

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

510 B



FORM APPROVED COUNTY COUNSEL
BY: GREGORY P. PRIAMOS
DATE: 3/24/15

FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
March 5, 2015

SUBJECT: Resolution No. 2015-024, Summarily Vacating a Portion of Nuevo Road in the Mead Valley Area. This Project is Exempt Pursuant to the California Environmental Quality Act. 1st District; [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that the vacation of a portion of Nuevo Road is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15061(b)(3) of the State CEQA Guidelines; and
2. Adopt Resolution No. 2015-024, Summarily Vacating a Portion of Nuevo Road in the Mead Valley 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 realignment of Nuevo Road has made this portion of Nuevo road unnecessary. The Perris Elementary School District has requested the vacation of this portion of Nuevo Road in conjunction with the building of a parking facility for the adjacent school.

REVIEWED BY EXECUTIVE OFFICE
DATE: Tina Grande 3/31/15
Tina Grande

Patricia Romo
Assistant Director of Transportation

Juan C. Perez
Director of Transportation and Land Management

WJH
Attachments: Resolution No. 2015-024
Exhibits "A" and "B"
Notice of Exemption

Departmental Concurrence

Dep't Recomm.: Policy

Per Exec. Ofc.: Consent

Prev. Agn. Ref.

District: 1

Agenda Number:

2-8

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Resolution No. 2015-024, Summarily Vacating a Portion of Nuevo Road in the Mead Valley Area.
This Project is Exempt Pursuant to the California Environmental Quality Act. 1st District; [\$0]

DATE: March 5, 2015

PAGE: 2 of 2

BACKGROUND:

Summary (continued)

The centerline of Nuevo Road is also the boundary between the County of Riverside and the City of Perris. An application to vacate the southerly portion of Nuevo Road was filed with the City of Perris on June 18, 2014, and is scheduled on the City Council Agenda for March 2015. The Transportation Department and Riverside County Flood Control have reviewed this vacation and have no objections. As determined in the attached Notice of Exemption, the vacation is exempt from the provisions of CEQA pursuant to Categorical Exemptions 15060(c)(2) 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.

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3 **RESOLUTION NO. 2015-024**

4
5 **SUMMARILY VACATING A PORTION OF NUEVO ROAD**
6 **IN THE PERRIS VALLEY AREA**
7 **(AB 14004)**
8 **(First Supervisorial District)**
9

10 **WHEREAS**, the hereinafter-described portion of Nuevo Road was adopted by
11 Board Resolution dated May 3, 1948, pursuant to Supervisors Minutes Book 40, Page
12 239; and

13 **WHEREAS**, said hereinafter-described portion of Nuevo Road has been realigned
14 and is not necessary and is excess right-of-way and is not required for public street or
15 highway purposes; and

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

19 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board of
20 Supervisors of the County of Riverside, State of California, in regular session assembled
21 on _____, 2015, as follows:

- 22 1. Pursuant to Section 8334(a) of the Streets and Highways Code that said
23 hereinafter-described portion of Nuevo Road is excess and is no longer required
24 for public street or highway purposes and is hereby summarily vacated.
25 2. That the hereinafter-described portion of Nuevo Road is unnecessary for present
26 or prospective public use, including use as a non-motorized transportation facility.
27
28

FORM-APPROVED COUNTY COUNSEL
BY: *Synthia M. Gunzel* 3-26-15
SYNTHIA M. GUNZEL DATE

1 SEE LEGAL DESCRIPTION AND PLAT ATTACHED HERETO AS EXHIBITS "A" AND
2 "B," AND MADE A PART HEREOF.

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

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

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WJH W.O. #AB 14004

EXHIBIT "A"

LEGAL DESCRIPTION

VACATION OF A PORTION OF NUEVO ROAD

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 4 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, WHICH LIES WESTERLY OF THE WESTERLY LINE OF THE RIGHT OF WAY OF THE ATCHISON, TOPEKA AND SANTA FE RAILROAD, AS PER RECORD OF SURVEY ON FILE IN BOOK 6 PAGE 82 OF RECORDS OF SURVEY, RIVERSIDE COUNTY RECORDS, BEING NUEVO ROAD IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY TERMINUS OF THAT CERTAIN COURSE BEING THE CENTERLINE OF "A" STREET AS SHOWN ON THE MAP FILED IN BOOK 70 PAGE 54 OF RECORD OF SURVEYS OF SAID COUNTY BEARING NORTH 00°24'22" EAST, SAID TERMINUS ALSO BEING THE SOUTHERLY QUARTER SECTION OF SAID SECTION 19, ALSO BEING A POINT ON THE CENTERLINE OF NUEVO ROAD;

THENCE ALONG SAID CENTERLINE OF NUEVO ROAD NORTH 89°25'46" EAST A DISTANCE OF 43.66 FEET TO THE **TRUE POINT OF BEGINNING**;

THENCE CONTINUING ALONG SAID CENTERLINE OF NUEVO ROAD NORTH 89°25'46" EAST A DISTANCE OF 320.97 FEET TO A POINT ON THE WESTERLY LINE OF SAID RIGHT-OF-WAY OF THE ATCHISON, TOPEKA AND SANTA FE RAILROAD;

THENCE ALONG SAID RIGHT-OF-WAY NORTH 20°09'55" WEST A DISTANCE OF 42.46 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF NUEVO ROAD, AS PER INSTRUMENT NO. 127708 RECORDED APRIL 18, 1991, OFFICIAL RECORDS OF SAID COUNTY;

THENCE ALONG SAID RIGHT-OF-WAY OF NUEVO ROAD SOUTH 89°25'46" WEST A DISTANCE OF 279.26 FEET;

THENCE NORTH 0°34'14" WEST A DISTANCE OF 4.00 FEET;

THENCE NORTH 42°01'52" WEST A DISTANCE OF 34.42 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF "A" STREET, BEING THE SOUTHERLY TERMINUS OF A CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 606.00 FEET, A LINE RADIAL TO THE TERMINUS OF SAID CURVE HAVING A BEARING OF NORTH 83°25'23" WEST;

THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 6°37'03", AN ARC LENGTH OF 69.99 FEET TO THE **POINT OF BEGINNING**.

THE PARCEL DESCRIBED ABOVE CONTAINS 12,962 SQUARE FEET, 0.30 ACRES, MORE OR LESS.

EXHIBIT "A"

LEGAL DESCRIPTION

VACATION OF A PORTION OF NUEVO ROAD

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

PREPARED BY:


AARON T. SKEERS, P.L.S. 8604 12-15-14 DATE
EXPIRES 12-31-15

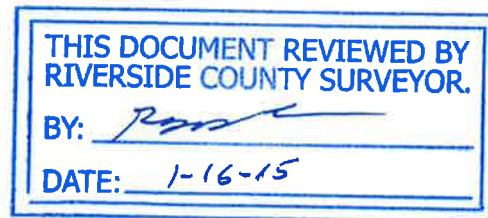
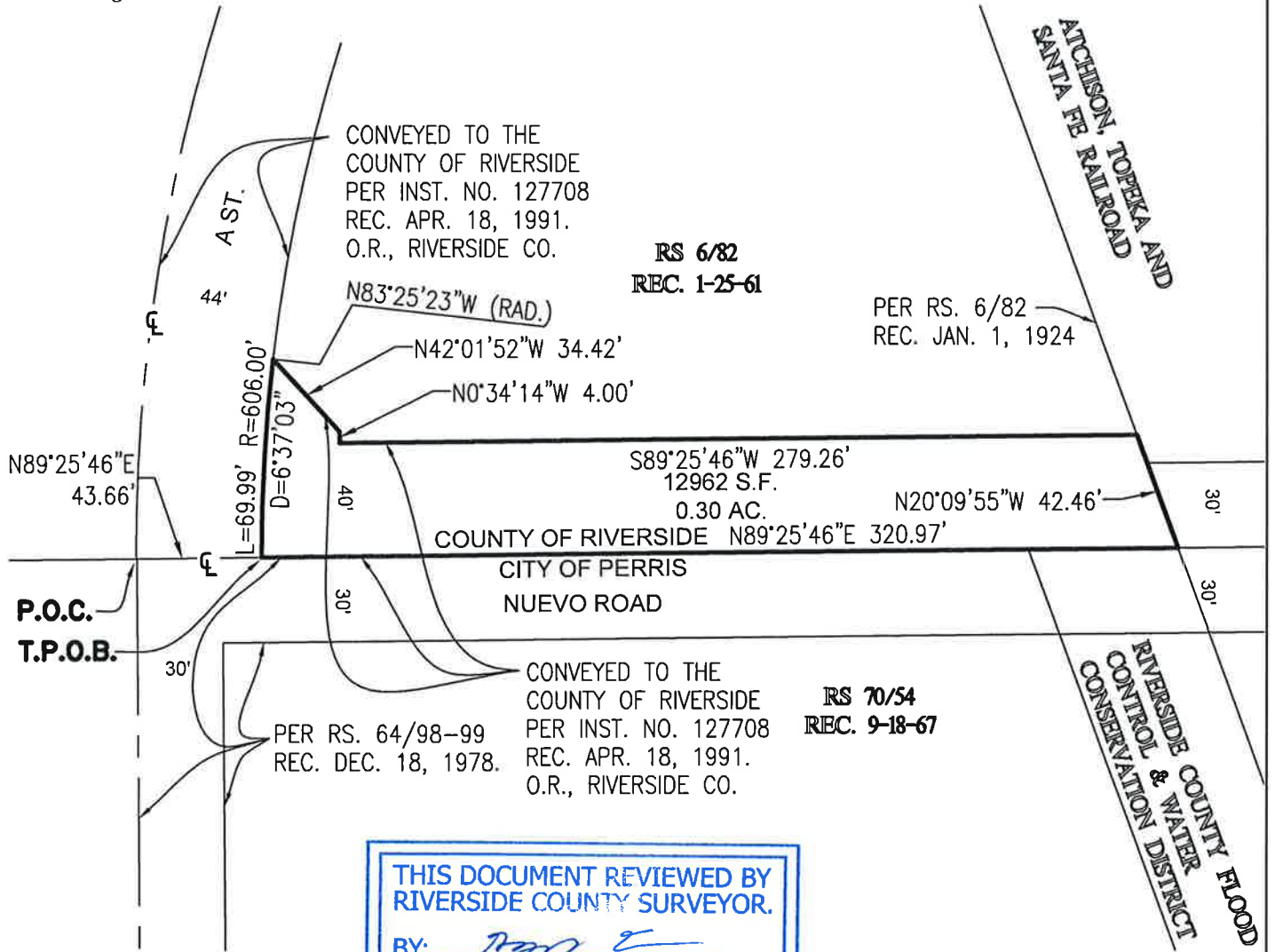
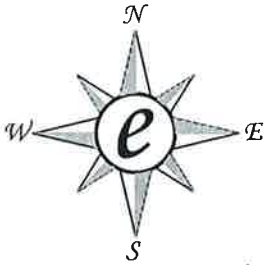


EXHIBIT "B"

VACATION OF A PORTION OF NUEVO ROAD

SECTION 19, T4S, R3W, SBM.

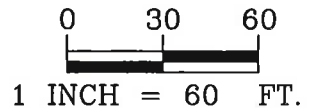


THIS DOCUMENT REVIEWED BY
 RIVERSIDE COUNTY SURVEYOR.
 BY: *[Signature]*
 DATE: 1-16-15



PREPARED UNDER THE SUPERVISION OF:

[Signature] 12-15-14
 AARON T. SKEERS, P.L.S. DATE
 LS 8604 EXP. 12/31/15



ENCOMPASS ASSOCIATES, INC.
 CONSULTING CIVIL ENGINEERS
 5699 COUSINS PLACE
 RANCHO CUCAMONGA, CA 91737
 (909) 684-0093

NOTICE OF EXEMPTION

Project Name: Summarily Vacating a Portion of Nuevo Road in the Perris Valley Area

Project Number: AB14004, SU14

Project Location: Perris Valley Area. See Exhibit "A".

Description of Project: Summarily vacating a portion of Nuevo Road in the Perris Valley area.

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

Name of Person or Agency Carrying Out Project: Wesley Hohenberger , 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: 3-5-15
Richard G. Lantis, Riverside County Surveyor