

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

511B



FROM: TLMA – Transportation Department

SUBMITTAL DATE:
March 5, 2015

SUBJECT: Resolution No. 2015-015, Summarily Vacating a Portion of the Restricted Abutters' Rights of Access along Rancho California Road in the Rancho California Area. This Project is Exempt Pursuant to the California Environmental Quality Act. 3rd District; [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that the vacation of a Portion of the Restricted Abutters' Rights of Access along Rancho California Road in the Rancho California area 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. 2015-015, Summarily Vacating a Portion of the Restricted Abutters' Rights of Access along Rancho California Road in the Rancho California 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 Eastern Municipal Water District has requested this vacation to allow access to the Loma Ventoso Lift Station being built at this location. The Transportation Department has reviewed this vacation 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 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.

Patricia Romo

Patricia Romo
Assistant Director of Transportation

Juan C. Perez

Juan C. Perez
Director of Transportation and Land Management

WJH

Attachments: Resolution No. 2015-015
Exhibits "A" and "B"
CEQA Notice of Exemption

Departmental Concurrence

Policy

Policy

Consent

Consent

Dept's Recomm.:

Per Exec. Ofc.:

Prev. Agn. Ref.

District: 3

Agenda Number:

2-9

FORM APPROVED COUNTY COUNSEL
BY: GREGORY P. PRIAMOS
DATE: 3/26/15

REVIEWED BY EXECUTIVE OFFICE

DATE: 3/5/15
Tina Grande

2
3 **RESOLUTION NO. 2015-015**

4 **SUMMARILY VACATING A PORTION OF THE RESTRICTED ABUTTERS' RIGHTS**
5 **OF ACCESS ALONG RANCHO CALIFORNIA ROAD**
6 **IN THE RANCHO CALIFORNIA AREA**
7 **(AB 14008)**
8 **(Third Supervisorial District)**

9
10 **WHEREAS**, the Restricted Abutters' Rights of Access along Rancho California
11 Road were dedicated to the public by Document No. 2008-0549399, recorded on October
12 10, 2008, Official Records of Riverside County, California; and

13 **WHEREAS**, the described Portion of the Restricted Abutters' Rights of Access
14 along Rancho California Road as shown on said Document is no longer necessary; and

15 **WHEREAS**, per Document No. 2014-0373257, recorded September 30, 2014, the
16 Eastern Municipal Water District has acquired the land for the installation of the Loma
17 Ventoso Lift Station, and this vacation will create an access opening for said Lift Station;
18 and

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

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

- 25 1. That the hereinafter-described Portion of the Restricted Abutters' Rights of
26 Access is unnecessary for present or prospective use.
27 2. Pursuant to Section 8334(a) of the Streets and Highways Code that the
28 hereinafter-described Portion of the Restricted Abutters' Rights of Access

FORM-APPROVED COUNTY COUNSEL
BY: *Synthia M. Gunzel* 5-26-15
DATE
SYNTHIA M. GUNZEL

1 is determined to be excess and is no longer needed and is hereby summarily
2 vacated.

3 SEE LEGAL DESCRIPTION AND PLAT ATTACHED HERETO AS EXHIBITS "A"
4 AND "B" AND MADE "A" PART HEREOF.

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

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

WJH W.O. #AB 14008

EXHIBIT "A"

VACATION OF ABUTTERS ACCESS RIGHTS ON
RANCHO CALIFORNIA ROAD

LEGAL DESCRIPTION

A PORTION OF RESTRICTED ABUTTERS' RIGHTS OF ACCESS DEDICATED BY DOCUMENT NO. 2008-0549399, RECORDED OCTOBER 10, 2008, OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, BEING A PORTION OF PARCEL 20 OF PARCEL MAP 4625 AS SHOWN BY MAP ON FILE IN BOOK 5 OF PARCEL MAPS AT PAGES 77 THROUGH 83, INCLUSIVE THEREOF, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, ALSO SHOWN AS A PORTION OF PROPERTY "B" OF LOT LINE ADJUSTMENT NO. 4588 RECORDED JUNE 18, 2003 AS INSTRUMENT NO. 2003-445630, OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, ALSO SHOWN AS A PORTION OF THAT CERTAIN PARCEL OF LAND CONVEYED TO BUY THE VINE, LLC BY DEED RECORDED JUNE 18, 2003 AS INSTRUMENT NO. 2003-445631, OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN PAUBA RANCHO WITHIN PROTRACTED SECTION 24, TOWNSHIP 7 SOUTH, RANGE 2 WEST, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTERLY CORNER OF SAID PROPERTY "B", SAID CORNER BEING ON THE CENTERLINE OF RANCHO CALIFORNIA ROAD AS SHOWN ON SAID LOT LINE ADJUSTMENT 4588, SAID POINT ALSO BEING THE NORTHEASTERLY CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED TO EASTERN MUNICIPAL WATER DISTRICT, A PUBLIC AGENCY OF THE STATE OF CALIFORNIA, BY DEED RECORDED SEPTEMBER 30, 2014 AS INSTRUMENT NO. 2014-0373257, OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

THENCE NORTH 85°25'01" WEST, ALONG THE NORTHERLY LINE OF SAID PROPERTY "B" AND THE NORTHERLY LINE OF SAID PARCEL OF LAND CONVEYED TO EASTERN MUNICIPAL WATER DISTRICT, A DISTANCE OF 55.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID RANCHO CALIFORNIA ROAD (55 FOOT HALF WIDTH);

THENCE SOUTH 79°16'24" WEST, CONTINUING ALONG THE NORTHERLY LINE OF SAID PROPERTY "B" AND THE NORTHERLY LINE OF SAID PARCEL OF LAND CONVEYED TO EASTERN MUNICIPAL WATER DISTRICT, A DISTANCE OF 3.11 FEET TO THE NORTHWESTERLY CORNER OF THAT CERTAIN ROAD EASEMENT DEDICATED TO THE COUNTY OF RIVERSIDE BY DEED RECORDED OCTOBER 10, 2008 AS INSTRUMENT NO. 2008-0549399, OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, AND THE **TRUE POINT OF BEGINNING** OF THIS LINE DESCRIPTION, SAID POINT ALSO BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID RANCHO CALIFORNIA ROAD (58 FOOT HALF WIDTH);

EXHIBIT "A"
VACATION OF ABUTTERS ACCESS RIGHTS ON
RANCHO CALIFORNIA ROAD
LEGAL DESCRIPTION

THENCE SOUTH 04°34'59" WEST, ALONG THE WESTERLY LINE OF SAID INSTRUMENT NO. 2008-0549399 AND THE WESTERLY RIGHT-OF-WAY LINE OF SAID RANCHO CALIFORNIA ROAD (58 FOOT HALF WIDTH), A DISTANCE OF 49.00 FEET TO THE POINT OF TERMINATION.

TOTAL LENGTH OF ACCESS RESTRICTION VACATION EQUALS 49.00 FEET.

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

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS' ACT.


FREDERICK A. ELLIOTT, PLS #4741

DATE: DEC 24, 2014

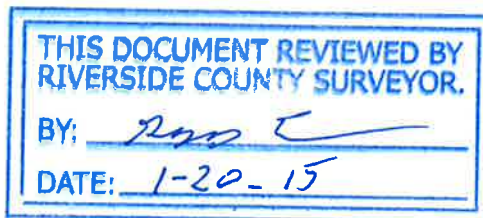




EXHIBIT "B"

VACATION OF ABUTTERS ACCESS RIGHTS
ON RANCHO CALIFORNIA ROAD



SCALE: 1"=30'

POR. PARCEL 20
PARCEL MAP 4625
P.M.B. 5/77-83 RIV. CO.

PROPERTY 'A'
APN 942-170-006

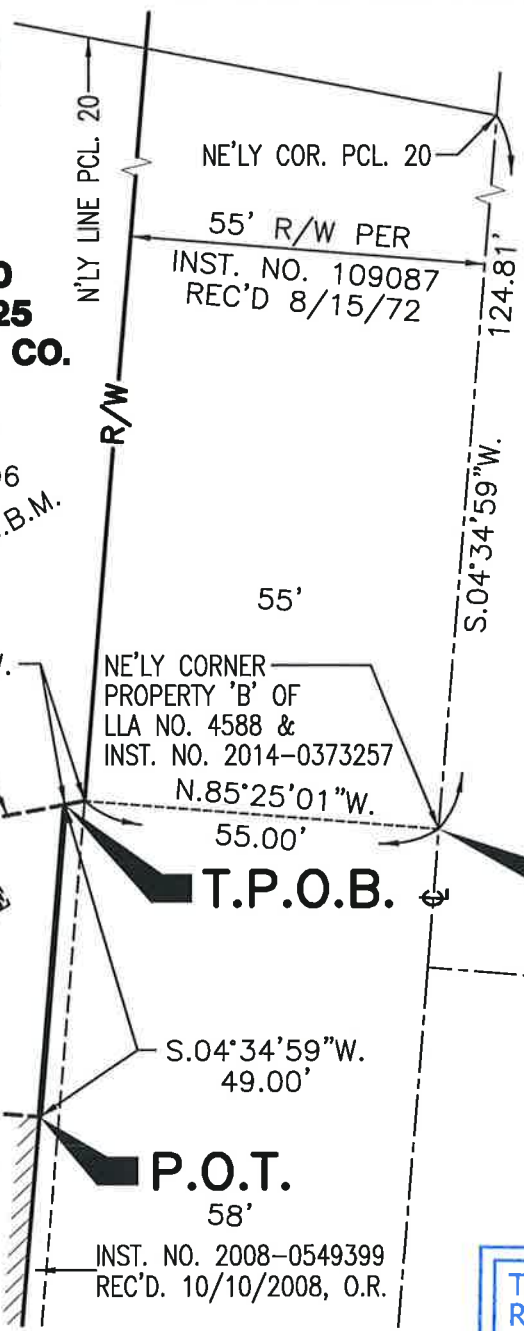
PROTRACTED
T.7S., R.2W., S.B.M.
SEC.24, S.79°16'24"W.
3.11'

N'LY LINE OF PROPERTY 'B'
OF LLA NO. 4588 &
INST. NO. 2014-0373257

PORTION OF
LOMA VENTOSO
LIFT STATION SITE

PROPERTY 'B'
INST. NO. 2003-445630
REC'D 6/18/2003 O.R.
APN 942-170-007
DOC. NO. 2003-445631
REC'D 6/18/2003 O.R.

P.O.T.
58'
INST. NO. 2008-0549399
REC'D. 10/10/2008, O.R.



RANCHO CALIFORNIA RD.

P.M.B. 71/61-62 RIV. CO.

LOMA VENTOSO
30'
30'

RESTRICTED ACCESS
AREA OF VACATION

THIS DOCUMENT REVIEWED BY
RIVERSIDE COUNTY SURVEYOR.
BY: *[Signature]*
DATE: 1-20-15

This Plat is Solely an Aid in Locating the Parcel(s) Described in the Attached Document.

PREPARED BY:
KRIEGER & STEWART INCORPORATED
3602 University Ave. · Riverside, CA. 92501 · 951-684-6900

EASTERN MUNICIPAL WATER DISTRICT
LOMA VENTOSO LIFT STATION
ACCESS RESTRICTION VACATION
A.P.N. 942-170-007

EXHIBIT
B

NOTICE OF EXEMPTION

Project Name: Summarily Vacating a Portion of the Restriction of Abutters Access Rights along Rancho California Road.

Project Number: AB14008 SU14

Project Location– See Exhibits “A” and “B”

Description of Project: Summarily Vacating a Portion of the Restriction of Abutters Access Rights along Rancho California Road.

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

Name of Person or Agency Carrying Out Project: Richard G. Lantis, Riverside County Transportation Department, Survey Division, County of Riverside.

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).

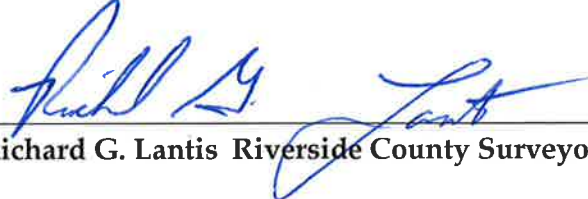
Reasons Why Project is Exempt: The vacation of a street has been determined to not be a “project” as defined under State CEQA Guidelines section 15060(c)(2). However, even if it was determined to be a project under CEQA for analysis purposes, the project is exempt from the provisions of CEQA specifically 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