

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

501B



FORM APPROVED COUNTY COUNSEL
BY: GREGORY P. PRIAMOS
DATE: 11/25/14

FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
November 17, 2014

SUBJECT: Resolution No. 2014-206, Summarily Vacating a Portion of Carter Lane in the Bermuda Dunes Area. This Vacation is Exempt Pursuant to the California Environmental Quality Act. 4th/4th District; [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that the vacation of a portion of Carter Lane is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301 and 15061(b)(3) of the State CEQA Guidelines; and
2. Adopt Resolution No. 2014-206, Summarily Vacating a Portion of Carter Lane in the Bermuda Dunes Area; and
3. Direct the Clerk of the Board to deliver the Notice of Exemption to the Office of the County Clerk for filing within five (5) working days of this Board hearing.

BACKGROUND:

Summary

The applicant has requested the vacation of Carter Lane as shown on Document No. 2000-288075, recorded July 26, 2000, Official Records of Riverside County, California. This vacation affects no other property owners, and no parcels will lose access from this action. There are no improvements along this portion of road. The Transportation Department has reviewed this project and has no objections. As determined in the attached Notice of Exemption, the vacation is exempt from the provisions of CEQA pursuant to Categorical Exemptions 15301 and 15061(b)(3) of the State CEQA Guidelines. The vacation will not result in any specific or general exceptions to the use of the categorical exemption and will not cause any direct or indirect physical environmental impacts.

REVIEWED BY EXECUTIVE OFFICE

DATE

Tina Grande

Departmental Concurrence

Patricia Romo

Assistant Director of Transportation
for Juan C. Perez

Director of Transportation and Land Management

MSH

Attachments:

Resolution No. 2014-206

Exhibits "A" and "B" and CEQA Notice of Exemption

Policy

Consent

Dep't Recomm.:

Policy

Consent

Per Exec. Ofc.:

Prev. Agn. Ref.

District: 4/4

Agenda Number:

2-15

2
3 **RESOLUTION NO. 2014-206**

4
5 **SUMMARILY VACATING A PORTION OF CARTER LANE IN THE BERMUDA**
6 **DUNES AREA**

7 (AB14002)

8 (FOURTH SUPERVISORIAL DISTRICT)

9
10 **WHEREAS**, the hereinafter-described portion of Carter Lane, as dedicated and
11 accepted for public use by Document No. 2000-288075, recorded July 26, 2000, Official
12 Records of Riverside County, California; and

13 **WHEREAS**, said portion of Carter Lane is not necessary and is excess right-of-
14 way and is not required for public street or highway purposes; and

15 **WHEREAS**, applicable procedures pertaining to summary vacations were followed
16 pursuant to Riverside County's adopted "Resolutions for Fixing Procedures to Vacate and
17 Accept County Highways and Property Offered for Dedication": Now, therefore,

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

- 21 1. Pursuant to Section 8334(a) of the Streets and Highways Code that said portion of
- 22 Carter Lane is excess and is no longer required for public street or highway
- 23 purposes and is hereby summarily vacated.
- 24 2. That the hereinafter-described portion of Carter Lane is unnecessary for present or
- 25 prospective public use, including use as a non-motorized transportation facility.

26 **SEE LEGAL DESCRIPTION AND PLAT ATTACHED HERETO AS EXHIBITS "A" AND**
27 **"B" AND MADE PARTS HEREOF.**

JRM APPROVED COUNTY COUNSEL


PATRICIA MUNROE
DATE 6/20/14

1 **EXCEPTING AND RESERVING** from the vacation an easement for access over
2 and across said road easement for access purposes to any land currently possessing
3 access from this easement; and

4 **EXCEPTING AND RESERVING** from the vacation an easement for any existing
5 public utilities and public service facilities, together with the right to maintain, operate,
6 replace, remove, or renew such facilities, pursuant to Section 8340 of the Streets and
7 Highways Code.

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

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MSH W.O. #AB14002

Exhibit "A"

Vacating a Portion of Carter Lane in the Bermuda Dunes Area

Those portions of Lots "P" and "Q" of Tract No. 2954, filed in Book 51, Pages 24 through 28, inclusive, of Maps, Records of Riverside County, California, and that portion of an unnamed road easement known as Carter Lane, as described in Document Number 2000-288075 recorded July 26, 2000, Official Records of Riverside County, California, lying in Section 7, Township 5 South, Range 7 East, San Bernardino Meridian, lying easterly of the following described line:

Beginning at a point on the northerly terminus of the line shown as N 00°17'50" W 46.76 feet being on the west property line of Lot 253 of said Tract 2954, said point also being on the easterly right of way line of Alligator Pond Road, said point being the beginning of a tangent curve concave to the west having a radius of 48 feet;

Thence northerly along said tangent curve through a central angle of 13°51'36" and an arc length of 11.61 feet;

Thence N 14°09'26" W a distance of 41.74 feet to the beginning of a tangent curve concave to the southwest having a radius of 48.00 feet;

Thence northwesterly along said tangent curve through a central angle of 54°06'57" an arc length of 45.34 feet to a point on the easterly boundary line of Tract No. 29991 as filed in Book 387, Pages 100 and 101, of Maps, Official Records of Riverside County, California, said point also being the northeasterly corner of Lot "B" on said map;

Thence N 00°17'50" W a distance of 10.02 feet along said easterly boundary of Tract 29991 to the northerly right of way line of said Carter Lane and the **Point of Termination**.

Reserving hereto an easement for access over and across said road easement for access purposes to any land currently possessing access from this easement.

See Exhibit "B" attached hereto and made a part thereof.

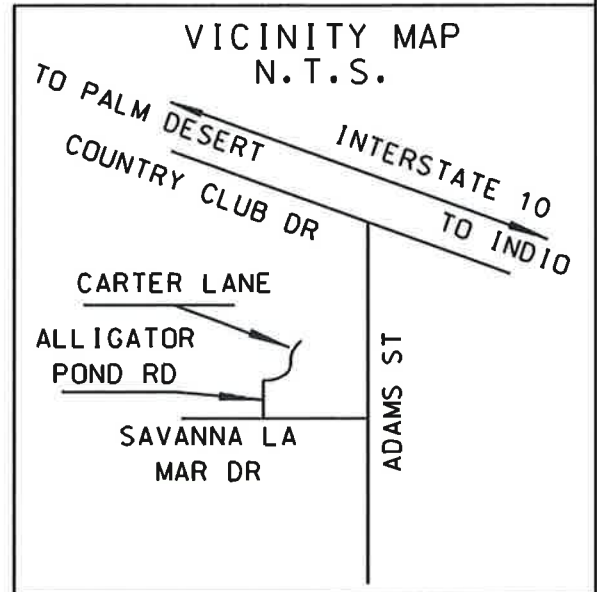
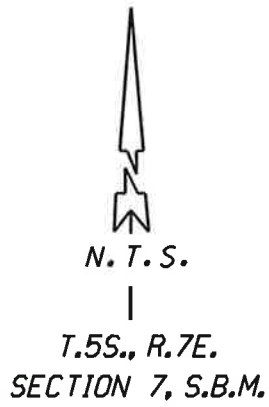




Gregory S. Ehe P.L.S. 7912

EXHIBIT "B"

VACATING A PORTION OF CARTER LANE
IN THE BERMUDA DUNES AREA



PRIVATE STREET
PER TRACT 29991
MB 387/100-101

RIGHT OF WAY PER
DOC. # 2000-288075
RECORDED 7/26/2000
EXTENTS OF VACATION
SHOWN BY BOLD LINE

SHEET 4

SHEET 2

SHEET 3

P.O.T.

☉ CARTER LANE

P.O.B.

MB 387/100-101

MB 51/24-28

SHEET 1 OF 4

☉ ALLIGATOR
POND ROAD



EXHIBIT "B"

VACATING A PORTION OF CARTER LANE
IN THE BERMU DA DUNES AREA



N.T.S.

T.5S., R.7E.

(S 71°08'42" E

SECTION 7, S.B.M.

E 230.93')

NE COR. LOT "B"

(N 0°17'50" W

10.02'

P.O.T.

(S 71°08'42" E

(14.08')

(Δ = 37°37'01")

(R = 200.00')

(L = 131.31')

Δ = 137°33'15"

R = 48'

L = 115.24'

[Δ = 137°33'57"]

[R = 48']

[L = 115.25']

LOT 2
MB 387/100-101

LOT "B"
MB 387/100-101

N 89°42'10" E
[N 89°41'47" E]
18.00'

Δ = 26°8'47"
R = 175.79'
L = 80.24'

EASTERLY LINE
TRACT 29991
MB 387/100-101

{ } INDICATES RECORD DATA
PER MB 51/24-28

[] INDICATES RECORD DATA
PER MB 387/100-101

() INDICATES RECORD DATA
PER DOC. # 2000-288075

NOTES:

SHEET 2 OF 4

SHEET 3

SEE

TO EC

Δ = 31°19'24"

R = 230.00'

L = 125.74'

Δ = 22°20'18"

(R = 260.00')

L = 101.37'

S 12°33'45" W (R)

S 3°34'35" W (R) PRC

N 5°37'49" E (R) PRC

S 9°15'15" W (R)

N 14°09'26" W

41.74'

N 72°00'03" E (R)

N 21°43'37" E (R)

Δ = 13°51'36"

R = 48.00'

L = 11.61'

PORTION OF
LOT "P"

LOT 253
MB 51/24-28

Δ = 93°52'25"

{20.00'}

{32.77'}

Δ = 44°59'27"

20.00'

15.71'

Δ = 50°56'12"

20.00'

17.78'

Δ = 54°06'57"

48.00'

45.34'

○	DELTA	RADIUS	LENGTH
1	{93°52'25"}	{20.00'}	{32.77'}
2	44°59'27"	20.00'	15.71'
3	50°56'12"	20.00'	17.78'
4	54°06'57"	48.00'	45.34'

P.O.B.

LOT "Q" (N 0°17'50" W)

LOT "P" (N 0°17'50" W)

LOT "Q" (N 0°17'50" W)

LOT "P" (N 0°17'50" W)

N 25°49'38" W

50.00'

LOT "Q" (N 0°17'50" W)

LOT "P" (N 0°17'50" W)

LOT "Q" (N 0°17'50" W)

LOT "P" (N 0°17'50" W)

LOT "Q" (N 0°17'50" W)

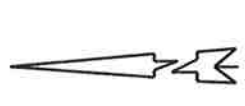
LOT "P" (N 0°17'50" W)

EXHIBIT "B"

VACATING A PORTION OF CARTER LANE
IN THE BERMUDA DUNES AREA

SHEET 4

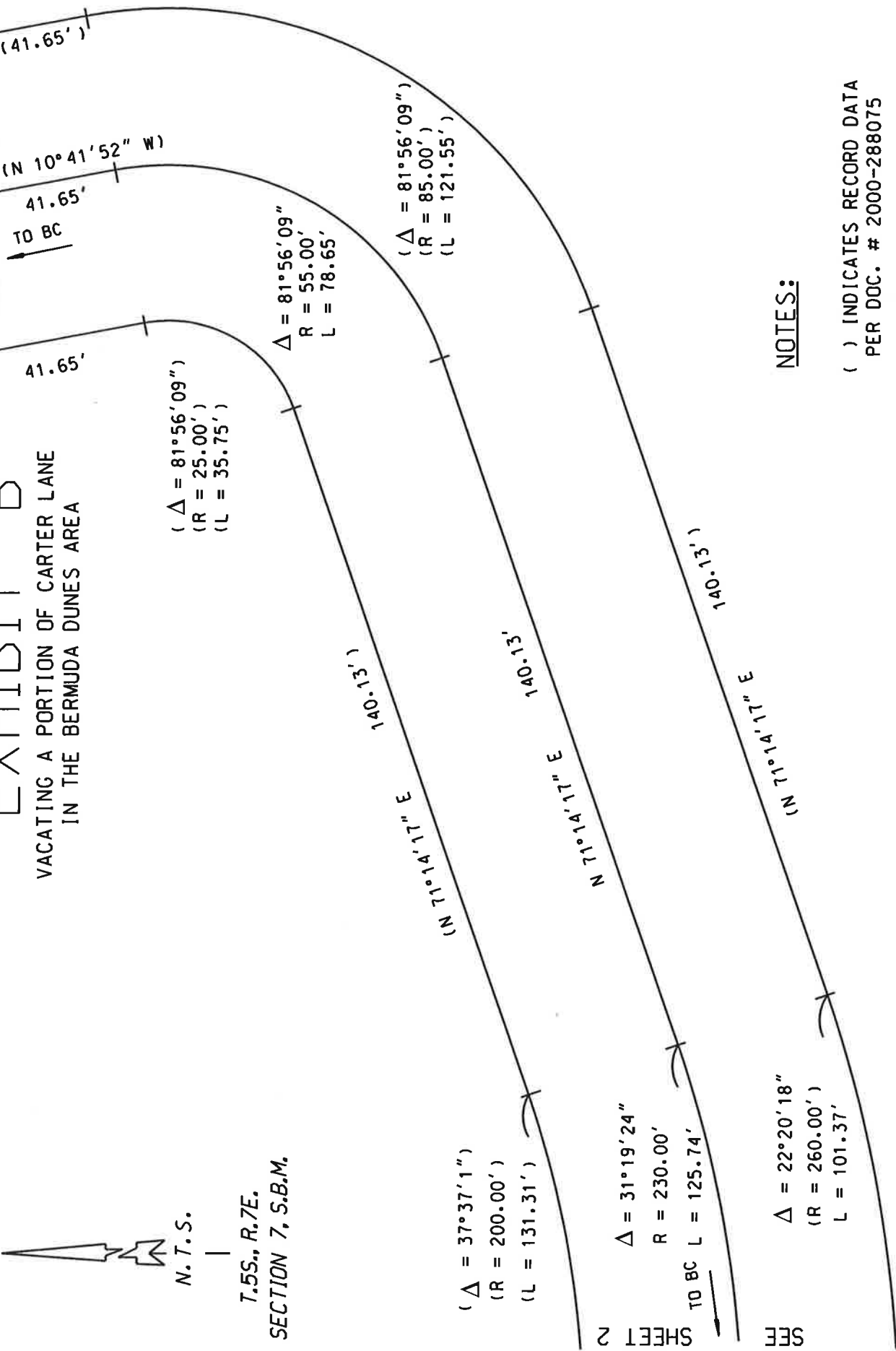
SEE



N.T.S.

T.5S., R.7E.

SECTION 7, S.B.M.



($\Delta = 81^{\circ}56'09''$)
(R = 25.00')
(L = 35.75')

$\Delta = 81^{\circ}56'09''$
R = 55.00'
L = 78.65'

($\Delta = 81^{\circ}56'09''$)
(R = 85.00')
(L = 121.55')

($\Delta = 37^{\circ}37'11''$)
(R = 200.00')
(L = 131.31')

$\Delta = 31^{\circ}19'24''$
R = 230.00'
L = 125.74'

$\Delta = 22^{\circ}20'18''$
(R = 260.00')
L = 101.37'

NOTES:

() INDICATES RECORD DATA
PER DOC. # 2000-288075

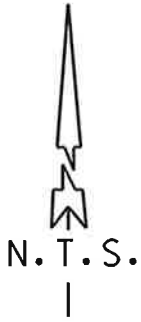
SHEET 2

SHEET 3 OF 4

EXHIBIT "B"

VACATING A PORTION OF CARTER LANE
IN THE BERMUDA DUNES AREA

LOT 5
MB 366/1-5



T.5S., R.7E.
SECTION 7, S.B.M.

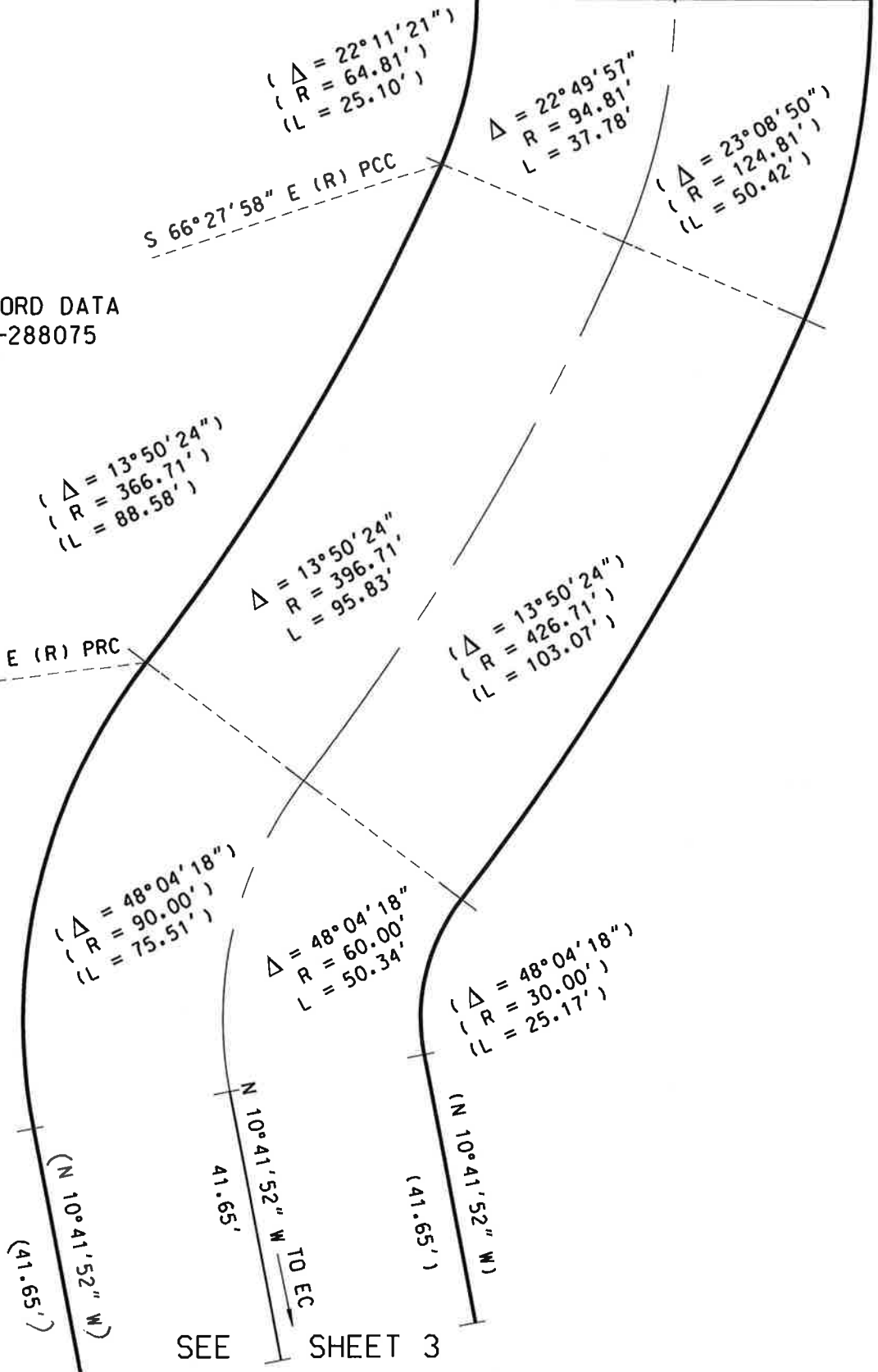
S 89°36'48" E (R)

(S 88°39'19" E (R))

(N 89°21'20" E 60.02')

NOTES:

() INDICATES RECORD DATA
PER DOC. # 2000-288075



NOTICE OF EXEMPTION

October 23, 2014

Project Name: Summarily Vacating a Portion of Carter Lane in the Bermuda Dunes Area

Project Number: AB14002, SU14

Project Location: Bermuda Dunes Area. See Exhibit "A".

Description of Project: Summarily vacating a portion of Carter Lane adjacent to Alligator Pond Road in the Bermuda Dunes Area.

Name of Public Agency Approving Project: County of Riverside Transportation Department, Survey Division.

Name of Person or Agency Carrying Out Project: Matthew Holmes, County of Riverside Transportation Department, Survey Division.

Exempt Status: California Environmental Quality Act (CEQA) Guidelines, Section 15061(b)(3), General Rule "Common Sense" Exemption. Not a "project" as defined under State CEQA Guidelines, Section 15060(c)(2).

Reasons Why Project is Exempt: The vacation of a street has been determined to not be a "project" as defined under State CEQA Guidelines section 15060(c)(2). However, even if it was determined to be a project under CEQA for analysis purposes, the project is exempt from the provisions of CEQA specifically by the State CEQA Guidelines as identified below. The vacation of the existing roadway will not result in any specific or general exceptions to the use of the categorical exemption as detailed under State CEQA Guidelines Section 15300.2. The project will not cause any impacts to scenic resources, historic resources, or unique sensitive environments. Further, no unusual circumstances or potential cumulative impacts would occur that may reasonably create an environmental impact. The vacation of a portion of this street will not have an effect on the environment; thus, the County has deemed this does not meet the definition of a "project" under CEQA and no environmental impacts are anticipated to occur.

- Section 15061(b)(3) - General Rule "Common Sense" Exemption. With certainty, there is no possibility that the proposed project may have a significant effect on the environment. The vacation of a street will not require any construction activities, change the use or intensity of the existing site to create a physical environmental impact, and would not lead to any direct or reasonably foreseeable indirect physical environmental impacts. Therefore, in no way would the project as proposed have the

potential to cause a significant environmental impact and the project is exempt from further CEQA analysis.

- Section 15060(c)(2) – for purposes of analysis under CEQA, the vacation of the roadway is not a “project” under CEQA pursuant to Section 15060(c)(2). An action by a public agency is only a “project” subject to CEQA if the action might result in a physical change in the environment. Based upon a review of the whole action undertaken, supported, or authorized by the County, in no way will the vacation of the roadway increase the use of the site, result in increased development or construction impacts, or lead to any direct, indirect, or cumulative physical environmental impacts.

Based upon the identified exemptions above, the County of Riverside hereby concludes that no physical environmental impacts are anticipated to occur and the project as proposed is exempt under CEQA. No further environmental analysis is warranted.

Signed:  Date: 11-10-14
Richard G. Lantis, Riverside County Surveyor