT: INTERSTATE 10/MONTEREY AVENUE INTERCHANGE C31600

Dated: 4-17-2012

GRANTOR:

COUNTY OF RIVERSIDE, a political subdivision of the State of California

ATTEST:

KECIA HARPER-IHEM, Clerk

By: [Signature]
DEPUTY

By: [Signature]
John Tavaglione, Chairman
Board of Supervisors

STATE OF CALIFORNIA)
)ss
COUNTY OF _____)

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) 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 _____

[SEAL]

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



STATE OF CALIFORNIA

COUNTY OF RIVERSIDE

} §

On April 17, 2012, before me, April Eckles, Board Assistant, personally appeared John Tavaglione, Chairman of the Board of Supervisors, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument; and that a copy of this paper, document or instrument has been delivered to the chairperson.

I certify under the penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

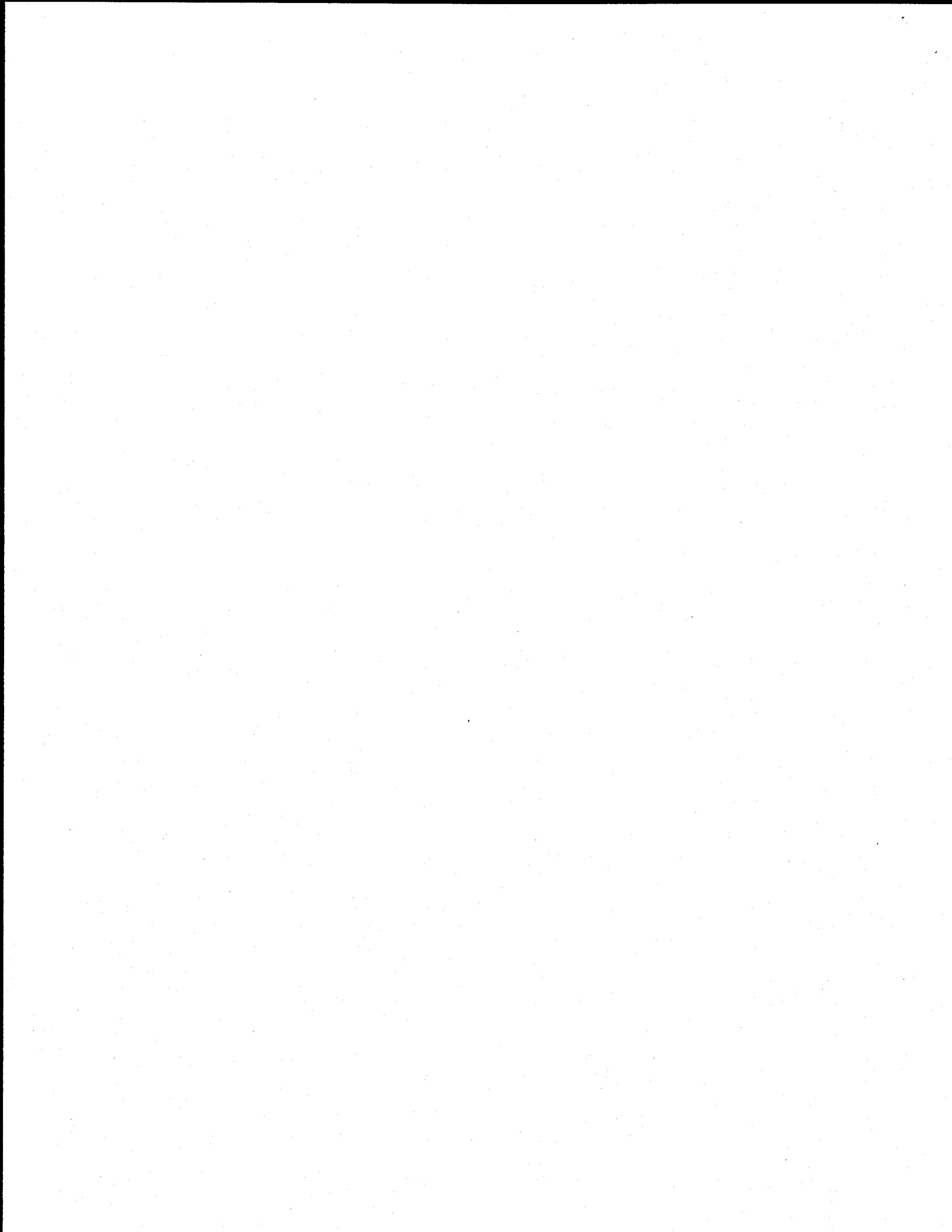
WITNESS my hand and official seal

Kecia Harper-Ihem
Clerk of the Board of Supervisors

By:


Deputy Clerk

(SEAL)





**LARRY W. WARD
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER**

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

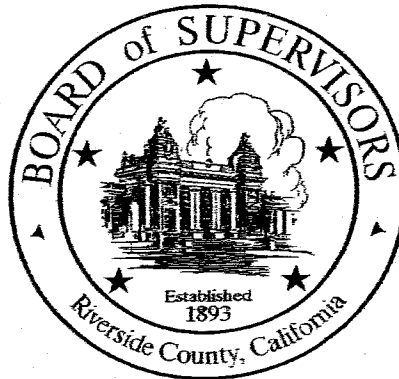
<http://riverside.asrclkrec.com>

CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

CLARIFICATION OF THE SEAL for the Riverside County Board of Supervisors
(embossed on document)



Date:

4-18-12

Signature:

April Eckles

Print Name:

April Eckles , Board Assistant, Riverside County Clerk of the Board



RBF Consulting
3300 East Guasti Road, Suite 100
Ontario, CA 91761

December 8, 2011
JN 10-104249-M7

EXHIBIT "A"

QUITCLAIM – PORTION OF VARNER ROAD

That portion of Tract 4143-R in the unincorporated territory of the County of Riverside, State of California as shown on the map recorded in Book 67, Pages 38 and 39 of Maps, in the Office of the County Recorder of said Riverside County, being that portion of Varner Road described as Parcel No. 0717-004A of the Final Order of Condemnation recorded September 10, 1997 as Instrument No. 329158 of Official Records in the Office of the County Recorder of Riverside County, California, more particularly described as follows:

COMMENCING at the most northerly corner of Lot B of Lot Line Adjustment No. 05224 recorded September 15, 2008, as Instrument No. 2008-0504304 and as described in a grant deed recorded August 24, 2009 as Instrument No. 2009-0439513, both of Official Records, in the office of said Riverside County Recorder;

Thence along the northwesterly line of said Lot B, South 46°25'06" West 5.09 feet to a line parallel with and 5.00 feet southwesterly, measured at right angles, from the northeasterly line of said Tract No. 4143-R, being also the southwesterly line of Tract No. 3747 as shown on the map recorded in Book 65, Pages 60 through 74, inclusive, of Maps in the Office of said County Recorder, and the **TRUE POINT OF BEGINNING**;

Thence continuing along said northwesterly line of Lot B, South 46°25'06" West 49.79 feet to the most westerly corner of said Lot B, being also an angle point in the northeasterly right of way line of said Varner Road (48.00 foot half-width as described in that certain quitclaim deed recorded May 22, 2007 as Instrument No. 2007-0336820 of Official Records), said corner being the beginning of a non-tangent curve concave southwesterly and having a radius of 1648.00 feet, a radial line of said curve from said point bears South 46°25'19" West;

Thence along the northwesterly prolongation of said curve, northwesterly 182.22 feet through a central angle of 06°20'07";

Thence radially from said curve North 40°05'12" East 24.28 feet to said parallel line;



Exhibit "A"
Quitclaim – Portion of Varner Road

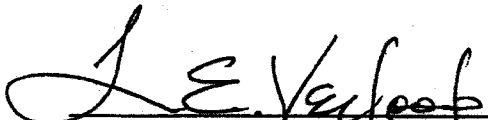
December 8, 2011
JN 10-104249-M7

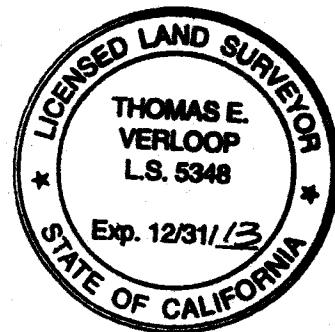
Thence along said parallel line South 54°32'01" East 187.95 feet to the **TRUE POINT OF BEGINNING.**

CONTAINING: 6,495 square feet, or 0.149 Acres, more or less.

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

This description was prepared by me or under my direction.

 03/06/2012
Thomas E. Verloop, P. L.S. 5348 Date
My license expires 12/31/13



THIS DOCUMENT REVIEWED BY
RIVERSIDE COUNTY SURVEYOR.
BY: Jonathan A. Ray
DATE: 3/7/2012

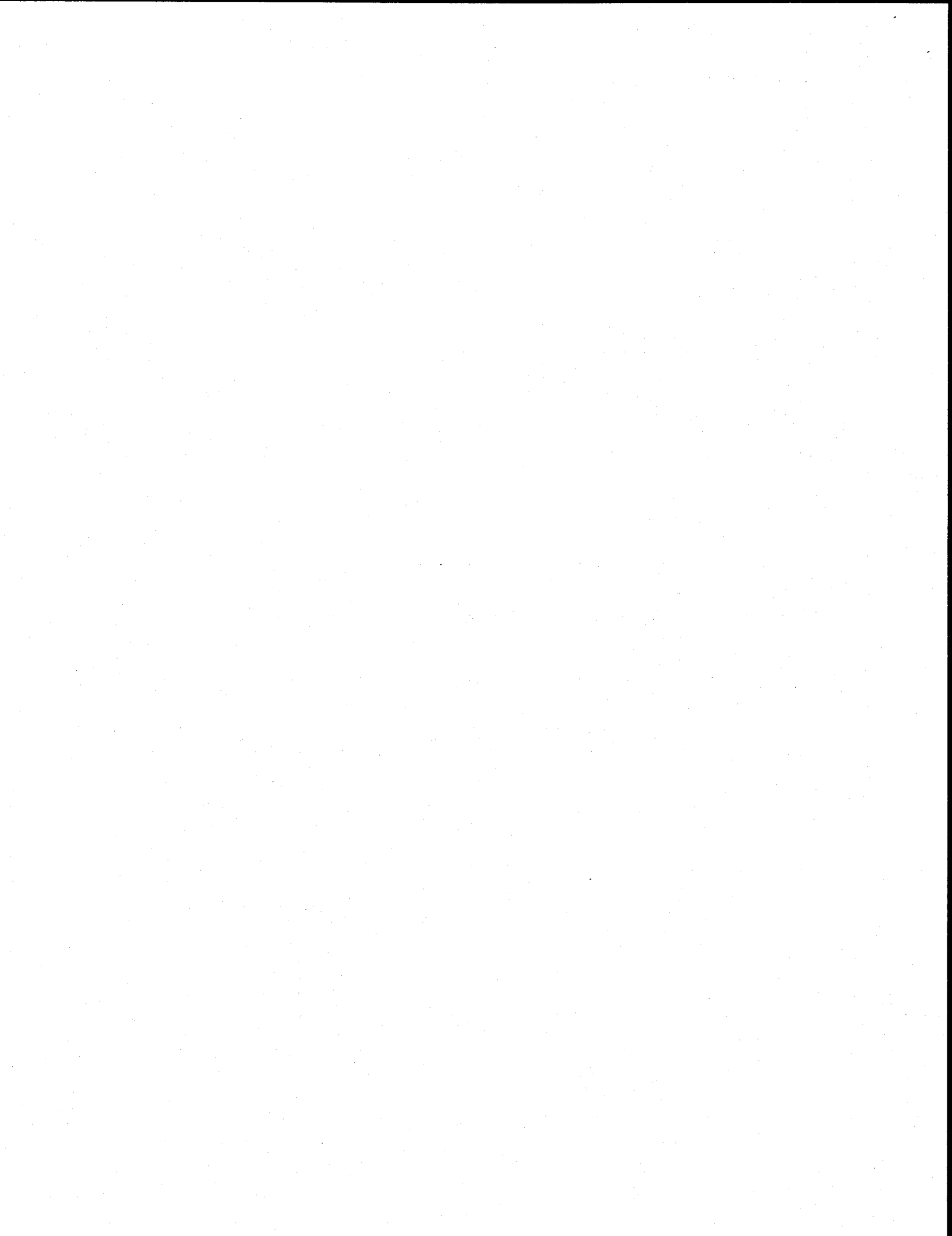


EXHIBIT "B"

B5-0686

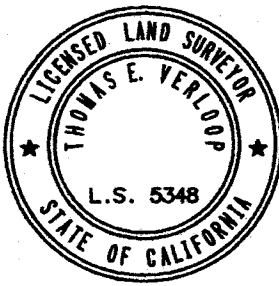
QUITCLAIM - PORTION OF VARNER ROAD



THIS DOCUMENT REVIEWED BY
RIVERSIDE COUNTY SURVEYOR.
BY: *Timothy F. Rayl*
DATE: *3/7/2012*

DATA TABLE			
NO	BEARING/DELTA	RADIUS	LENGTH
1	S46°25'06"W	--	5.09'
2	S46°25'06"W	--	49.79'
*3	10°58'06"	1648.00'	315.48'
4	06°20'07"	1648.00'	182.22'
5	N40°05'12"E	(R)	24.28'
6	S54°32'01"E	--	187.95'

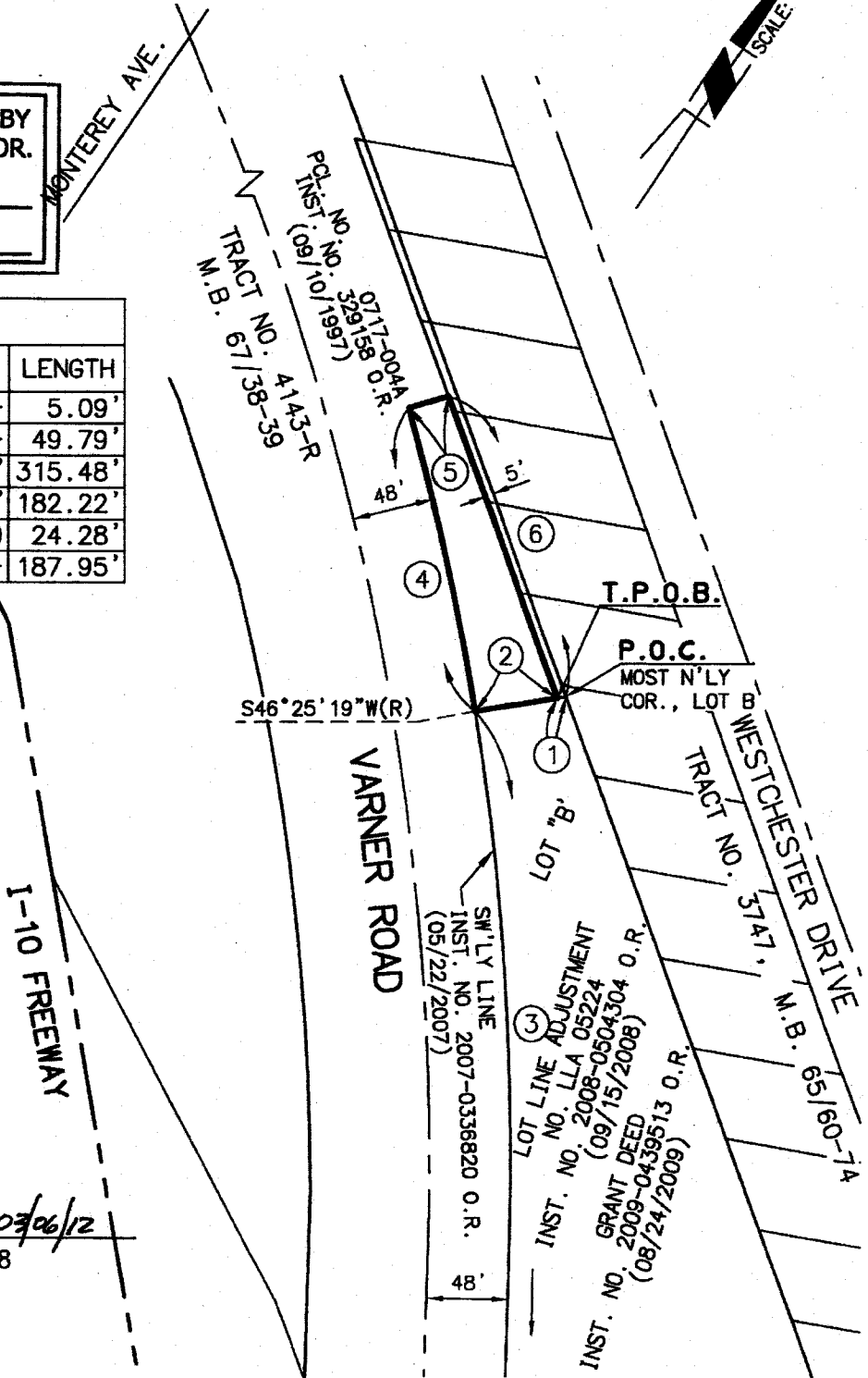
* INDICATES RECORD DATA
PER LLA 05224, INST. NO.
2008-0504304 O.R. (9/15/08)



Thomas E. Verloop 03/06/12
THOMAS E. VERLOOP, P.L.S. 5348
MY LICENSE EXPIRES 12/31/13

SKETCH TO ACCOMPANY A
LEGAL DESCRIPTION FOR

COUNTY OF RIVERSIDE
QUITCLAIM
PORTION OF VARNER ROAD



RBF
CONSULTING
JUNE 6, 2011

SHEET 1 OF 1 SHEET
PLANNING ■ DESIGN ■ CONSTRUCTION

3300 EAST GUAISTI ROAD, SUITE 100
ONTARIO, CALIFORNIA 91781
909.974.4900 • FAX 909.390.9817 • www.RBF.com

JN: 10-104249-M7

H:\DATA\10104249\CADD\MAPPING\EXHIBITS\4249EX008ORIG.DWG TVERLOOP 3/6/12 3:33 pm






CITY OF PALM DESERT

73-510 FRED WARING DRIVE
PALM DESERT, CALIFORNIA 92260-2578
TEL: 760 346-0611
FAX: 760 341-6372
info@palm-desert.org

Monterey Avenue Interchange Ramp Modification on Interstate 10 (I-10)
(Contract No. C31600) – Project No. 669-02

CERTIFICATE OF ACCEPTANCE

THIS IS TO CERTIFY that the interest in real property conveyed by the QUITCLAIM DEED from COUNTY OF RIVERSIDE, A POLITICAL SUBDIVISION OF THE STATE OF CALIFORNIA to the CITY OF PALM DESERT, A MUNICIPAL CORPORATION, is hereby accepted by order of the Palm Desert City Council, on behalf of the City of Palm Desert, pursuant to its action on February 9, 2012, and the grantee consents to the recordation thereof by its duly authorized officer.


ROBERT A. SPIEGEL, MAYOR
CITY OF PALM DESERT, CALIFORNIA

FEBRUARY 10, 2012



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

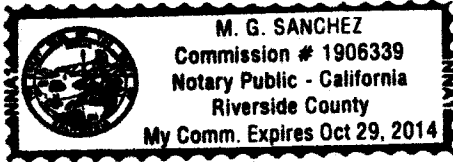
State of California

County of Riverside

On February 14, 2012 before me, M. G. Sanchez, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Robert A. Spiegel
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: [Handwritten Signature]
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

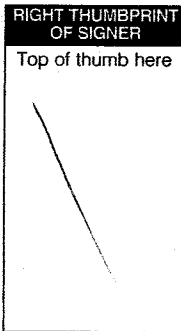
Title or Type of Document: Certificate of Acceptance - Monterey Ave Interchange Ramp Modification on Interstate 10 (I-10) Contract No. C316001 - Project 069-02
 Document Date: February 10, 2012 Number of Pages: 1

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Robert A. Spiegel

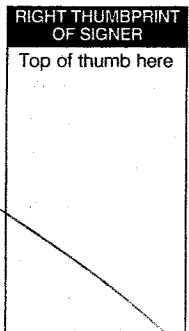
- Corporate Officer — Title(s): _____
- Individual
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: Mayor



Signer Is Representing: _____
City of Palm Desert

Signer's Name: _____

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



Signer Is Representing: _____



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

334
A



FROM: Economic Development Agency / Facilities Management and Transportation Department

SUBMITTAL DATE:
March 29, 2012

SUBJECT: Resolution No. 2012-057, Notice of Intention to Convey Fee Simple Interest in Real Property from the County of Riverside to the City of Palm Desert and Relinquish Access Rights from the County of Riverside to the State of California

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2012-057, Notice of Intention to Convey Fee Simple Interest in Real Property, from the County of Riverside to the City of Palm Desert by Quitclaim Deed and Relinquish Access Rights in Real Property, from the County of Riverside to the State of California by Grant Deed, both of which are further described as a portion of Varner Road right-of-way, located in the unincorporated area of Thousand Palms, California; 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:	Yes
Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
Annual Net County Cost:	\$ 0	For Fiscal Year:	2011/12

COMPANION ITEM ON BOARD OF DIRECTORS AGENDA: No

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

County Executive Office Signature

BY: Jennifer L. Sargent

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Tavaglione, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and is set for Tuesday, April 17, 2012 at 9:00 a.m.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: April 10, 2012
xc: EDA, Transp., COB

Kecia Harper-Ihem
Clerk of the Board

By: [Signature]
Deputy

Prev. Agn. Ref.:

District: 4/4

Agenda Number:

3.20

FORM APPROVED COUNTY COUNSEL
BY: SYNTHIA M. GUNZEL
Departmental Concurrence
3-7-12

Policy Policy

Dept't Recomm.: Consent
Per Exec. Ofc.: Consent

BACKGROUND:

The City of Palm Desert (City) as lead agency, in cooperation with the California Department of Transportation (Caltrans) and County of Riverside (County), proposes the reconstruction of the westbound ramps at the Interstate 10 and Monterey Avenue Interchange to provide congestion relief for northbound Monterey Avenue to the existing westbound on-ramps. The preferred alternative proposes to construct a new westbound loop on-ramp from Monterey Avenue to Interstate 10 and realign the westbound off-ramp to Varner Road with a new signalized intersection (Project).

The City's Project requires relinquishment of the westerly access from Assessor's Parcel Number 693-230-016, vested in the name of Netreit, who owns and operates Sparky's Self-Storage (Sparky's). The City approached the County as the County owned a portion of Varner Road right-of-way, legally described as Attachment 1 (Portion of Varner Road) adjacent to Sparky's that could provide and replace in kind the secondary westerly access being relinquished by Netreit. Based upon the County's due diligence, it was determined that the portion of Varner Road right-of-way is no longer necessary for any County public purposes and cannot be independently developed as a free-standing parcel. In addition, the City's Project also requires relinquishment of access rights along the county-owned Portion of Varner Road right-of-way, legally described as Attachment 2 (Access Relinquishment)

On or after March 13, 2012, the County is summarily vacating the portion of Varner Road right-of-way with the intention to convey the vacated right-of-way to the City by Quitclaim Deed. The City intends to enter into a separate agreement to convey the vacated right-of-way to Netreit in exchange for the relinquishment of the westerly access.

Staff recommends that the County, in furtherance of the City's project, (1) convey the portion of vacated Varner Road to the City which would ultimately transfer insurance and maintenance responsibility from the County and return the portion of vacated Varner Road to the tax rolls and (2) convey the relinquishment of access rights from the county-owned Portion of Varner Road right-of-way to Caltrans.

Pursuant to Government Code Section 25365, a county may transfer 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 and City of Palm Desert intend to enter into a Memorandum of Understanding to provide the terms and conditions for the conveyance made by the County to the City.

This Form 11 and Resolution has been approved as to form by County Counsel.

Attachments:

Attachment 1 – Portion of Vacated Varner Road Legal Description and Plat Map

Attachment 2 – Access Relinquishment Legal Description and Plat Map

1 Board of Supervisors

County of Riverside

2
3 **RESOLUTION NO. 2012-057**

4
5 **NOTICE OF INTENTION TO CONVEY FEE SIMPLE INTEREST IN REAL**
6 **PROPERTY FROM THE COUNTY OF RIVERSIDE TO THE CITY OF PALM DESERT**
7 **AND RELINQUISH ACCESS RIGHTS FROM THE COUNTY OF RIVERSIDE TO THE**
8 **STATE OF CALIFORNIA**
9 **(PORTION OF VACATED VARNER ROAD)**

10
11 WHEREAS, the City of Palm Desert (City) is the lead agency, in cooperation
12 with the California Department of Transportation (Caltrans) for the Interstate 10 and
13 Monterey Avenue Interchange Project (Project);

14 WHEREAS, the County of Riverside (County) is the owner of certain real
15 property consisting of 6,495 square foot portion of Varner Road right-of-way located in
16 unincorporated county area of Thousand Palms and has full legal title to the portion of
17 Varner Road right-of-way, and has full power and authority to convey all property rights
18 described herein to the City, as well as the relinquishment of access rights to Caltrans;

19 WHEREAS, on or after March 13, 2012, the County summarily vacated the
20 portion of Varner Road right-of-way;

21 WHEREAS, restricted access rights are needed from Assessor's Parcel Number
22 693-230-016 adjacent to the portion of Varner Road right-of-way for the Project
23 (Adjacent Property);

24 WHEREAS, the portion of Varner Road is needed by the City in order to provide
25 secondary access to the Adjacent Property;

26 WHEREAS, the conveyance of the Property to the City will serve two purposes:
27 (1) provide secondary access to the Adjacent Property in furtherance of the City's
28

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

1 Project and (2) ultimately transfer insurance and maintenance responsibility from the
2 County and return the Property to the tax rolls;

3 WHEREAS, the Project also requires relinquishment of access rights along the
4 portion of vacated Varner Road right-of-way to the State of California, in furtherance of
5 the City's Project;

6 WHEREAS, pursuant to Government Code Section 25365, the County may
7 transfer interests in real property or interest belonging to the County to another public
8 agency;

9 WHEREAS, the County and City intend to enter into a Memorandum of
10 Understanding to provide the terms and conditions for the conveyance of the Property
11 from County to City;

12 WHEREAS, the County intends to convey its fee simple interest in the Property
13 to the City by Quitclaim Deed; and

14 WHEREAS, the County intends to release and relinquish any and all abutter's
15 rights, including access rights to the State of California by Grant Deed; now, therefore,

16 BE IT RESOLVED AND DETERMINED that the Board of Supervisors of the
17 County of Riverside, in regular session assembled on or after April 10, 2012, hereby
18 directs the Clerk of the Board of Supervisors to give notice pursuant to Government
19 Code Section 6061, of the following:

20 NOTICE IS HEREBY GIVEN by the Board of Supervisors of the County of
21 Riverside intends to convey to the City of Palm Desert, the following described real
22 property: Fee simple interest located on Varner Road in the unincorporated county
23 area of Thousand Palms, County of Riverside, California, identified as a portion of
24 vacated Varner Road, consisting of 6,495 square feet of land. The terms and
25 conditions of the proposed conveyance are as follows: The County of Riverside will
26 remit and release any interest it may own in this Property to the City. The City will then
27 convey the Property to provide secondary access to the Adjacent Property in
28 furtherance of the City's Project; and,

1 NOTICE IS HEREBY GIVEN by the Board of Supervisors of the County of
2 Riverside intends to convey to the State of California, the following described real
3 property: Relinquishment access rights located on Varner Road in the unincorporated
4 county area of Thousand Palms, County of Riverside, California, identified as a portion
5 of vacated Varner Road. The terms and conditions of the proposed conveyance are as
6 follows: The County of Riverside will release and relinquish any and all abutter's rights,
7 including access rights from the Property to the State of California.

8 BE IT FURTHER RESOLVED AND ORDERED THAT the Board of Supervisors
9 intends to meet to conclude the proposed transaction on or after April 17, 2012, at 9:00
10 am at the meeting room of the Board of Supervisors located on the 1st floor of the
11 County Administrative Center, 4080 Lemon Street, Riverside, California.

12 /// ROLL CALL:

13 /// Ayes: Buster, Tavaglione, Stone, Benoit, and Ashley

Nays: None

14 /// Absent: None

15 ///

16 /// The foregoing is certified to be a true copy of a resolution duly
adopted by said Board of Supervisors on the date therein set forth.

17 ///

KECIA HARPER-IHEM, Clerk of said Board

18 ///

By: 

Deputy

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 CAO:ra/030812/393TR/14.547 S:\Real Property\TYPING\Docs-14.500 to 14.999\14.547.doc

3.20 04/10/12

ATTACHMENT 1

VACATED VARNER ROAD RIGHT OF WAY

(LEGAL DESCRIPTION AND PLAT MAP)

RBF Consulting
3300 East Guasti Road, Suite 100
Ontario, CA 91761

December 8, 2011
JN 10-104249-M7

EXHIBIT "A"

QUITCLAIM – PORTION OF VARNER ROAD

That portion of Tract 4143-R in the unincorporated territory of the County of Riverside, State of California as shown on the map recorded in Book 67, Pages 38 and 39 of Maps, in the Office of the County Recorder of said Riverside County, being that portion of Varner Road described as Parcel No. 0717-004A of the Final Order of Condemnation recorded September 10, 1997 as Instrument No. 329158 of Official Records in the Office of the County Recorder of Riverside County, California, more particularly described as follows:

COMMENCING at the most northerly corner of Lot B of Lot Line Adjustment No. 05224 recorded September 15, 2008, as Instrument No. 2008-0504304 and as described in a grant deed recorded August 24, 2009 as Instrument No. 2009-0439513, both of Official Records, in the office of said Riverside County Recorder;

Thence along the northwesterly line of said Lot B, South 46°25'06" West 5.09 feet to a line parallel with and 5.00 feet southwesterly, measured at right angles, from the northeasterly line of said Tract No. 4143-R, being also the southwesterly line of Tract No. 3747 as shown on the map recorded in Book 65, Pages 60 through 74, inclusive, of Maps in the Office of said County Recorder, and the **TRUE POINT OF BEGINNING**;

Thence continuing along said northwesterly line of Lot B, South 46°25'06" West 49.79 feet to the most westerly corner of said Lot B, being also an angle point in the northeasterly right of way line of said Varner Road (48.00 foot half-width as described in that certain quitclaim deed recorded May 22, 2007 as Instrument No. 2007-0336820 of Official Records), said corner being the beginning of a non-tangent curve concave southwesterly and having a radius of 1648.00 feet, a radial line of said curve from said point bears South 46°25'19" West;

Thence along the northwesterly prolongation of said curve, northwesterly 182.22 feet through a central angle of 06°20'07";

Thence radially from said curve North 40°05'12" East 24.28 feet to said parallel line;

Exhibit "A"
Quitclaim – Portion of Varner Road

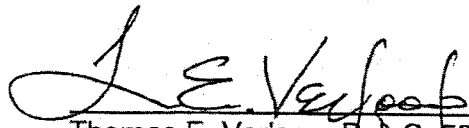
December 8, 2011
JN 10-104249-M7

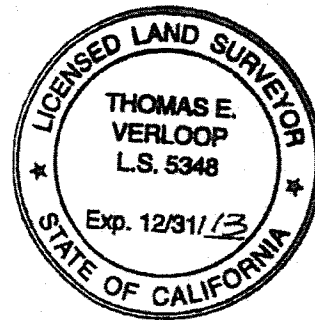
Thence along said parallel line South 54°32'01" East 187.95 feet to the **TRUE POINT OF BEGINNING**.

CONTAINING: 6,495 square feet, or 0.149 Acres, more or less.

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

This description was prepared by me or under my direction.

 03/06/2012
Thomas E. Verloop, P. L.S. 5348 Date
My license expires 12/31/13



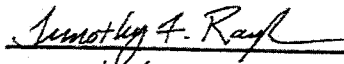
THIS DOCUMENT REVIEWED BY
RIVERSIDE COUNTY SURVEYOR.
BY: 
DATE: 3/7/2012

EXHIBIT "B"

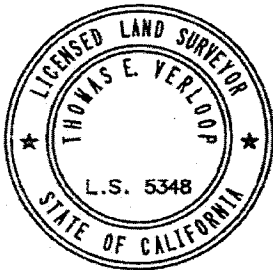
B5-0686

QUITCLAIM - PORTION OF VARNER ROAD

THIS DOCUMENT REVIEWED BY
RIVERSIDE COUNTY SURVEYOR.
BY: *Timothy F. Raaf*
DATE: *3/7/2012*

NO	BEARING/DELTA	RADIUS	LENGTH
1	S46°25'06"W	--	5.09'
2	S46°25'06"W	--	49.79'
*3	10°58'06"	1648.00'	315.48'
4	06°20'07"	1648.00'	182.22'
5	N40°05'12"E	(R)	24.28'
6	S54°32'01"E	--	187.95'

* INDICATES RECORD DATA
PER LLA 05224, INST. NO.
2008-0504304 O.R. (9/15/08)



Thomas E. Verloop 03/06/12
THOMAS E. VERLOOP, P.L.S. 5348
MY LICENSE EXPIRES 12/31/13

SKETCH TO ACCOMPANY A
LEGAL DESCRIPTION FOR

COUNTY OF RIVERSIDE
QUITCLAIM
PORTION OF VARNER ROAD



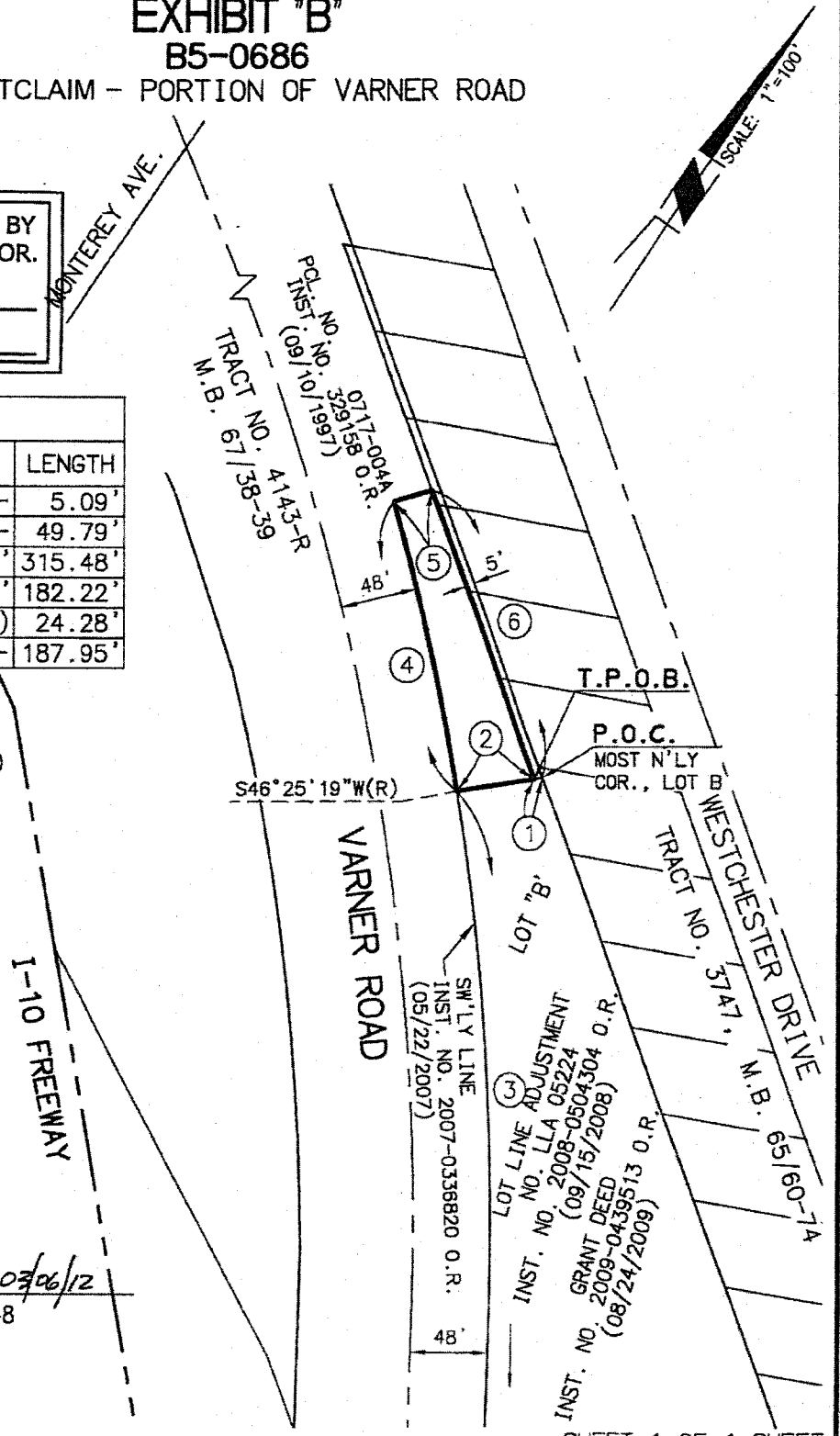
PLANNING ■ DESIGN ■ CONSTRUCTION

JUNE 6, 2011

3300 EAST GUASTI ROAD, SUITE 100
ONTARIO, CALIFORNIA 91781

909.974.4900 • FAX 909.390.9817 • www.RBF.com

JN: 10-104249-M7



SHEET 1 OF 1 SHEET

H:\PDATA\10104249\CADD\MAPPING\EXHIBITS\4249EX006ORIG.DWG TVERLOOP 3/6/12 3:33 pm

ATTACHMENT 2
ACCESS RELINQUISHMENT
(LEGAL DESCRIPTION AND PLAT MAP)

EXHIBIT "A"

PARCEL 22373-1

This conveyance is made for the purpose of a freeway and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights, including access rights appurtenant to Course "A", hereinafter described, over and across that portion of Varner Road described as Parcel No. 0717-004A of the Final Order of Condemnation recorded September 10, 1997 as Instrument No. 329158 of Official Records in the Office of the County Recorder of Riverside County, California, more particularly described as follows:

COMMENCING at the most northerly corner of Lot B of Lot Line Adjustment No. 05224 recorded September 15, 2008, as Instrument No. 2008-0504304 and as described in a grant deed recorded August 24, 2009 as Instrument No. 2009-0439513, both of Official Records, in the office of said Riverside County Recorder;

Thence along the northwesterly line of said Lot B, South 46°25'06" West 54.88 feet to the **TRUE POINT OF BEGINNING**, being the most westerly corner of said Lot B, being also the most southerly corner of that certain right of way vacation recorded _____, 2012 as Instrument No. 2012-_____ of Official Records in the Office of said Riverside County Recorder, and a point in the northeasterly right of way line of said Varner Road (48.00 foot half-width as described in that certain quitclaim deed recorded May 22, 2007 as Instrument No. 2007-0336820 of Official Records), said corner being the beginning of a non-tangent curve concave southwesterly and having a radius of 1648.00 feet, a radial line of said curve from said point bears South 46°25'19" West;

Thence, Course "A", along said northeasterly right of way line of Varner Road and along said non-tangent curve, northwesterly 137.02 feet through a central angle of 04°45'49" to the **POINT OF TERMINUS**.

The bearings and distances used in the above description are on the California Coordinate System of 1983 (1992.88) Zone 6. Multiply all distances used in the above description by 1.00001858 to obtain ground level distances.

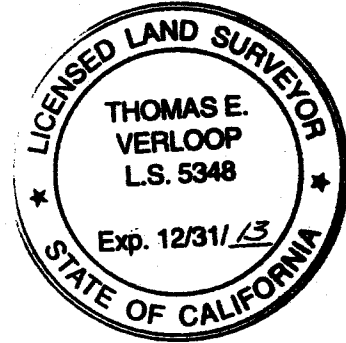
Reference is hereby made to State of California, Department of Transportation-District 8 Map, file number RW 000075/01 through 02, inclusive.

08-Riv-10 PM R44.60-22373 (22373-1)

This real property description has been prepared by me, or under my direction, in conformance with the provisions of the Professional Land Surveyors Act.

Signature: Thomas E. Verloop 02/07/2012
Thomas E. Verloop, RLS 5348, Exp. 12/31/2013

Date:



THIS DOCUMENT REVIEWED BY
RIVERSIDE COUNTY SURVEYOR.
BY: Janet A. Raff
DATE: 3/6/2012

08-Riv-10 PM R44.60-22373 (22373-1)

EXHIBIT "B"

ABUTTER'S RIGHTS (ACCESS RESTRICTION)
08-RIV-10-PM-R44.60-22373 (22373-1)

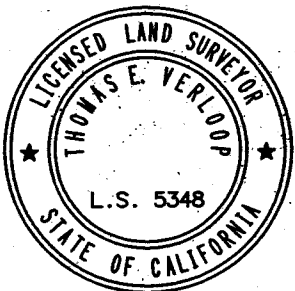
① INDICATES LLA NO. 05224
NOTICE; REC. 9/15/2008 AS
INST. NO. 2008-0504304
GRAND DEED; REC. 8/24/2009
AS INST. NO. 2009-0439513

② INDICATES RIGHT OF WAY
VACATION PER INST. NO.
2012-_____, RECORDED
_____, 2012.

* INDICATES RECORD DATA
PER LLA 05224, INST. NO.
2008-0504304 O.R. (9/15/08)

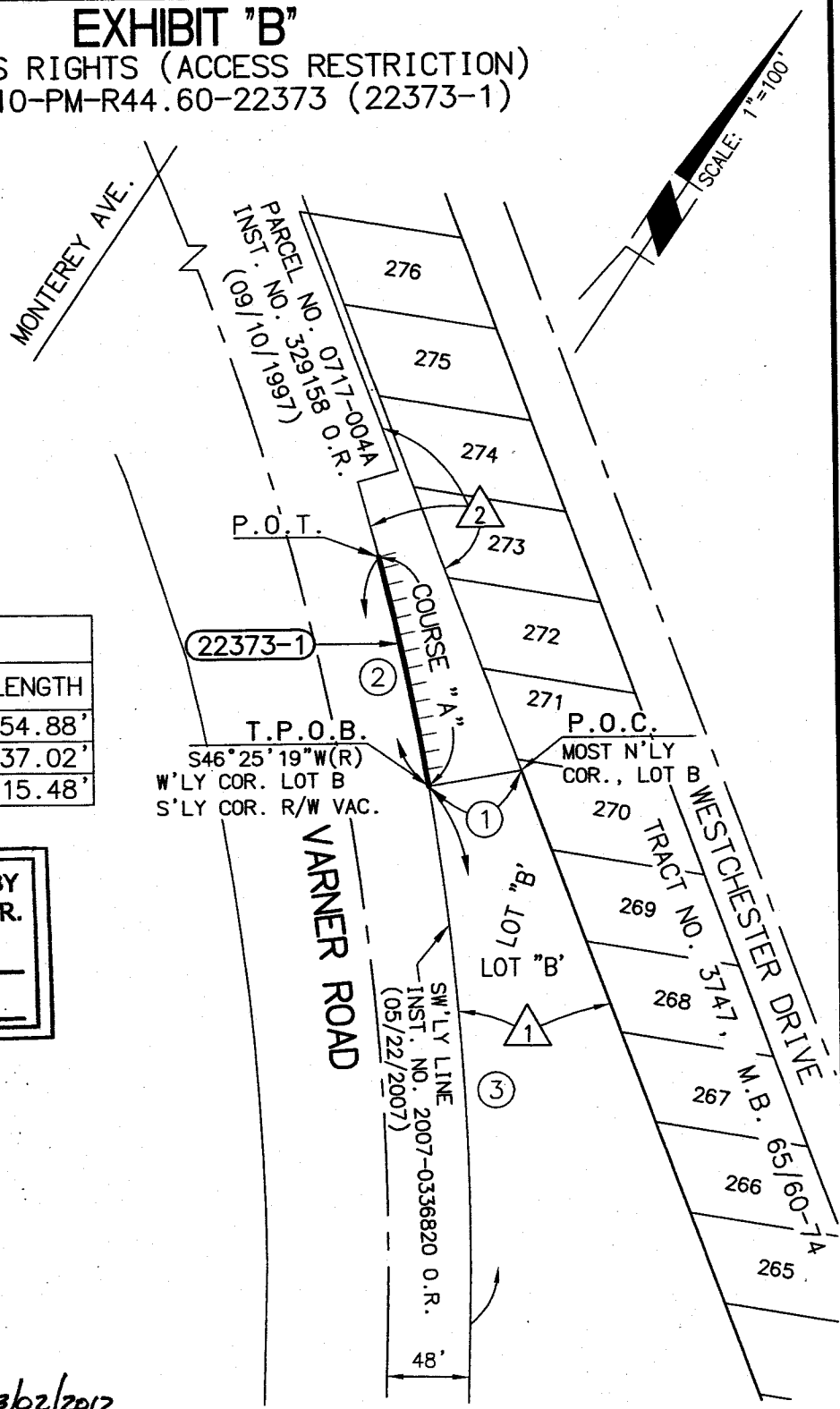
DATA TABLE			
NO	BEARING/DELTA	RADIUS	LENGTH
1	S46°25'06"W	--	54.88'
2	04°45'49"	1648.00'	137.02'
*3	10°58'06"	1648.00'	315.48'

THIS DOCUMENT REVIEWED BY
RIVERSIDE COUNTY SURVEYOR.
BY: *Thomas E. Verloop*
DATE: *3/6/2012*



Thomas E. Verloop 03/02/2012
THOMAS E. VERLOOP, P.L.S. 5348
MY LICENSE EXPIRES 12/31/13

SKETCH TO ACCOMPANY A
LEGAL DESCRIPTION FOR
COUNTY OF RIVERSIDE
RELINQUISHMENT OF ACCESS RIGHTS
VARNER ROAD
COUNTY OF RIVERSIDE TO CALTRANS







OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

April 11, 2012

THE DESERT SUN
P.O. BOX 2734
PALM SPRINGS, CA 92263

PH: (760) 778-4731
E-MAIL: legals@thedesertsun.com

RE: NOTICE OF PUBLIC MEETING: RESOLUTION NO. 2012-057 Intent to Convey Fee Simple Interest in Real Property to the City of Palm Desert

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Friday: April 13, 2012.**

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office in duplicate, **WITH TWO CLIPPINGS OF THE PUBLICATION.**

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Mcgil

Cecilia Gil, Board Assistant to
KECIA HARPER-IHEM, CLERK OF THE BOARD



Gil, Cecilia

From: Moeller, Charlene <CMOELLER@palmspri.gannett.com>
Sent: Wednesday, April 11, 2012 9:08 AM
To: Gil, Cecilia
Subject: RE: FOR PUBLICATION: RES. 2012-057



Ad received and will publish on date(s) requested.

Charlene Moeller | Media Sales Legal Notice Coordinator

The Desert Sun Media Group
750 N. Gene Autry Trail, Palm Springs, CA 92262
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From: Gil, Cecilia [<mailto:CCGIL@rcbos.org>]
Sent: Wednesday, April 11, 2012 8:56 AM
To: tds-legals
Subject: FOR PUBLICATION: RES. 2012-057

Good Morning!

Attached is a Notice of Public Meeting, for publication on Friday, April 13, 2012. Please confirm. THANK YOU!

Cecilia Gil

Board Assistant to the
Clerk of the Board of Supervisors
951-955-8464

**THE COUNTY ADMINISTRATIVE CENTER IS CLOSED EVERY FRIDAY UNTIL FURTHER NOTICE.
PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING.**



NOTICE OF PUBLIC MEETING BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE

RESOLUTION NO. 2012-057

NOTICE OF INTENTION TO CONVEY FEE SIMPLE INTEREST IN REAL PROPERTY FROM THE COUNTY OF RIVERSIDE TO THE CITY OF PALM DESERT AND RELINQUISH ACCESS RIGHTS FROM THE COUNTY OF RIVERSIDE TO THE STATE OF CALIFORNIA (PORTION OF VACATED VARNER ROAD)

WHEREAS, the City of Palm Desert (City) is the lead agency, in cooperation with the California Department of Transportation (Caltrans) for the Interstate 10 and Monterey Avenue Interchange Project (Project);

WHEREAS, the County of Riverside (County) is the owner of certain real property consisting of 6,495 square foot portion of Varner Road right-of-way located in unincorporated county area of Thousand Palms and has full legal title to the portion of Varner Road right-of-way, and has full power and authority to convey all property rights described herein to the City, as well as the relinquishment of access rights to Caltrans;

WHEREAS, on or after March 13, 2012, the County summarily vacated the portion of Varner Road right-of-way;

WHEREAS, restricted access rights are needed from Assessor's Parcel Number 693-230-016 adjacent to the portion of Varner Road right-of-way for the Project (Adjacent Property);

WHEREAS, the portion of Varner Road is needed by the City in order to provide secondary access to the Adjacent Property;

WHEREAS, the conveyance of the Property to the City will serve two purposes: (1) provide secondary access to the Adjacent Property in furtherance of the City's Project and (2) ultimately transfer insurance and maintenance responsibility from the County and return the Property to the tax rolls;

WHEREAS, the Project also requires relinquishment of access rights along the portion of vacated Varner Road right-of-way to the State of California, in furtherance of the City's Project;

WHEREAS, pursuant to Government Code Section 25365, the County may transfer interests in real property or interest belonging to the County to another public agency;

WHEREAS, the County and City intend to enter into a Memorandum of Understanding to provide the terms and conditions for the conveyance of the Property from County to City;

WHEREAS, the County intends to convey its fee simple interest in the Property to the City by Quitclaim Deed; and

WHEREAS, the County intends to release and relinquish any and all abutter's rights, including access rights to the State of California by Grant Deed; now, therefore,

BE IT RESOLVED AND DETERMINED that the Board of Supervisors of the County of Riverside, in regular session assembled on or after April 10, 2012, hereby directs the Clerk of the Board of Supervisors to give notice pursuant to Government Code Section 6061, of the following:

NOTICE IS HEREBY GIVEN by the Board of Supervisors of the County of Riverside intends to convey to the City of Palm Desert, the following described real property: Fee simple interest located on Varner Road in the unincorporated county area of Thousand Palms, County of Riverside, California, identified as a portion of vacated Varner Road, consisting of 6,495 square feet of land. The terms and conditions of the proposed conveyance are as follows: The County of Riverside will remit and release any interest it may own in this Property to the City. The City will then convey the Property to provide secondary access to the Adjacent Property in furtherance of the City's Project; and,

NOTICE IS HEREBY GIVEN by the Board of Supervisors of the County of Riverside intends to convey to the State of California, the following described real property: Relinquishment access rights located on Varner Road in the unincorporated county area of Thousand Palms, County of Riverside, California, identified as a portion of vacated Varner Road. The terms and conditions of



the proposed conveyance are as follows: The County of Riverside will release and relinquish any and all abutter's rights, including access rights from the Property to the State of California.

BE IT FURTHER RESOLVED AND ORDERED THAT the Board of Supervisors intends to meet to conclude the proposed transaction on or after April 17, 2012, 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.

ROLL CALL:

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley

Nays: None

Absent: None

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on April 10, 2012.

KECIA HARPER-IHEM, Clerk of said Board

By: Cecilia Gil, Board Assistant

Any person affected by the above matter(s) may submit written comments to the Clerk of the Board before the public meeting or may appear and be heard in support of or opposition to the project at the time of the meeting. If you challenge the above item(s) in court, you may be limited to raising only those issues you or someone else raised at the public meeting described in this notice, or in written correspondence, to the Board of Supervisors at, or prior to, the public meeting.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147.

Dated: April 11, 2012

Kecia Harper-Ihem, Clerk of the Board

By: Cecilia Gil, Board Assistant

