

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

904 A



**FROM:** Economic Development Agency / Facilities Management

**SUBMITTAL DATE:**  
December 6, 2012

**SUBJECT:** Resolution No. 2012-240, Notice of Intention to Convey Fee Simple Interest in Real Property in the Cabazon Area to the Morongo Band of Mission Indians

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

1. Adopt Resolution No. 2012-240, Notice of Intention to Convey a Fee Simple Interest in Real Property located in the Unincorporated Area of Cabazon, County of Riverside, a Portion of Assessor's Parcel Number 523-140-003 by Grant Deed to the Morongo Band of Mission Indians; and
2. Direct the Clerk of the Board to give notice pursuant to Government Code Section 6061.

**BACKGROUND:** (Commences on Page 2)

Robert Field  
Assistant County Executive Officer/EDA

<b>FINANCIAL DATA</b>	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:	2012/13

**COMPANION ITEM ON BOARD 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

BY: Jennifer L. Sargen

**County Executive Office Signature**

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

**Prev. Agn. Ref.:**

**District:** 5/5

**Agenda Number:**

3.17

**BACKGROUND:**

Pursuant to Government Code Section 25365, the County may transfer interests in real property, or any interest therein, belonging to the County to another public agency, upon the terms and conditions as are agreed upon and without complying with any other provisions of the Government Code, if the property or interest therein to be conveyed is not required for county use. The County intends to convey Fee Simple Interests in Real Property located in the unincorporated Cabazon area, County of Riverside, being a 10.61 acre portion of Assessor's Parcel Numbers 523-140-003 by Grant Deed, more particularly described in Exhibits A, Legal Description and Exhibit B for each respective real property interest, attached hereto, to the Morongo Band of Mission Indians.

The County acquired APN 523-140-003, consisting of 11.5 acres, for the Public Safety Enterprise Communication (PSEC) project in June 2009. The PSEC communication facility was built on less than 1 acre of the property, the remainder is surplus and is not necessary for the PSEC project or required for any other County use. In July of 2011, the Real Estate Division complied with Government Code 54220 and notified local governmental agencies, including tribes, of our intention to sell. The Morongo Band of Mission Indians (Tribe) responded to the notice and expressed their interest in acquiring the property, as it is adjacent to their tribal land. The Real Estate Division has negotiated a sales price of \$75,000 with the Tribe. Transferring ownership of the land to the Tribe would be in both parties best interest as the Tribe seeks development control over lands within their sphere of influence, and the PSEC project seeks cost recovery of any land purchased for the project that is in excess of their true needs.

The resolution has been reviewed and approved by County Counsel as to legal form.

1 Board of Supervisors

County of Riverside

2 Resolution No. 2012-240

3 Notice of Intention to Convey a Fee Simple Interest in Real Property located in the  
4 Unincorporated Area of Cabazon, County of Riverside, by Grant Deed to the Morongo Band of  
5 Mission Indians (Portion of Assessor's Parcel Number 523-140-003)

6 WHEREAS, the Public Safety Enterprise Communicate (PSEC) Morongo  
7 communication facility is situated on land owned by the County of Riverside, having been built  
8 by the County of Riverside in 2012, and is currently in use to provide emergency  
9 communication services to County Sheriff and County Fire;

10 WHEREAS, the Morongo Band of Mission Indians (Tribe) is a federally recognized  
11 tribe;

12 WHEREAS, the County acquired 11.5 acres of land for the PSEC project but the project  
13 required less than one acre of land;

14 WHEREAS, the Tribe and the County of Riverside concur that it would be in both  
15 parties best interest to transfer the excess portion of the land to the Tribe for \$75,000.00; now,  
16 therefore,

17 BE IT RESOLVED, DETERMINED AND ORDERED and NOTICE IS HEREBY GIVEN  
18 by the Board of Supervisors of the County of Riverside, California, in regular session  
19 assembled on December 18, 2012, intends to convey on or after January 15, 2013 to the  
20 Morongo Band of Mission Indians the following described real property: Certain real property  
21 located in the unincorporated Cabazon area, County of Riverside, State of California, identified  
22 by and as a portion of assessor parcel number 523-140-003 by Grant Deed and, more  
23 particularly described in Exhibit "A" Legal Description, attached hereto and thereby made a part  
24 hereof.

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

28 JF:ra/110112/041IT/15.465 S:\Real Property\TYPING\Docs-15.000 to 15.499\15.465.doc

FORM APPROVED COUNTY COUNSEL

BY:  PATRICIA MUNGOE  
DATE: 11/20/12

**Exhibit "A"**  
Legal Description

All that portion of Section 11, Township 3 South, Range 2 East, San Bernardino Meridian, in the County of Riverside, State of California, according to the Official Plat thereof, described as follows:

The North 500 feet of the South 977 feet of the West 1000 feet of the Northwest ¼ of said Section 11.

**Except therefrom** the following described parcel:

**Commencing** at the West ¼ Corner of Section 11 as shown on Record of Survey filed in Book 69, pages 68-71 inclusive, in the Office of the County Recorder of said County;

**thence** North 1°15'28" West along the West line of the Northwest ¼ of Section 11, a distance of 477.05 to the Southwest corner of the North 500 feet of the South 977 feet of the West 1000 feet of the Northwest ¼ of Section 11, said point being the **True Point of Beginning**;

**thence** North 89°35'31" East along the South line of said property, a distance of 236.00 feet;

**thence** North 1°15'28" West, parallel to the West line of said Northwest 1/4, a distance of 160.00 feet;

**thence** South 89°35'31" West, a distance of 236.00 feet to a point on the West line of Section 11;

**thence** South 1°15'28" East, on the West line of Section 11, a distance of 160.00 feet to the **True Point of Beginning**.

Containing an area of approximately 10.61 acres.

Subject to all other easements and offers of dedication of record.

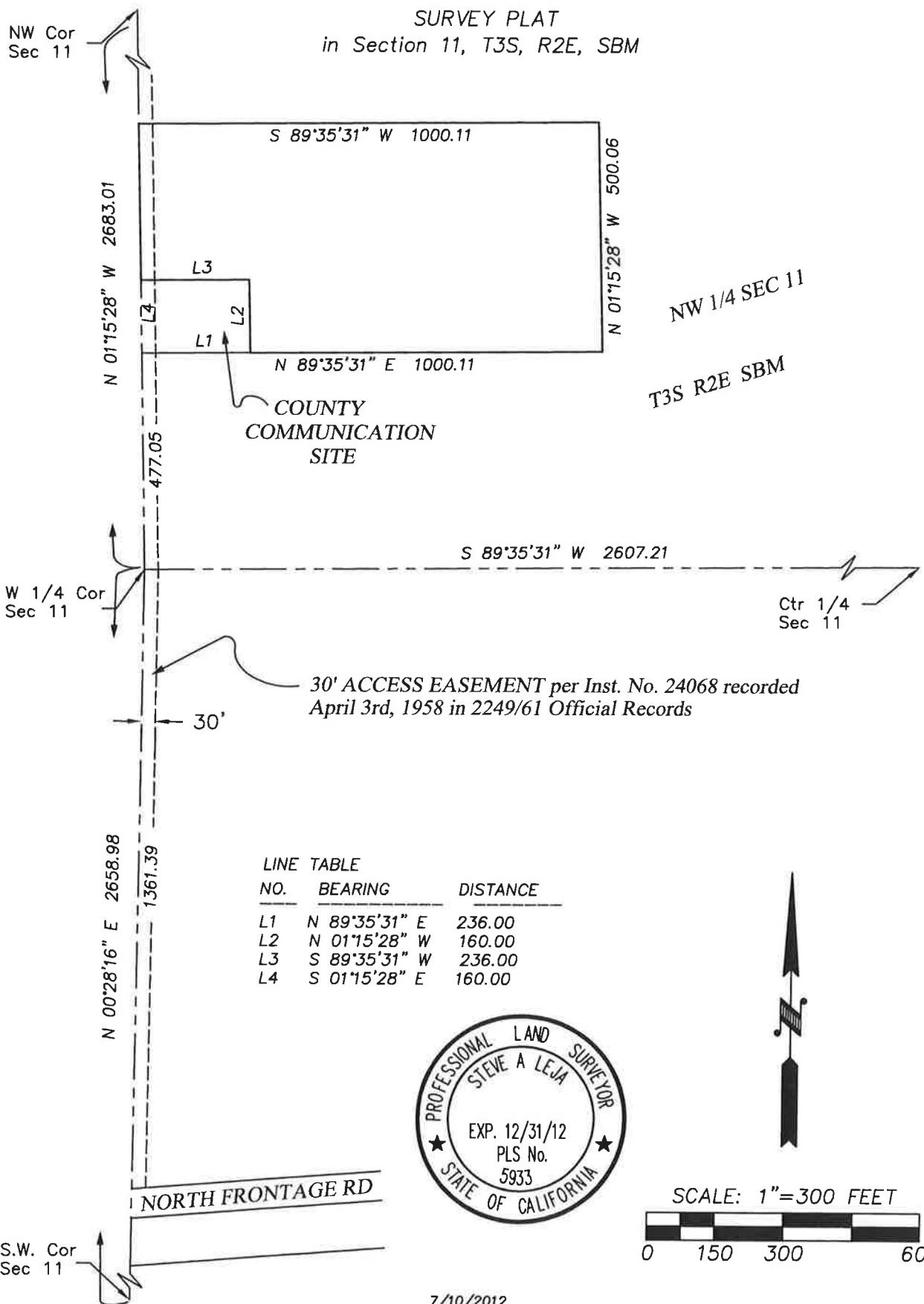
As shown on Exhibit "B" attached hereto and by this reference made a part hereof.

Prepared by:

Steve A. Leja – PLS 5933

**Leja Surveying Corp**

EXHIBIT "B"  
 SURVEY PLAT  
 in Section 11, T3S, R2E, SBM



LINE TABLE

NO.	BEARING	DISTANCE
L1	N 89°35'31" E	236.00
L2	N 01°15'28" W	160.00
L3	S 89°35'31" W	236.00
L4	S 01°15'28" E	160.00

