

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

915 B



FORM APPROVED COUNTY COUNSEL
BY: GREGORY P. PRIAMOS
DATE 7/19/15

FROM: TLMA – Transportation Department

SUBMITTAL DATE:
July 30, 2015

SUBJECT: Resolution No. 2015-129, Summarily Vacating a Portion of Markham Street and Vacating the Right to Accept a Slope and Drainage Easement in the Lake Mathews Area. This Vacation is Exempt Pursuant to CEQA. 1st District; [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that the vacation of a portion of Markham Street and vacating the Right to Accept a Slope and Drainage Easement 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. 2015-129, Summarily Vacating a Portion of Markham Street and Vacating the Right to Accept a Slope and Drainage Easement in the Lake Mathews 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.

Patricia Romo

Patricia Romo
Assistant Director of Transportation

Juan C. Perez

Juan C. Perez
Director of Transportation and Land Management

REVIEWED BY EXECUTIVE OFFICE
DATE Tina Grande
7/24/15

Departmental Concurrence

WJH, Attachments:
Vicinity Map
Resolution No. 2015-129
Exhibits "A," "B," "C," and "D"
CEQA Notice of Exemption

Dep't Recomm.:	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Policy
Per Exec. Ofc.:	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Policy

Prev. Agn. Ref.

District: 1

Agenda Number:

2-13

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Resolution No. 2015-129, Summarily Vacating a Portion of Markham Street and Vacating the Right to Accept a Slope and Drainage Easement in the Lake Mathews Area. This Vacation is Exempt Pursuant to CEQA. 1st District; [\$0]
DATE: July 30, 2015
PAGE: 2 of 2

BACKGROUND:

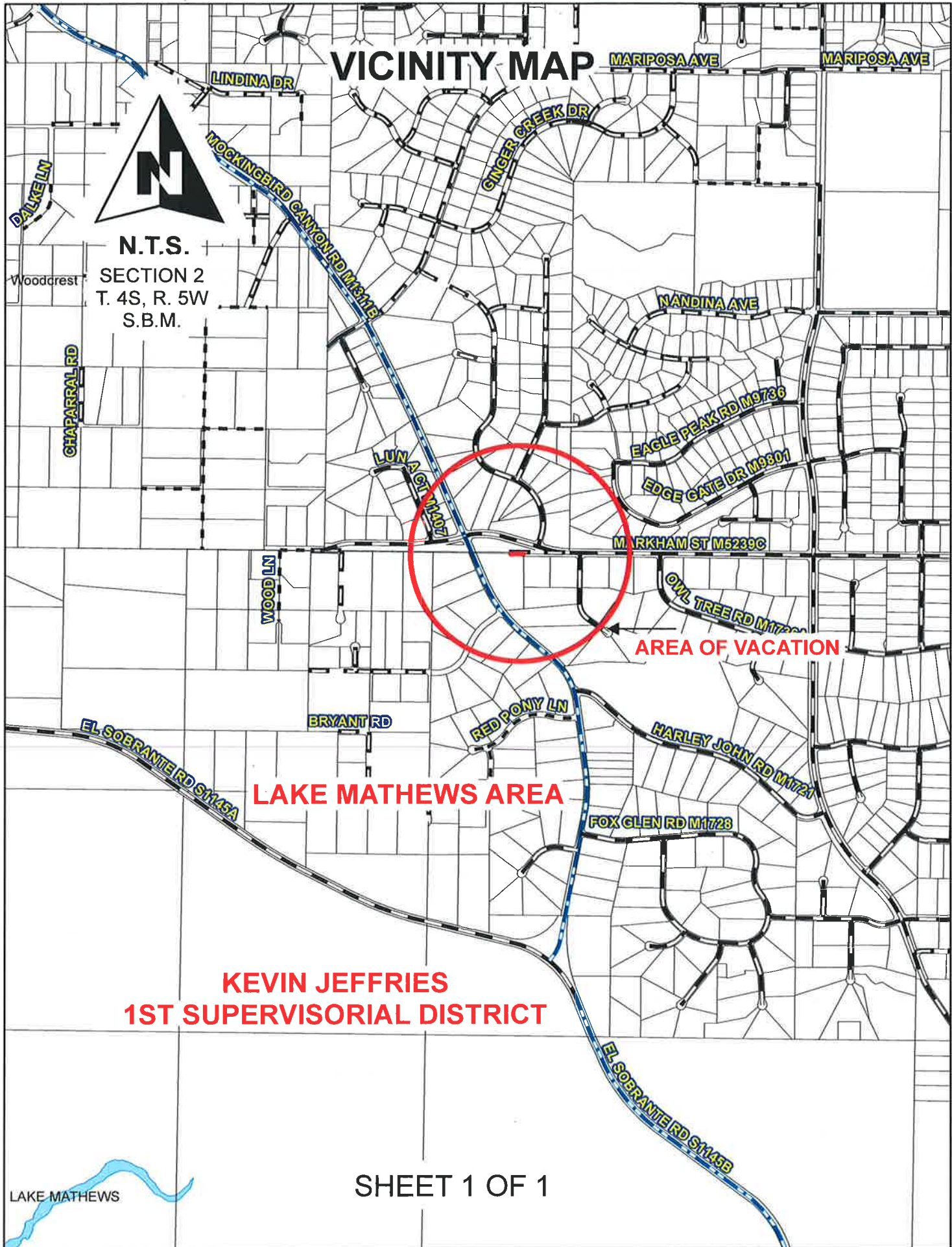
Summary

The applicant has requested the vacation of a portion of Markham Street and to vacate the Right to Accept a Slope and Drainage Easement in the Lake Mathews area. This portion of Markham Street is no longer required, as Markham Street has been realigned and is now excess right-of-way. This vacation will not eliminate access to any parcel. The Riverside County Transportation Department has reviewed this vacation and has no objections to this request. As determined in the attached CEQA 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.

Impact on Residents and Businesses

This portion of Markham Street is no longer required, as Markham Street has been realigned and is now excess right-of-way. This vacation will not eliminate access to any parcel, 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.

TO BE REMOVED BEFORE RECORDING



TO BE REMOVED BEFORE RECORDING

2
3 **RESOLUTION NO. 2015-129**

4 SUMMARILY VACATING A PORTION OF MARKHAM STREET AND
5 VACATING THE RIGHT TO ACCEPT A SLOPE AND DRAINAGE EASEMENT
6 IN THE LAKE MATHEWS AREA

7 (AB15001)

8 (First Supervisorial District)

9
10 **WHEREAS**, a portion of Markham Street (Lot "B") was dedicated and accepted by
11 Tract Map 9202, filed in Book 114, Pages 61 through 65, inclusive, of Maps, records of
12 Riverside County California and a Slope and Drainage Easement was dedicated and not
13 accepted by said Tract Map 9202; and

14 **WHEREAS**, this portion of Markham Street is not necessary and is excess right-of-
15 way, is not required for public street or highway purposes, and the Slope and Drainage
16 Easement was never accepted and is excess and is not required; and

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

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

- 23 1. Pursuant to Section 8334(a) of the Streets and Highways Code, that this portion of
24 Markham Street and the Slope and Drainage Easement is not required for public
25 street or highway purposes and is hereby summarily vacated.
26 2. That this portion of Markham Street is unnecessary for present or prospective
27 public use, including use as a non-motorized transportation facility.
28

FORM APPROVED COUNTY COUNSEL
BY: *Synthia M. Gunzel* 8-8-15
SYNTHIA M. GUNZEL DATE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SEE EXHIBITS "A," "B," "C," and "D" ATTACHED HERETO AND MADE A
PART HEREOF

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

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

EXHIBIT "A"
VACATION OF A PORTION OF MARKHAM STREET
LEGAL DESCRIPTION

THAT PORTION OF LOT "B" (MARKHAM STREET) DEDICATED BY TRACT MAP NO. 9202 ON FILE IN BOOK 114, PAGES 61 THROUGH 65, INCLUSIVE, OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA. SECTION 2, TOWNSHIP 4 SOUTH, RANGE 5 WEST, S.B.M., DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHEASTERLY CORNER OF LOT 1 OF SAID TRACT 9202, SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF MARKHAM STREET;

THENCE NORTH 00°31' 57" EAST A DISTANCE OF 43.90 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF MARKHAM STREET;

THENCE NORTH 89°28'30" WEST ALONG SAID RIGHT-OF-WAY A DISTANCE OF 160.25 FEET TO A POINT ON A CURVE, CONCAVE TO THE NORTH, WITH A RADIUS OF 344.00 FEET AND A RADIAL BEARING OF NORTH 29°49'47" EAST;

THENCE SOUTHEASTERLY 167.81 FEET ALONG SAID CURVE THROUGH A CENTRAL BEARING OF 27°57'02" TO THE **POINT OF BEGINNING**.



BERNHARD K. MAYER, L.S. 7319
EXPIRES 6/30/15

5-19-15

DATE


THIS DOCUMENT REVIEWED BY
RIVERSIDE COUNTY SURVEYOR.
BY: 
DATE: 7-28-15



EXHIBIT "B"

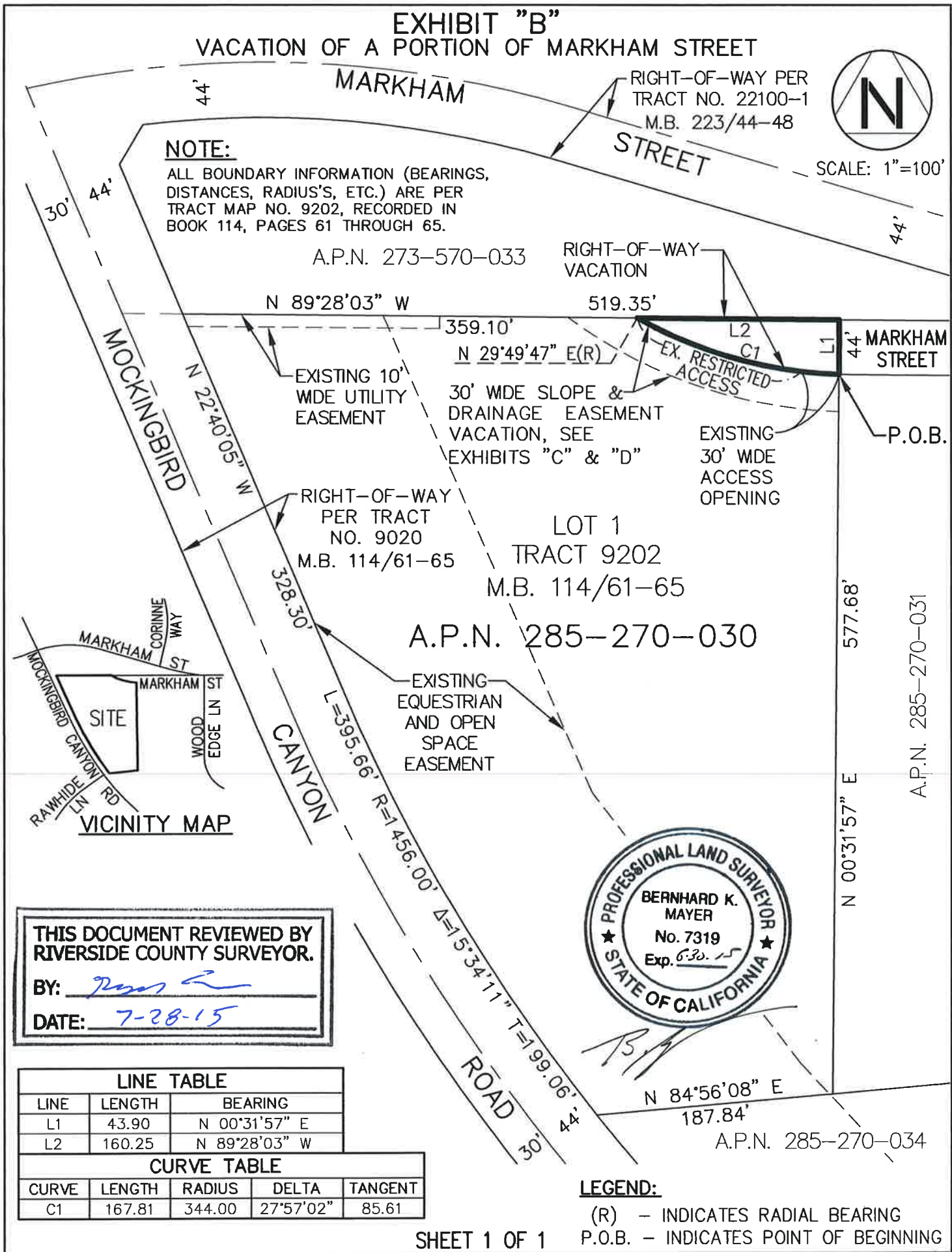
VACATION OF A PORTION OF MARKHAM STREET



SCALE: 1"=100'

NOTE:

ALL BOUNDARY INFORMATION (BEARINGS, DISTANCES, RADIUS'S, ETC.) ARE PER TRACT MAP NO. 9202, RECORDED IN BOOK 114, PAGES 61 THROUGH 65.



A.P.N. 273-570-033

RIGHT-OF-WAY VACATION

519.35'

N 89°28'03" W

359.10'

N 29°49'47" E(R)

EXISTING 10' WDE UTILITY EASEMENT

30' WDE SLOPE & DRAINAGE EASEMENT VACATION, SEE EXHIBITS "C" & "D"

EXISTING 30' WDE ACCESS OPENING

P.O.B.

LOT 1
TRACT 9202
M.B. 114/61-65

A.P.N. 285-270-030

EXISTING EQUESTRIAN AND OPEN SPACE EASEMENT

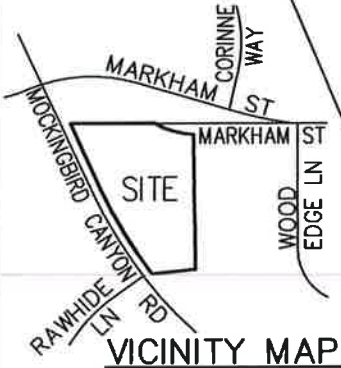
RIGHT-OF-WAY PER TRACT NO. 9020
M.B. 114/61-65

577.68'

A.P.N. 285-270-031

N 00°31'57" E

A.P.N. 285-270-034



VICINITY MAP



THIS DOCUMENT REVIEWED BY RIVERSIDE COUNTY SURVEYOR.

BY: *[Signature]*

DATE: *7-28-15*

LINE TABLE		
LINE	LENGTH	BEARING
L1	43.90	N 00°31'57" E
L2	160.25	N 89°28'03" W

CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	TANGENT
C1	167.81	344.00	27°57'02"	85.61

LEGEND:

(R) - INDICATES RADIAL BEARING
P.O.B. - INDICATES POINT OF BEGINNING

EXHIBIT "C"
VACATING THE RIGHT TO ACCEPT A SLOPE & DRAINAGE EASEMENT
LEGAL DESCRIPTION

A SLOPE AND DRAINAGE EASEMENT DEDICATED BY TRACT MAP NO. 9202 ON FILE IN BOOK 114, PAGES 61 THROUGH 65, INCLUSIVE, OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA. SECTION 2, TOWNSHIP 4 SOUTH, RANGE 5 WEST, S.B.M., DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHEASTERLY CORNER OF LOT 1 OF SAID TRACT 9202, SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF MARKHAM STREET, SAID POINT ALSO BEING THE BEGINNING OF A CURVE, CONCAVE TO THE NORTH, WITH A RADIUS OF 344.00 FEET AND A RADIAL BEARING OF NORTH 01°52'58" EAST;

THENCE NORTHWESTERLY 167.81 FEET ALONG SAID CURVE THROUGH A CENTRAL BEARING OF 27°57'02" TO THE NORTH PROPERTY LINE OF SAID LOT 1;

THENCE NORTH 89°28'03" WEST ALONG SAID NORTH PROPERTY LINE A DISTANCE OF 55.00 FEET TO A POINT ON A CURVE, CONCAVE TO THE NORTH, WITH A RADIUS OF 374.00 FEET AND A RADIAL BEARING OF NORTH 37°11'54" EAST;

THENCE SOUTHEASTERLY 231.25 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 35°25'35" TO A POINT ON THE EAST PROPERTY LINE OF SAID LOT 1 OF TRACT 9202;

THENCE NORTH 00°31' 57" EAST ALONG SAID EAST PROPERTY LINE A DISTANCE OF 30.01 FEET TO THE **POINT OF BEGINNING.**


BERNHARD K. MAYER, L.S. 7319
EXPIRES 6/30/15

5-19-15
DATE

THIS DOCUMENT REVIEWED BY
RIVERSIDE COUNTY SURVEYOR.
BY: Bernhard K. Mayer
DATE: 7-28-15



EXHIBIT "D"

VACATING THE RIGHT TO ACCEPT A SLOPE & DRAINAGE EASEMENT



SCALE: 1"=100'

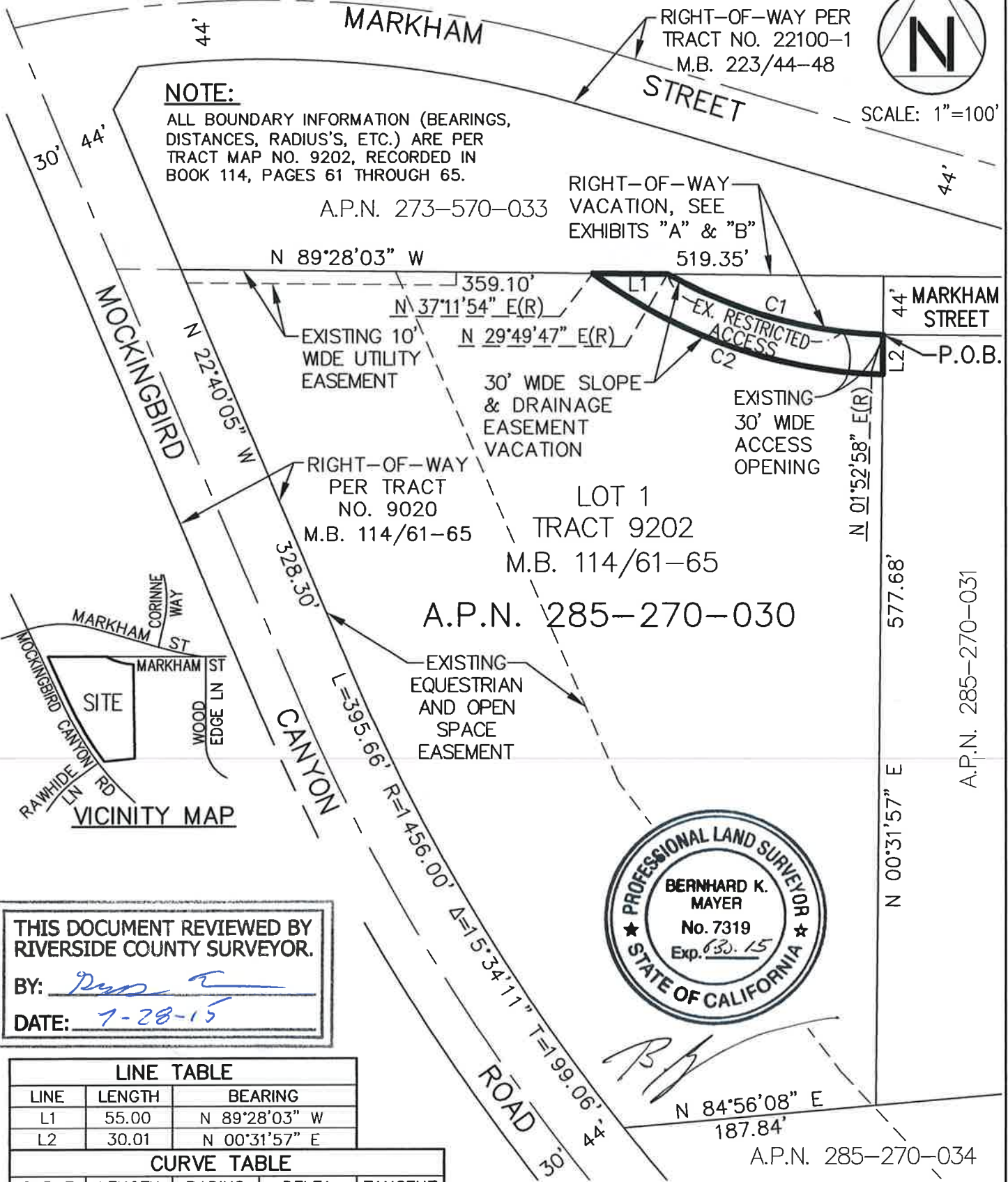
NOTE:

ALL BOUNDARY INFORMATION (BEARINGS, DISTANCES, RADIUS'S, ETC.) ARE PER TRACT MAP NO. 9202, RECORDED IN BOOK 114, PAGES 61 THROUGH 65.

A.P.N. 273-570-033

RIGHT-OF-WAY VACATION, SEE EXHIBITS "A" & "B"

RIGHT-OF-WAY PER TRACT NO. 22100-1 M.B. 223/44-48



A.P.N. 285-270-030

LOT 1
TRACT 9202
M.B. 114/61-65

THIS DOCUMENT REVIEWED BY RIVERSIDE COUNTY SURVEYOR.

BY: *[Signature]*
DATE: 7-28-15



LINE TABLE		
LINE	LENGTH	BEARING
L1	55.00	N 89°28'03" W
L2	30.01	N 00°31'57" E

CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	TANGENT
C1	167.81	344.00	27°57'02"	85.61
C2	231.25	374.00	35°25'35"	119.45

LEGEND:

(R) - INDICATES RADIAL BEARING
P.O.B. - INDICATES POINT OF BEGINNING

NOTICE OF CEQA EXEMPTION

Project Name: Summarily Vacating Portion of Markham Street and Vacating the Right to Accept a Slope and a Drainage Easement in the Lake Mathews Area.

Project Number: AB15001, SU14

Project Location– See Exhibits “A”, “B”, “C” and “D”

Description of Project: Summarily Vacating Portion of Markham Street and Vacating the Right to Accept a Slope and a Drainage Easement in the Lake Mathews Area.

Name of Public Agency Approving Project: Survey Division, Transportation and Land Management Agency.

Name of Person or Agency Carrying Out Project: Richard G. Lantis, Riverside County Transportation Department, 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: 7-30-15
Richard G. Lantis, Riverside County Surveyor