

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

802 B



FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
March 26, 2013

SUBJECT: Authorization to Convey an Easement Interest in Real Property located in the City of Jurupa Valley, County of Riverside to Santa Ana River Water Company by Easement Deed Portion of APN 157-142-020, RCFC Parcel No 1001-2A District 2/District 2

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. F2013-05; Authorization to Convey an Easement Interest in Real Property located in the City of Jurupa Valley, County of Riverside, State of California, from a portion of Assessor's Parcel No. 157-142-020, referenced as RCFC Parcel No. 1001-2A to the Santa Ana River Water Company by Easement Deed; and
2. Authorize the Chairman of the District's Board of Supervisors to execute the Easement Deed for the conveying of an Easement Interest in Real Property from the District in favor of the Santa Ana River Water Company; and

CAE:rlp

WARREN D. WILLIAMS
General Manager-Chief Engineer

FINANCIAL DATA

| | | | |
|-----------------------------|--------|-------------------------|-----|
| Current F.Y. District Cost: | \$ N/A | In Current Year Budget: | N/A |
| Current F.Y. County Cost: | \$ N/A | Budget Adjustment: | N/A |
| Annual Net District Cost: | \$ N/A | For Fiscal Year: | N/A |

SOURCE OF FUNDS:

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

C.E.O. RECOMMENDATION:

APPROVE

BY:
Steven C. Horn, MPA

County Executive Office Signature

Policy

Consent

Dept's Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.:

District: 2nd/2nd

Agenda Number:

11-1

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

FOR APPROVED COUNTY COUNSEL
BY:
DATE: 3-13-13
CYNTHIA M. GUNZEL

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

SUBJECT: Authorization to Convey an Easement Interest in Real Property located in the City of Jurupa Valley, County of Riverside to Santa Ana River Water Company by Easement Deed
Portion of APN 157-142-020, RCFC Parcel No 1001-2A
District 2/District

SUBMITTAL DATE: March 26, 2013

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3. Find that the Project is exempt from further California Environmental Quality Act (CEQA) review under CEQA Guidelines Section 15378(c); and
4. Authorize the General Manager-Chief Engineer or his designee to execute any other documents and administer all actions necessary to complete the transaction.

BACKGROUND:

As a result of the District's design and construction changes to Day Creek Channel, Stage 6 project at Lucretia Avenue, the District needs to grant an easement to Santa Ana River Water Company (Water Company) to allow improvements to be made to the Water Company's existing water pipeline system. Since the Water Company has prior property rights and the improvements to its system were necessitated by the District's Day Creek Channel project, the District's conveyance of the easement interest is sufficient and no monetary consideration for the conveyance of this easement is necessary.

Pursuant to the California Water Code Appendix §48-9, the Board of Supervisors for the District has the power to grant any interest in real property it owns to public agencies where such grant does not interfere with the use of the property for the purposes of the District. It has been determined that the easement conveyance to the Water Company does not interfere with the use or purpose of the District's property or facilities.

The Project consists of the conveyance of the easement interest in real property to allow access to waterline facilities constructed as part of the District's Day Creek Channel Stage 6 project approved by the Board on May 18, 2010 (Agenda Item 11.6, Resolution No. F2010-09, State Clearinghouse # 2010031108). The Project was reviewed and determined to be exempt from further CEQA review under CEQA Guidelines Section 15378(c), since the activity being approved is not a separate project, and is simply a discretionary approval associated with the previously approved Day Creek Channel Stage 6 project.

Therefore, staff is recommending the adoption of Resolution No. F2013-05 to authorize the conveyance of an easement interest in real property, referenced as RCFC Parcel 1001-2A, to the Santa Ana River Water Company by Easement Deed.

Resolution No. F2013-05 has been approved as to form by County Counsel.

BOARD OF SUPERVISORS **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT**

RESOLUTION NO. F2013-05

AUTHORIZATION TO CONVEY AN EASEMENT
INTEREST IN REAL PROPERTY TO SANTA ANA RIVER WATER COMPANY
BY EASEMENT DEED
RCFC PARCEL 1001-2A
PORTION OF ASSESSOR'S PARCEL NUMBER 157-142-020

WHEREAS, the Riverside County Flood Control and Water Conservation District (District), is the owner of certain real property referenced as RCFC Parcel No. 1001-2, with Assessor's Parcel Number 157-142-020, located in the City of Jurupa Valley, County of Riverside, State of California (Property); and

WHEREAS, the Santa Ana River Water Company (Company) requires an easement for pipeline construction and maintenance purposes, consisting of approximately 100 square feet within Property, now referred to as RCFC Parcel No. 1001-2A, for the Company's pipeline improvements at Lucretia Avenue as the result of District changes to the project known as Day Creek Channel, Stage 6; and

WHEREAS, pursuant to the California Water Code Appendix §48-9, the Board of Supervisors for the District has the power to grant any interest in real property it owns to public agencies where such grant does not interfere with the use of the real property for the purposes of the District; and

WHEREAS, the District has reviewed the Company's construction plans for the relocation of a pipeline facility within the property at the Day Creek Channel, Stage 6 project and finds that the proposed easement conveyance for construction and maintenance purposes would not interfere with the use, design and integrity of the existing Day Creek Channel.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of the District, in regular session assembled on March 26, 2013, at 11:00 a.m., in its meeting room located on the 1st Floor of the County Administrative Center, 4080 Lemon Street, Riverside, California, with at least four-fifths of all members concurring, authorization of the conveyance by Easement Deed in favor of the Santa Ana River Water

FORM APPROVED COUNTY COUNSEL
BY: *Synthia M. Gunzel* 3-13-13
DATE
SYNTHIA M GUNZEL

1 Company the following described real property: an easement interest in certain real property
2 within a portion of Assessor's Parcel Number 157-142-020, located in the City of Jurupa Valley,
3 County of Riverside, State of California, referenced as RCFC Parcel 1001-2A, more particularly
4 described in Exhibit "A", legal description, and shown in Exhibit "B", attached hereto and by this
5 reference incorporated herein.

6 BE IT FURTHER RESOLVED AND DETERMINED that the conveyance of the
7 easement interest in real property would not interfere with the use, design and integrity of the
8 Day Creek Channel or the District's purposes.

9 BE IT FURTHER RESOLVED and DETERMINED that the Chairman of the Board of
10 Supervisors of the District is authorized to execute the Easement Deed on behalf of the District.

11 BE IT FURTHER RESOLVED and DETERMINED that the General Manager-Chief
12 Engineer, or his designee, is authorized to execute any other associated documents to complete
13 the conveyance of the easement interest in real property to the Santa Ana River Water Company
14 and this transaction.

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16 CE:rlp

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Recorded at request of, and return to:
Riverside County Flood Control and
Water Conservation District
1995 Market Street
Riverside, California 92501-1770

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Day Creek Channel, Stage 6
Project No. 1-0-00250

The undersigned grantor(s) declare(s)
DOCUMENTARY TRANSFER TAX \$ NONE

RCFC Parcel No. 1001-2A
Portion of Assessor's Parcel Number 157-142-020

EASEMENT DEED

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, a body corporate and politic, grants to SANTA ANA RIVER WATER COMPANY, a California corporation and mutual water company, an easement for subterranean pipeline and utility purposes including the construction, operation and maintenance of said pipeline for public use over that certain real property situated in the City of Jurupa Valley, County of Riverside, State of California described in legal description attached hereto as Exhibit "A" and shown in Exhibit "B" and made a part hereof.

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT:

Date _____

By: _____
MARION V. ASHLEY, Chairman
Riverside County Flood Control and
Water Conservation Board of Supervisors

ATTESTS:

KECIA HARPER-IHEM
Clerk of the Board

By: _____
Deputy

FORM APPROVED COUNTY COUNSEL
BY: Synthia M. Gunzel 3-13-13
SYNTHIA M. GUNZEL DATE

STATE OF CALIFORNIA)
)ss
COUNTY OF RIVERSIDE)

On _____, 2013, before me, _____, Board Assistant, personally appeared **Marion Ashley**, Chairman of the Board of Supervisors of the Riverside County Flood Control and Water Conservation District, State of California, who provided 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 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

By: _____
Deputy

(SEAL)

Exhibit "A"

**Day Creek Channel, Stage 6
Parcel 1001-2A**

Being a portion of Parcel 1001-2 of Record of Survey as shown on Book 120, Pages 57 through 60, records of Riverside County, State of California, within the city of Jurupa Valley described as follows:

A strip of land 10.00 feet wide, lying Westerly of and perpendicular to the following described line:

Beginning at a point on the Easterly line of Parcel 1001-2 of said Record of Survey, being South 00° 35' 22" West 5.08 feet from the Southerly corner of Parcel 1250-21 of said Record of Survey;

Thence South 00° 35' 22" West, a distance of 10.00 feet along the Westerly right of way of Lucretia Avenue to the Point of Termination;

The sidelines of said strip are to be lengthened or shortened to terminate on the North perpendicular to the Point of Beginning and on the South, perpendicular to the Point of Termination.




WILLIAM R. HOFFERBER JR.

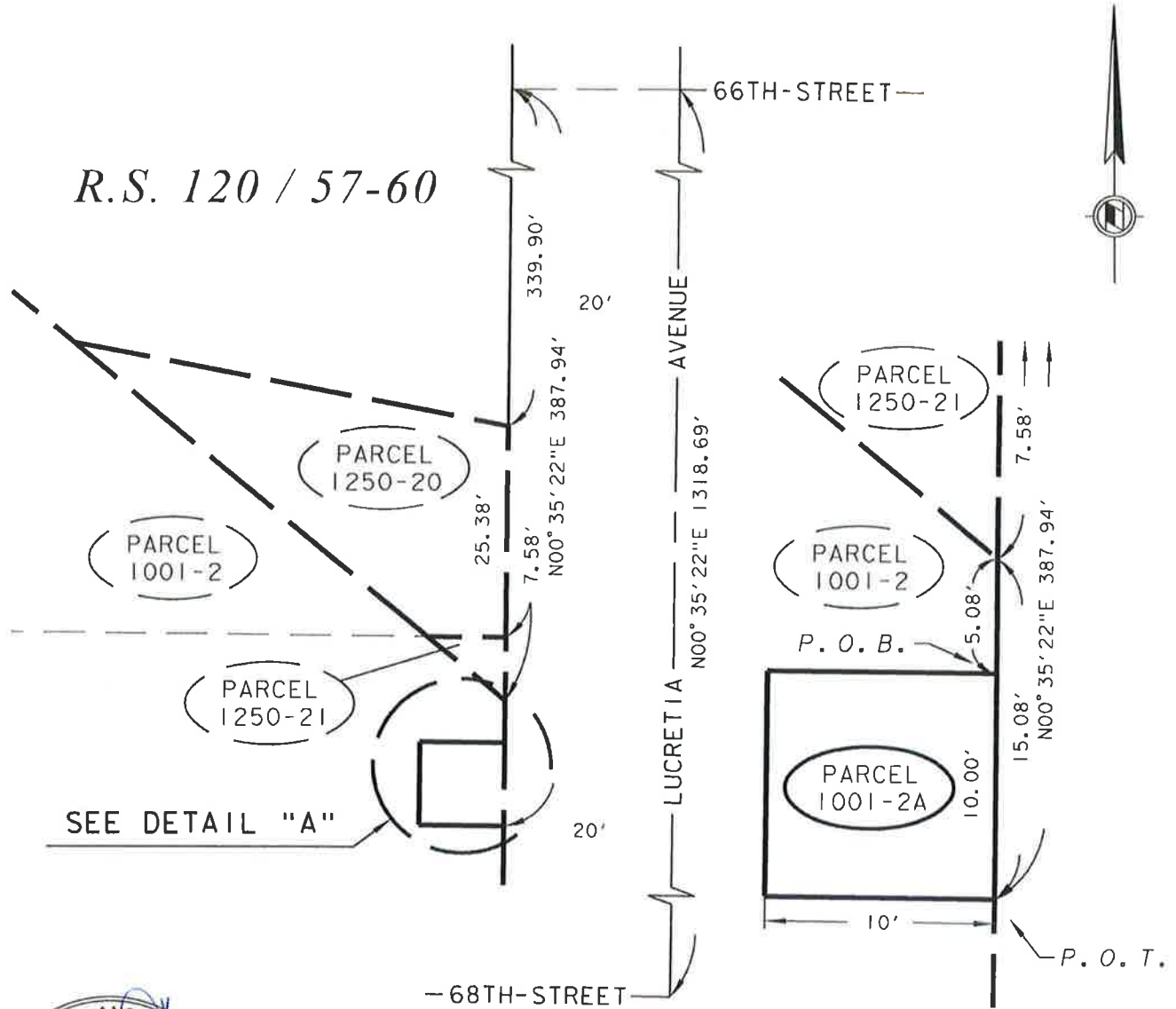
Land Surveyor No. 7360

Signed For: Riverside County Flood Control
and Water Conservation District

Date: 10 JAN. 2013

Exhibit "B"

BEING A PORTION OF PARCEL 1001-2 AS SHOWN ON RECORD OF SURVEY BOOK 120, PAGES 57 THROUGH 60, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, WITHIN THE CITY OF JURUPA VALLEY.



DETAIL "A"
NOT TO SCALE



William R. Hoffmeyer Jr.
DATE: 10 JAN. 2013

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

1995 MARKET ST. RIVERSIDE, CA. 92501

| | | | |
|---|------------------------|-------------|------------------|
| PROJECT NAME: DAY CREEK CHANNEL, STAGE 6 | | | |
| THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN. | RCFC PARCEL NUMBER(S): | SCALE: | PREPARED BY: |
| | PARCEL 1001-2A | NO SCALE | DAB |
| | | JAN-10-2013 | SHEET NO. 1 OF 1 |