

**SUBMITTAL TO THE FLOOD CONTROL AND  
WATER CONSERVATION DISTRICT BOARD  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

505B



**FROM:** General Manager-Chief Engineer

**SUBMITTAL DATE:**  
April 24, 2012

**SUBJECT:** Authorization to Sell Fee Interests in Real Property  
Arizona Channel Lateral C-1 & C-2, Project No. 1-0-00171  
District 1/District 1

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Adopt Resolution No. F2012-07 Authorization to Sell Fee Interests in Real Property Arizona Channel Lateral C-1 & C-2, RCFC Parcel Nos. 1171-3D1, -3E1, -3J1, -6 and -7, property within a portion of Assessor's Parcel Number 138-170-008, by Grant Deed to Forestar Riverside, L.L.C.
2. Approve the Agreement for the Purchase and Sale of Real Property between the District and Forestar Riverside, LLC and authorize the Chairman of the Board of Supervisors to execute the necessary documents to complete the sale.
3. Authorize the General Manager-Chief Engineer or his designee to execute any other documents and administer all actions necessary to complete the transaction.

**BACKGROUND:** Continued on page 2

AU:rlp

**WARREN D. WILLIAMS**  
General Manager-Chief Engineer

<b>FINANCIAL DATA</b>	Current F.Y. District Cost:	\$0	In Current Year Budget:
	Current F.Y. County Cost:	\$0	Budget Adjustment:
	Annual Net District Cost:	\$0	For Fiscal Year:

**SOURCE OF FUNDS:**

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

APPROVE

**C.E.O. RECOMMENDATION:**

BY:   
Michael R. Shetler

**County Executive Office Signature**

FORM APPROVED COUNTY COUNSEL  
BY:   
CYNTHIA M. GUNZEL  
DATE: 3-28-12

Dept't Recomm.:	<input type="checkbox"/>	Consent	<input type="checkbox"/>	Policy
Per Exec. Ofc.:	<input type="checkbox"/>	Consent	<input type="checkbox"/>	Policy

**Prev. Agn. Ref.:** 11.3 03/27/12 | **District:** 1/1 | **Agenda Number:** 11.1

**FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD SUBMITTAL  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

**SUBJECT:** Authorization to Sell Fee Interests in Real Property  
Arizona Channel Lateral C-1 & C-2, Project No. 1-0-00171  
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**Page 2**

The fee interests described as RCFC Parcel Nos. 1171-3D, 1171-3E, 1171-3J, 1171-6 and 1171-7 were originally granted to the District in November 1987 for the construction of Arizona Channel Laterals C-1 and C-2, within the city of Riverside. The construction of these open concrete channel facilities was completed in 1988.

Forestar Riverside, LLC. (Forestar) is the adjacent property owner to the District's facilities. While planning its development of Parcel Map 32772, Forestar approached the District to reconstruct portions of and place the District's facilities underground, allowing additional access through and to its subdivision as required by the City of Riverside. The District has reviewed the engineering plans provided by Forestar and has approved the design. The undergrounding of these facilities will reduce District maintenance costs and as a result the surface rights are no longer needed by the District. The property that is being covered and converted to underground facilities contains approximately 16,453 square feet of land being a portion of Assessor's Parcel Number 138-170-008, and is shown on Exhibits "A" and "B", attached hereto.

The District has entered into an Agreement for the Purchase and Sale of Real Property with Forestar Riverside L.L.C. for the purchase of fee title with a reservation of a easement to operate and maintain the improved facility. These fee simple interests have been declared as surplus property to the District. Therefore, the District recommends that the fee simple title be sold at the approved fair market value of \$27,066, to Forestar Riverside L.L.C.

**FINANCIAL:**

All costs shall be borne by the purchaser.

Attachments:

Resolution F2012-07  
Agreement for the Purchase and Sale of Real Property  
Exhibit A  
Exhibit B  
Grant Deed

**BOARD OF SUPERVISORS**

**RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT**

RESOLUTION NO. F2012-07

AUTHORIZATION TO SELL  
FEE INTERESTS IN REAL PROPERTY  
ARIZONA CHANNEL LATERALS C-1 & C-2  
PROJECT NO. 1-0-00171

WHEREAS, the Riverside County Flood Control and Water Conservation District (the "District") is the fee simple owner of certain real property known as portions of RCFC Parcel Nos. 1171-3D, 1171-3E, 1171-3J, 1171-6 and 1171-7, hereinafter referred to as RCFC Parcel Nos. 1171-3D1, 1171-3E1, 1171-3J1, 1171-6 and 1171-7, which are designated as a portion of Riverside County Assessor's Parcel No. 138-170-008, being approximately 16,453 square feet, as described in Exhibit "A" and shown on Exhibit "B", attached hereto and made a part hereof, (hereinafter referred to as the "Subject Property"); and

WHEREAS, the owner of record of the real property that is immediately adjacent to the Subject Property, Forestar Riverside, L.L.C., notified the District of its desire to purchase the Subject Property upon reconstructing the facility to be sub-surface, for the approved fair market value of \$27,066.

WHEREAS, this Board has found that it is no longer necessary for the District to retain fee simple title to the Subject Property for the uses and purposes of the District.

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

NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED as follows by the Riverside County Flood Control and Water Conservation District Board, in regular session assembled on April 24, 2012:

FORM APPROVED COUNTY COUNSEL  
BY: *Synthia M. Gunzel* 3-28-12  
DATE  
SYNTHIA M. GUNZEL

1           1. This Board finds and determines that the value of the Subject Property is the  
2 approved fair market value of \$27,066.

3           2. Pursuant to Section 48-13 of Chapter 48 of the Water Code Appendix, the  
4 District is hereby given authority to declare surplus and convey the Subject Property to  
5 Forestar Riverside, L.L.C., upon the following terms and conditions:

6                   (a) The District shall reserve an easement in the Subject Property for the  
7 operation and maintenance of storm drain facilities.

8                   (b) Forestar Riverside, L.L.C. shall pay for any and all costs of sale.

9                   (c) The conveyance of the Subject Property shall be by grant deed, and shall  
10 be subject to all liens, encumbrances, easements, covenants, conditions,  
11 restrictions, rights and other exceptions of record.  
12

13           3. The Chairman of the Riverside County Flood Control and Water Conservation  
14 District Board is hereby given authority to execute the Agreement for the Purchase and Sale  
15 of Real Property and the Grant Deed regarding the sale of the Subject Property. The General  
16 Manager-Chief Engineer (or his designee) is hereby given authority to execute any other  
17 documents and to administer any other actions necessary to complete the transaction.  
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**Exhibit A**

In the City of Riverside, County of Riverside, State of California;

**Parcel 1171-7**

Parcel 1171-7 conveyed to the Riverside County Flood Control and Water Conservation District per document recorded November 30, 1987 as Instrument No. 338827 of Official Records.

Containing less than one square foot.

**Parcel 1171-3D1**

That portion of Parcel 1171-3D conveyed to Riverside County Flood Control and Water Conservation District per document recorded November 25, 1987 as Instrument No. 337161 of Official Records described as follows:

Beginning at the most southerly corner of said Parcel 1171-3D as shown on Record of Survey recorded in Book 80, pages 72 through 77, inclusive of Records of Surveys, records of said Riverside County;

Thence North 56°20'49" East along the southeasterly line thereof, a distance of 43.69 feet to an angle point therein;

Thence North 24°24'49" East continuing along the southeasterly line, a distance of 1.54 feet to the northeasterly line of said Parcel 1171-3D;

Thence North 33°39'12" West along said northeasterly line, a distance of 188.80 feet;

Thence perpendicular to said northeasterly line, South 56°20'48" West, a distance of 45.00 feet to the southwesterly line of said Parcel 1171-3D;

Thence South 33°39'12" East along said southwesterly line, a distance of 189.62 feet to the Point of Beginning.

Containing 8532 square feet, more or less.

**Parcel 1171-6**

Parcel 1171-6 conveyed to Riverside County Flood Control and Water Conservation District per document recorded November 25, 1987 as Instrument No. 337167 of Official Records.

Containing 221 square feet, more or less.

**Parcel 1171-3E1**

That portion of Parcel 1171-3E conveyed to Riverside County Flood Control and Water Conservation District per document recorded November 25, 1987 as Instrument No. 337162 of Official Records described as follows:

Beginning at the southeasterly corner of said Parcel 1171-3E, said corner being a point in a curve, concave southerly and having a radius of 483.00 feet, a radial line to said point bears North 6°55'37" West;

Thence westerly along the arc of said curve through a central angle of 1°39'19", an arc length of 13.95 feet;

Thence tangent to last said curve, South 81°25'04" West along the southerly line of said Parcel 1171-3E, a distance of 145.47 feet;

Thence North 8°34'56" West, a distance of 34.50 feet to the northerly line of said Parcel;

Thence North 81°25'04" East along said northerly line, a distance 147.13 feet to the northeasterly line of said Parcel;

Thence South 53°27'30" East, a distance of 15.26 feet to an angle point therein;

Thence South 12°15'11" East along the easterly line of said Parcel, a distance of 23.94 feet to the Point of Beginning.

Containing 5408 square feet, more or less.

**Parcel 1171-3J1**

That portion of Parcel 1171-3J conveyed to Riverside County Flood Control and Water Conservation District per document recorded November 25, 1987 as Instrument No. 337166 of Official Records described as follows:

Beginning at the most northerly corner of said Parcel 1171-3J as shown on Record of Survey recorded in Book 80, pages 72 through 77, inclusive of Records of Surveys, records of said Riverside County;

Thence South 81°25'04" West along the northerly line thereof, a distance of 130.70 feet;

Thence perpendicular to said northerly line, South 8°34'56" East, a distance of 16.50 feet to the southerly line of said Parcel 1171-3J;

Thence North 81°25'04" East along said southerly line, a distance of 147.13 feet to the northeasterly line thereof;

Thence North 53°27'30" West along said northeasterly line, a distance of 23.28 feet to the Point of Beginning.

Containing 2292 square feet, more or less.

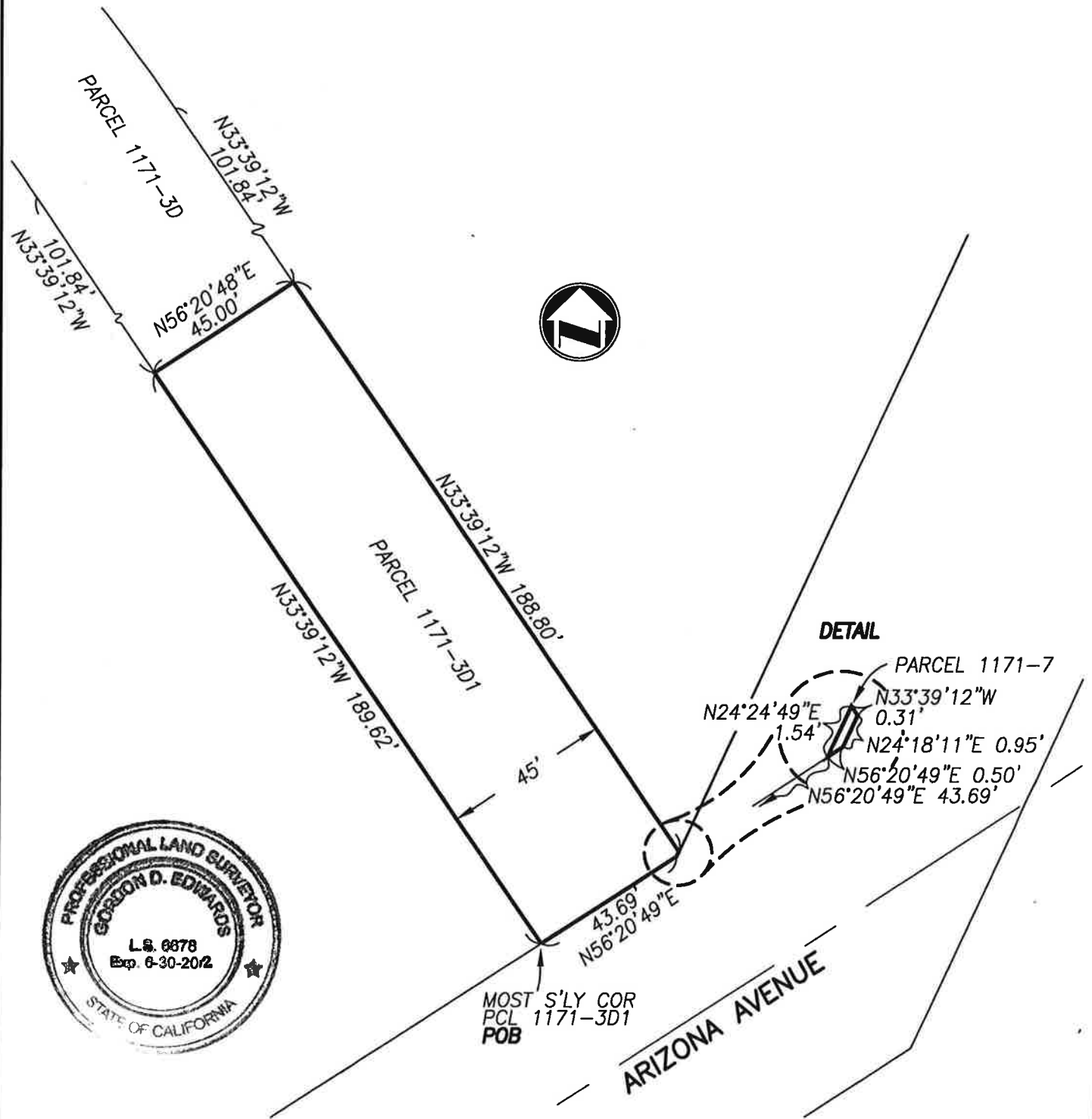
Prepared by me or under my direction



Gordon D Edwards, PLS 6678  
Expiration 6-30-2012



"EXHIBIT B"



**adkan**  
**ENGINEERS**  
 Civil Engineering · Surveying · Planning  
 6820 Airport Drive, Riverside, CA 92504  
 Tel:(951) 688-0241 · Fax:(951) 688-0599

SCALE: 1"=40' | JN 7874 | DATE: 3-5-2012 | CLIENT: FOREMOST HOMES

APPROVED BY:  
  
 GORDON D EDWARDS, PLS 6678

ACQUISITION FOR FOREMOST HOMES

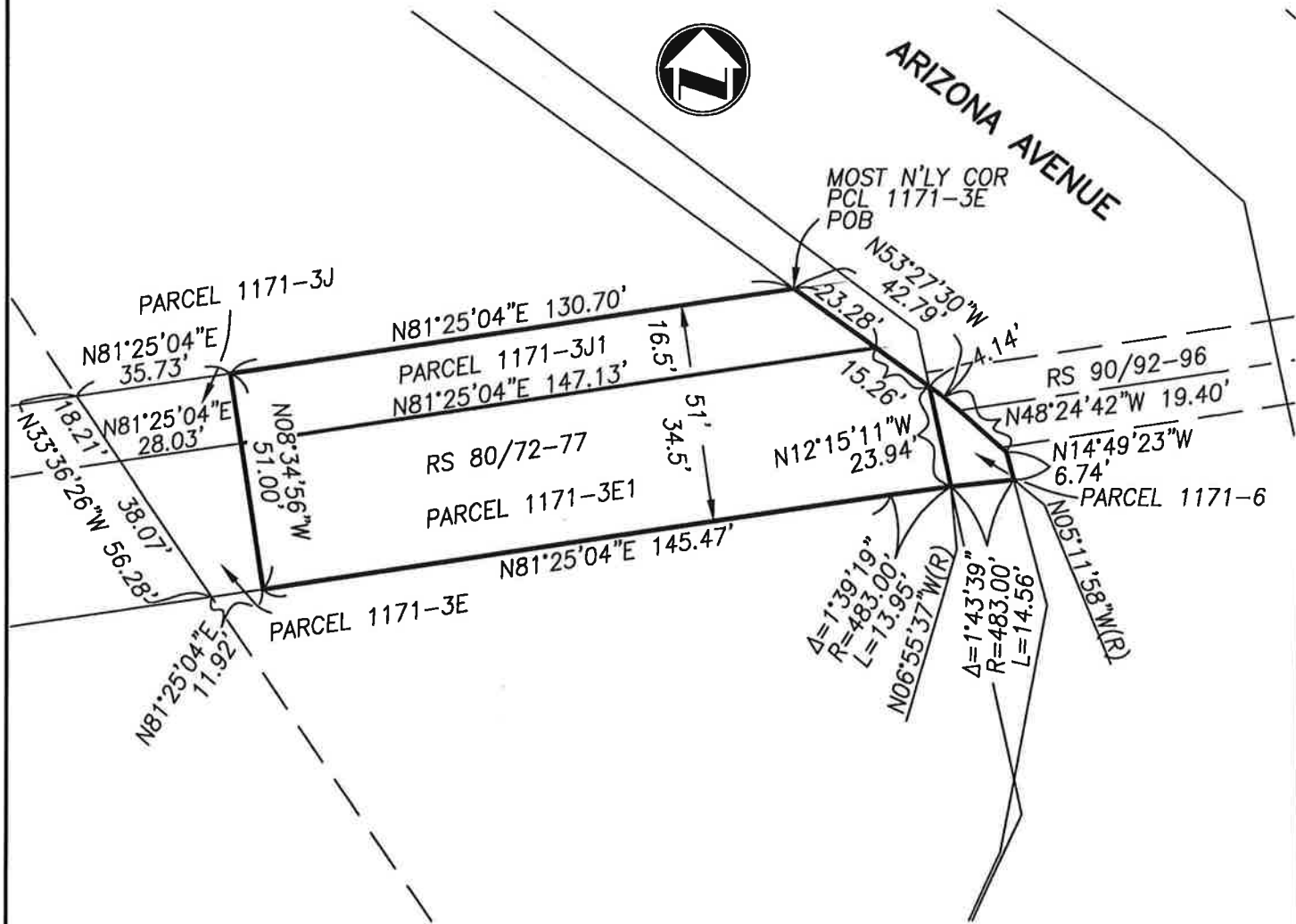


"EXHIBIT B"



ARIZONA AVENUE

MOST N'LY COR  
PCL 1171-3E  
POB



**adkan**  
**ENGINEERS**  
Civil Engineering · Surveying · Planning  
6820 Airport Drive, Riverside, CA 92504  
Tel:(951) 688-0241 · Fax:(951) 688-0599

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ACQUISITION FOR  
FOREMOST HOMES