

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

801B



FROM: TLMA - Transportation Department

SUBMITTAL DATE:
December 5, 2013

SUBJECT: Resolution No. 2014-009, Summarily Vacating a Portion of the Restriction of Abutters' Rights of Access along Winchester Road in the French Valley Area. 3rd/3rd District. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors adopt Resolution No. 2014-009, summarily vacating a portion of the Restriction of Abutters' Rights of Access along Winchester Road.

BACKGROUND:

Summary

As a condition of approval for Tract Map 32049, filed in Book 424, Pages 6 through 9, inclusive, Records of Riverside County, California, within the unincorporated territory of Riverside County, access across the southeasterly right-of-way line of Winchester Road (Lot "A") was restricted. The applicant, Bellacap, LLC, requests to vacate a portion of the restricted access along Winchester Road to provide secondary, gated, and paved emergency access to said Tract Map 32049 as required by the French Valley Creek Improvement and Disbursement Agreement and as approved by the Board of Supervisors on January 31, 2012, Agenda Item 3-28.

Juan C. Perez
Director of Transportation and Land Management

WJH
Attachments: Resolution No. 2014-009
Exhibits "A" and "B"

FORM APPROVED COUNTY COUNSEL
BY:  DATE: 12/10/13
PATRICIA MUNROE

REVIEWED BY EXECUTIVE OFFICE
DATE:  Alex Gann
Departmental Concurrence

Dep't Recomm.: Policy

Per Exec. Ofc.: Consent Consent

Prev. Agn. Ref. | District: 3/3

Agenda Number:

**ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD**

2-8

2
3 **RESOLUTION NO. 2014-009**

4 SUMMARILY VACATING A PORTION OF THE RESTRICTION OF ABUTTERS' RIGHTS OF
5 ACCESS ALONG WINCHESTER ROAD,

6 IN THE FRENCH VALLEY AREA

7 (AB 13009)

8 (Third Supervisorial District)

9
10 **WHEREAS**, the Restriction of Abutters' Rights of Access along Winchester Road was
11 dedicated to the public by Tract Map No. 32049, filed in Book 424, Pages 6 through 9, inclusive,
12 of Maps, Records of Riverside County, California;

13 **WHEREAS**, the hereinafter-described Portion of the Restriction of Abutters' Rights of
14 Access along Winchester Road as shown on said Tract Map is no longer necessary;

15 **WHEREAS**, per the French Valley Creek Improvement and Disbursement Agreement
16 Entered into on January 31, 2012 (Contract No. 12-01-005 Riverside County Transportation),
17 by and between Bellacap, LLC, a California Limited Liability Company and the County of
18 Riverside, a political subdivision of the State of California, the vacation will create an access
19 opening for gated and paved emergency access only;

20 **WHEREAS**, applicable procedures pertaining to summary vacations were followed
21 pursuant to the County's adopted Resolutions for fixing procedures to vacate and accept county
22 highways and property offered for dedication, now, therefore;

23 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board of
24 Supervisors of the County of Riverside, State of California, in regular session assembled on
25 _____ 2014, as follows:

- 26
27 1. That the hereinafter-described Portion of the Restriction of Abutters' Rights of
Access is unnecessary for present or prospective use.

28 SEE LEGAL DESCRIPTION AND PLAT ATTACHED HERETO

FORM APPROVED COUNTY COUNSEL
BY: [Signature] 12/17/13
DATE: 12/17/13

1 AS EXHIBITS "A" AND "B" AND MADE A PART HEREOF.

2 2. Pursuant to Section 8334(a) of the Streets and Highways Code, the hereinafter-
3 described Portion of the Restriction of Abutters' Rights of Access is determined to be
4 excess and is no longer needed and is hereby summarily vacated.

5 **BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED** that the Clerk of the
6 Board is directed to cause a certified copy of this resolution to be recorded in the office of the
7 Recorder of the County of Riverside, California.

EXHIBIT "A"

VACATION OF A PORTION OF THE RESTRICTION OF ABUTTER'S RIGHTS OF ACCESS
LEGAL DESCRIPTION

BEING A PORTION OF LOT 4 OF TRACT NO. 32049, IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS FILED IN BOOK 424, PAGES 6 THROUGH 9, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, ALSO BEING IN SECTION 32, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SAN BERNARDINO BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF SAID LOT 4;

THENCE ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF WINCHESTER ROAD (STATE HIGHWAY 79), HAVING A 92.00 FOOT SOUTHEASTERLY HALF WIDTH PER SAID MAP, NORTH 35°35'09" EAST, 24.00 FEET TO THE **POINT OF TERMINUS** OF SAID VACATION OF A PORTION OF THE RESTRICTION OF ABUTTER'S RIGHTS OF ACCESS.

SEE EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF



Tim W. Brewer

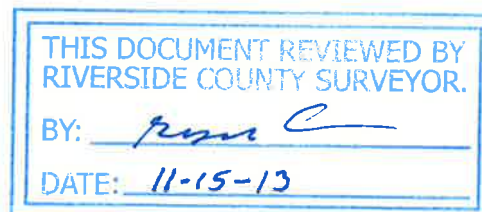


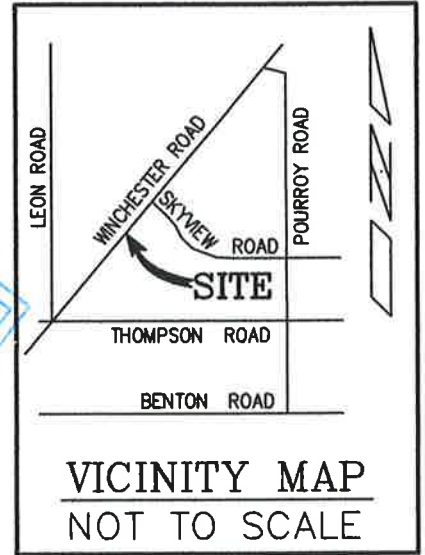
EXHIBIT "B"

SEC. 32, T6S., R2W., S.B.M.

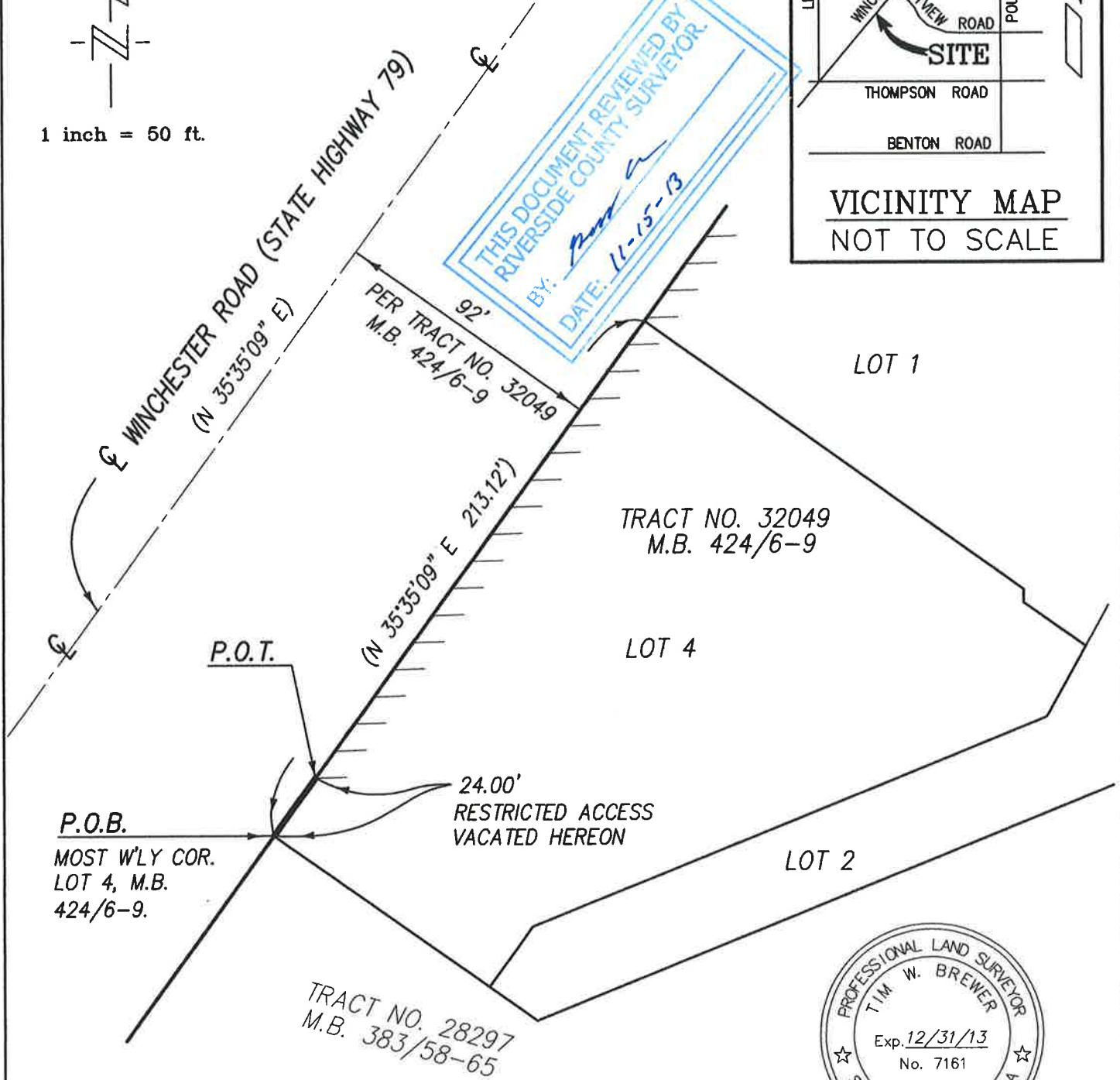
VACATION OF A PORTION OF THE RESTRICTION
OF ABUTTERS RIGHTS OF ACCESS



1 inch = 50 ft.



THIS DOCUMENT REVIEWED BY
RIVERSIDE COUNTY SURVEYOR.
BY: *[Signature]*
DATE: 11-15-13



LEGEND

() INDICATES RECORD DATA PER M.B. 424/6-9.

////// INDICATES RESTRICTED ACCESS PER M.B. 424/6-9.



[Signature]

SCALE: 1" = 50'

DRAWN BY TB DATE 9/12/13

THIS PLAT IS SOLELY AN AID IN LOCATING THE
PARCEL(S) DESCRIBED IN THE ATTACHED DOCUMENT.

SHEET 1 OF 1