

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

810 A



FROM: TLMA – Transportation Department

SUBMITTAL DATE:
October 5, 2015

SUBJECT: Resolution No. 2015-233 Making Responsible Agency Findings Pursuant to the California Environmental Quality Act, Adopting a Statement of Overriding Considerations, and Approving a Grant of a Utility Easement to Pacific Bell Telephone Company, a California corporation dba AT&T California, over a portion of the Frontage Road near its intersection with Serfas Club Drive for utility relocation in support of the SR-91 Project. 2nd District; [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2015-233 Making Responsible Agency Findings Pursuant to the California Environmental Quality Act, Adopting a Statement of Overriding Considerations, and Approving a Grant of a Utility Easement to Pacific Bell Telephone Company, a California corporation dba AT&T California, over a portion of the Frontage Road near its intersection with Surface Club Drive for utility relocation in support of the SR-91 Project; and
2. Authorize the Chairman of the Board to execute said Grant of Easement (attached) on behalf of the County of Riverside; and

Patricia Romo

Patricia Romo
Assistant Director of Transportation

Juan C. Perez

Juan C. Perez
Director of Transportation and Land Management

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (Per Exec. Office)
COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS:

Budget Adjustment: No

For Fiscal Year: 2014-2015

C.E.O. RECOMMENDATION:

APPROVE

BY:

Fina Grande
Fina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

- A-30
- 4/5 Vote
- Positions Added
- Change Order

Prev. Agn. Ref.: 6/5/12, Item 2-15

District: 2

Agenda Number:

3-22

FORM APPROVED COUNTY COUNSEL
BY: *GREGORY P. PRIAMOS*
DATE: 11/3/15

Departmental Concurrence

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

FORM 11: Resolution No. 2015-233 Making Responsible Agency Findings Pursuant to the California Environmental Quality Act, Adopting a Statement of Overriding Considerations, and Approving a Grant of a Utility Easement to Pacific Bell Telephone Company, a California corporation dba AT&T California, over a portion of the Frontage Road near its intersection with Serfas Club Drive for utility relocation in support of the SR-91 Project. 2nd District; [\$0]

DATE: October 5, 2015

PAGE: 2 of 3

RECOMMENDED MOTION: (Continued From Page 1)

3. Direct the Clerk of the Board to cause the executed Grant of Easement to be recorded in the Office of the Recorder of the County of Riverside, California, and
4. Direct the Clerk of the Board to file the Notice of Determination with the County Clerk within five (5) days of approval by the Board.

BACKGROUND:

Summary

This utility easement is needed for the relocation of existing AT&T fiber optic lines, as required for the construction of improvements on the State Route 91 Express Lanes and Corridor Improvements Project ("Project"). This realignment directly impacts an existing AT&T underground fiber optic facility under the existing Frontage Road. The AT&T fiber optic lines will be relocated within the proposed Frontage Road by the Project. A portion of the existing AT&T facility has prior rights to the County via an easement within the existing Frontage Road and the Project proposes to perpetuate that prior right by granting a similar easement in the proposed Frontage Road alignment.

The Project proposes to convert the existing High Occupancy Vehicle (HOV) lanes to managed toll lanes in each direction from the Interstate 15 (I-15) interchange to the Riverside County/Orange County border. Additionally, one general purpose lane will be added in each direction from the State Route 71 (SR-71) interchange to the I-15 interchange. Also, the non-standard interchange spacing between Auto Center and Maple Street will be improved by the introduction of a braided ramp configuration to improve traffic flow. All of these improvements will require the existing County Frontage Road to be re-aligned approximately 100 feet to the south and requires the relocation of the AT&T facility.

This request has been made by the Riverside County Transportation Commission (RCTC) and is consistent with the Cooperative Agreement for State Route 91 Express Lanes and Corridor Improvements Between the Riverside County Transportation Commission and the County of Riverside (County), Agreement No. 12-31-080-00.

Pursuant to the California Environmental Quality Act (CEQA), the California Department of Transportation (Caltrans) is the lead agency for the Project under both CEQA and the National Environmental Policy Act (NEPA). In accordance with CEQA, Caltrans prepared a Final Environmental Impact Report/Environmental Impact Statement (EIR/EIS), approved the Project on August 8, 2012, and filed and posted a Notice of Determination (NOD) on or about August 16, 2012. Staff has determined that all requirements of CEQA have been satisfied in the Final EIR/EIS, which is sufficiently detailed so that all the potentially significant environmental effects of the Project, as well as feasible mitigation measures and a range of potentially feasible alternatives capable of eliminating or reducing those effects, have been adequately evaluated.

RCTC is a responsible agency under CEQA for the funding and implementation of the Project. RCTC adopted Resolution No. 12-028 on November 14, 2012, considering the Final EIR/EIS, adopting responsible agency findings pursuant to CEQA, adopting a mitigation and monitoring reporting program, adopting a statement of overriding considerations, and approving the Project.

The County is also a responsible agency under CEQA, like RCTC, and has a more limited approval and implementing authority over the Project. Staff recommends the adoption of Resolution No. 2015-233 to make the requisite responsible agency CEQA findings for the limited County approval associated with the Project, namely the grant of easement for the utility relocation in support of the Project.

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

FORM 11: Resolution No. 2015-233 Making Responsible Agency Findings Pursuant to the California Environmental Quality Act, Adopting a Statement of Overriding Considerations, and Approving a Grant of a Utility Easement to Pacific Bell Telephone Company, a California corporation dba AT&T California, over a portion of the Frontage Road near its intersection with Serfas Club Drive for utility relocation in support of the SR-91 Project. 2nd District; [\$0]

DATE: October 5, 2015

PAGE: 3 of 3

Impact on Residents and Business

The Project will improve the operational efficiency of this major freeway corridor that connects Riverside County to Orange County.

Contract History and Price Reasonableness

N/A

ATTACHMENTS:

Vicinity Map

Resolution No. 2015-233

Grant of Easement

Notice of Determination

SR-91 CIP Environmental Impact Report (on disc only with Clerk of the Board)

TO BE REMOVED BEFORE RECORDING

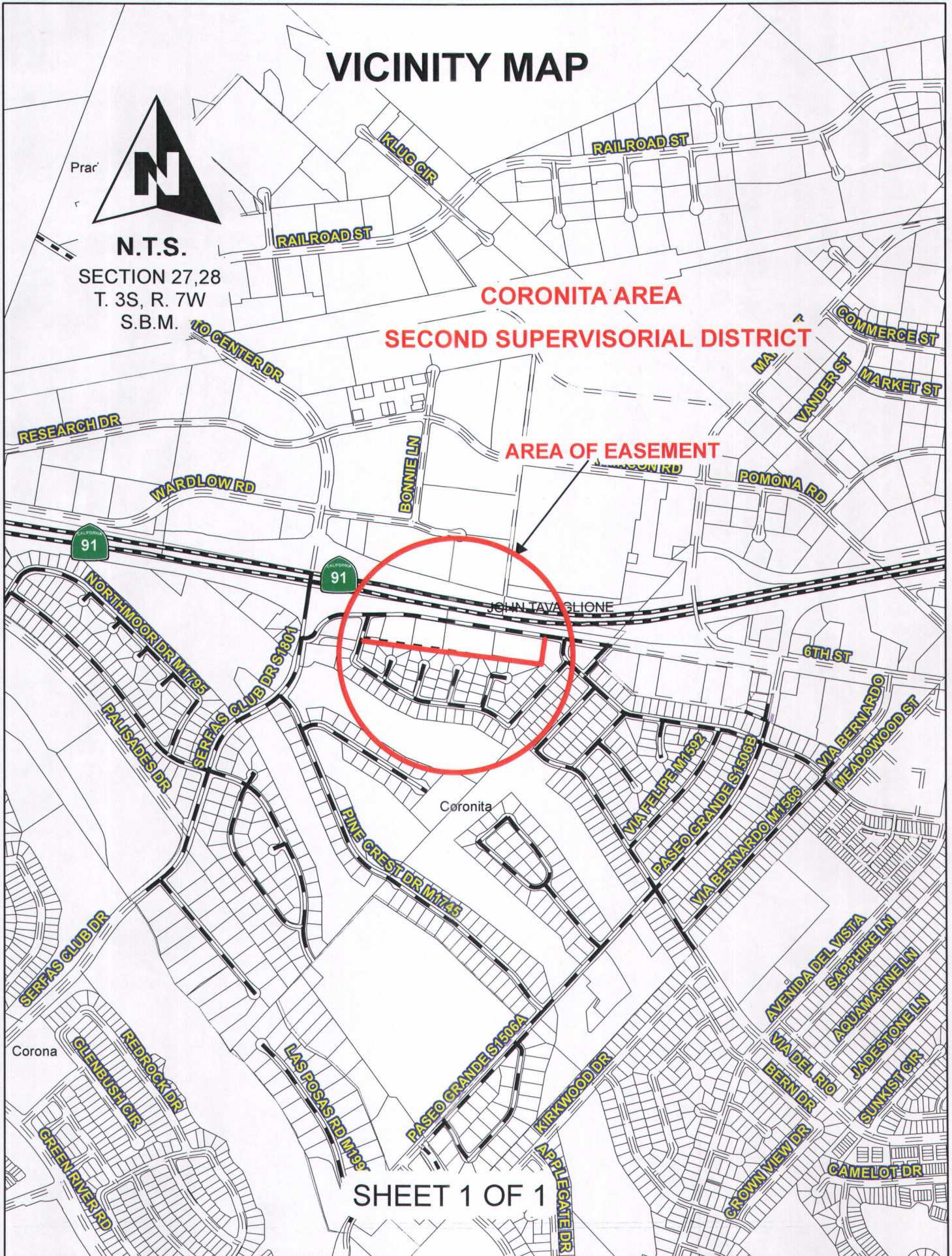
VICINITY MAP



N.T.S.
SECTION 27,28
T. 3S, R. 7W
S.B.M.

CORONITA AREA
SECOND SUPERVISORIAL DISTRICT

AREA OF EASEMENT



SHEET 1 OF 1

TO BE REMOVED BEFORE RECORDING

2
3 RESOLUTION NO. 2015-233

4 A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF
5 RIVERSIDE MAKING RESPONSIBLE AGENCY FINDINGS PURSUANT TO THE CALIFORNIA
6 ENVIRONMENTAL QUALITY ACT, ADOPTING A STATEMENT OF OVERRIDING
7 CONSIDERATIONS, AND APPROVING THE GRANT OF A UTILITY EASEMENT TO PACIFIC
8 BELL TELEPHONE COMPANY, A CALIFORNIA CORPORATION DBA AT&T CALIFORNIA,
9 OVER A PORTION OF THE FRONTAGE ROAD NEAR ITS INTERSECTION WITH SERFAS CLUB
10 DRIVE FOR UTILITY RELOCATION IN SUPPORT OF THE STATE ROUTE 91 CORRIDOR
11 IMPROVEMENT PROJECT

12
13 WHEREAS, on June 5, 2012, the County of Riverside (County), entered into a cooperative
14 agreement with Riverside County Transportation Commission (RCTC) for State Route 91 Express Lanes
15 and Corridor Improvements; and

16 WHEREAS, the California Department of Transportation (Caltrans) is the lead agency for the
17 State Route 91 Corridor Improvement Project (SR-91 CIP or the Project) under both the California
18 Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA); and

19 WHEREAS, in compliance with the Public Resources Code, Caltrans prepared a Draft
20 Environmental Impact Report/Environmental Impact Statement (Draft EIR/EIS) to analyze the potential
21 environmental effects of the Project; and

22 WHEREAS, Caltrans solicited comments, including details about the scope and content of the
23 environmental information, as well as potential feasible mitigation measures, from responsible agencies,
24 trustee agencies, and the public, in a Notice of Preparation (NOP) for the EIR for the Project that was
25 filed on July 15, 2008 and circulated for a period of 30 days pursuant to CEQA Guidelines sections
26 15082(a) and 15375; and

FORM APPROVED COUNTY COUNSEL
BY: *Synthia M. Sunzel* DATE: *11-2-15*
BY: *Synthia M. Sunzel* DATE: *11-2-15*

1 WHEREAS, approximately 20 written comments letters were received by Caltrans in response to
2 the NOP, which assisted Caltrans in expanding the issues and alternatives for analysis in the Draft
3 EIR/EIS; and

4 WHEREAS, pursuant to Public Resources Code section 21083.9 and CEQA Guidelines sections
5 15082(a) and 15083, Caltrans held a public scoping meeting on July 29, 2008, to solicit public comments
6 on the Draft EIR/EIS for the Project; and

7 WHEREAS, the Notice of Completion (NOC) of the Draft EIR/EIS was filed by Caltrans with the
8 State Office of Planning and Research (OPR) on May 19, 2011 and was posted by OPR on May 20, 2011,
9 which initiated a 45-day comment period extending to July 5, 2011; and

10 WHEREAS, Caltrans filed the NOC with the County Clerks in Orange and Riverside Counties on
11 May 19, 2011; and

12 WHEREAS, Caltrans published a Notice of Availability (NOA) under NEPA in the Federal
13 Register on May 26, 2011, for a public review period extending to July 11, 2011; and

14 WHEREAS, pursuant to Public Resources Code section 21092, Caltrans also provide an NOC and
15 NOA to all organizations and individuals who had previously requested such notice; and

16 WHEREAS, Caltrans published a "Draft EIR/EIS Available for SR-91" notice on May 20, 2011,
17 in the Orange County Register, the Press-Enterprise, and the Inland Valley Bulletin, newspapers of
18 general circulation in the Project area, and La Prensa, a Spanish language newspaper of general
19 circulation in the Project area indicating the public review period would be extended to July 5, 2011; and

20 WHEREAS, Caltrans published a second "Draft EIR/EIS Available for SR-91" notice on June 2,
21 and June 3, 2011, in the Orange County Register, the Press-Enterprise, the Inland Valley Bulletin, and La
22 Prensa, indicating the public review period would be extended to July 11, 2011; and

23 WHEREAS, during the 51-day comment period from May 20, 2011 to July 11, 2011, Caltrans
24 consulted with and requested comments from all responsible and trustee agencies, other regulatory
25 agencies, and other interested parties pursuant to CEQA Guidelines section 15086; and

26 WHEREAS, all potentially significant adverse environmental impacts of the Project were
27 sufficiently analyzed in the Draft EIR/EIS; and

1 WHEREAS, during the official public review period for the Draft EIR/EIS, Caltrans received 110
2 written comment letters and comment cards; and

3 WHEREAS, pursuant to CEQA Guidelines sections 15088 and 15089, Caltrans prepared and
4 completed the Final EIR/EIS, which consists of written responses to all comment letters received by
5 Caltrans during the official public review period and revisions to the Draft EIR/EIS; and

6 WHEREAS, pursuant to Public Resources Code section 21092.5, Caltrans provided copies of the
7 written responses to all commenting public agencies; and

8 WHEREAS, the Final EIR/EIS consists of the Final EIR/EIS and the Draft EIR/EIS (as modified
9 by the Final EIR); and

10 WHEREAS, in its role as lead agency, Caltrans approved the Project on August 8, 2012, and filed
11 and posted a Notice of Determination (NOD) on or about August 16, 2012; and

12 WHEREAS, all requirements of CEQA were satisfied in the Final EIR/EIS, which is sufficiently
13 detailed so that all the potentially significant environmental effects of the Project, as well as feasible
14 mitigation measures and a range of potentially feasible alternatives capable of eliminating or reducing
15 those effects, have been adequately evaluated; and

16 WHEREAS, RCTC is a responsible agency under CEQA for the funding and implementation of
17 the Project; and

18 WHEREAS, RCTC adopted Resolution No. 12-028 on November 14, 2012, considering the Final
19 EIR/EIS, adopting responsible agency findings pursuant to CEQA, adopting a mitigation and monitoring
20 reporting program, adopting a statement of overriding considerations, and approving the Project; and

21 WHEREAS, RCTC Resolution No. 12-028 is incorporated herein by reference; and

22 WHEREAS, the County has been asked to issue certain limited approvals for the Project,
23 specifically including authorizing the grant of a utility easement to Pacific Bell Telephone Company, a
24 California Corporation dba AT&T California, over a portion of the Frontage Road near its intersection
25 with Serfas Club Drive for utility relocation in support of the Project as depicted on the map (plat)
26 attached to the grant of easement; and

27 WHEREAS, the County has more limited approval and implementing authority over the Project
28 and thus serves only as a responsible agency for the Project pursuant to the requirements of CEQA; and

1 WHEREAS, all the aforementioned federal and state environmental documents and associated
2 materials, including the Final EIR/EIS, Mitigation Monitoring and Reporting Program, supporting
3 documentation, hereinafter collectively be referred to as the "Documents", and the Documents taken
4 together, thoroughly address the environmental effects of the County's limited implementation of the
5 Project, namely the grant of a utility easement for utility relocation; and

6 WHEREAS, pursuant to CEQA, the County is acting as a responsible agency for considering the
7 Documents determined to be adequate and adopted by Caltrans; and

8 WHEREAS, the utility relocation is a project within the SR-91 CIP and was analyzed in the
9 Documents; and

10 WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred;

11 NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board of
12 Supervisors of the County of Riverside ("Board"), assembled in regular session on _____, at
13 or after 9:00 a.m., in the meeting room of the Board of Supervisors located on the 1st floor of the County
14 Administrative Center, 4080 Lemon Street, Riverside, California, based upon the evidence and testimony
15 presented on the matter, both written and oral, including the Documents, as it relates to the grant of a
16 utility easement for utility relocation for the Project, that:

17 1. Incorporation of Recitals. The above recitals constitute findings of the Board with respect
18 to the Project and are incorporated herein.

19 2. Consideration of the Final EIR/EIS and Adoption of Findings Regarding CEQA
20 Compliance. As the decision-making body for the County, and in the County's limited role as a
21 responsible agency under CEQA, the County has received, reviewed, and considered the information
22 contained in the Documents for the Project. The grant of a utility easement for utility relocation for the
23 Project is within the scope of the Documents, and taken together, the environmental effects of the Project
24 have been adequately addressed in the Documents. Based on this review, the County finds that, as to
25 those potential environmental impacts within the County's powers and authorities as responsible agency,
26 that the Documents for the Project contains a complete, objective, and accurate reporting of those
27 potential impacts and reflects the independent judgment and analysis of the County.

1 3. CEQA Findings on Environmental Impacts. In its limited role as a responsible agency
2 under CEQA, the County finds that there are no feasible alternatives or feasible mitigation measures in its
3 powers that would avoid or substantially lessen the Project's potentially significant environmental
4 impacts but still achieve most of the Project's objectives. The County further finds that the mitigation
5 measures imposed by the lead agency are sufficient to reduce potentially significant impacts to a level of
6 less than significant except as described in the Documents. As such, the County concurs with the
7 environmental findings adopted by Caltrans as lead agency and RCTC as another responsible agency,
8 which can be found in the Office of the Riverside County Transportation Department located at 3525 14th
9 Street, Riverside, CA 92501 and therefore the County adopts those findings as its own and incorporates
10 them herein.

11 4. Mitigation Monitoring and Reporting Program. When considering alternatives and
12 mitigation measures, a responsible agency is more limited than a lead agency. A responsible agency has
13 responsibility for mitigating or avoiding only the direct or indirect environmental effects of those parts of
14 the project that it decides to carry out, finance, or approve. Here, the County is responsible for approving
15 a grant of a utility easement. Specifically, a portion of an existing utility line will be relocated within the
16 proposed Frontage Road by the Project. A portion of the existing utility has prior rights to the County of
17 Riverside via an easement within the existing Frontage Road, and the Project proposes to perpetuate that
18 prior right by granting a similar easement in the proposed Frontage Road realignment. The final design
19 and all utility relocation work is to be done by RCTC in consultation with the utility providers and owners
20 pursuant to a utility relocation plan prepared by RCTC. Since the County has no jurisdiction or authority
21 to do any of the utility relocation work or preparation of the utility relocation plans and instead is only
22 granting an easement for such utility relocation, there are no identified mitigation measures for which the
23 County is responsible. The County has reviewed the Mitigation Monitoring and Reporting Program
24 (MMRP) as it relates to the grant of a utility easement for utility relocation for the Project which was
25 prepared for the Project and approved by the lead agency, which is attached to the written findings
26 adopted by Caltrans as the lead agency and RCTC as another responsible agency which can be found in
27 the Office of the Riverside County Transportation Department located at 3525 14th Street, Riverside, CA
28 92501.

1 5. Adoption of Statement of Overriding Considerations. The County declares that pursuant to
2 CEQA Guidelines section 15093, the County has balanced the benefits of the Project against any
3 unavoidable environmental impacts in determining whether to approve its limited portion of the Project,
4 namely, the grant of a utility easement for utility relocation. If the benefits of the Project outweigh the
5 unavoidable adverse environmental impacts, those impacts may be considered “acceptable.” The County
6 declares that the Final EIR/EIS prepared by Caltrans for the Project has identified and discussed
7 significant effects which may occur as a result of the Project. With the implementation of existing
8 regulations, and Compensatory Mitigation, Mitigation Measures, and other Conditions discussed in the
9 Final EIR/EIS and included in the MMRP, the environmental effects of the Project can be mitigated to
10 less than significant levels, except for unavoidable significant impacts related to:

- 11 a. Long-term traffic related noise.
- 12 b. Permanent impacts to 0.02 acres of oak woodland habitat
- 13 c. Cumulative impacts related to the human environment (conversion of farmlands to
14 nonagricultural uses; community character and cohesion and property acquisition;
15 traffic during construction; and visual and aesthetic resources), the physical
16 environment (water quality and storm water runoff, paleontological resources, air
17 quality during construction, and noise during operations), and the biological
18 environment (natural communities, plant species, animal species, wetlands and other
19 waters of the United States, threatened and endangered species, and invasive species)
- 20 d. Resulting adverse effects on human beings as a result of the cumulative impacts on the
21 human, physical, and biological environment.

22 Although extensive measures addressing these effects of the Project on the environment are provided in
23 the Final EIR/EIS, those measures are not sufficient to avoid or reduce the Project effects described above
24 to below a level of significance under CEQA (Caltrans Statement of Overriding Considerations, page 1,
25 and Section 4.2.5, page 4-41, in the Final EIR/EIS).

26 The County, as a responsible agency, declares that Caltrans, as lead agency, has made a reasonable
27 and good faith effort to eliminate or substantially mitigate the potential impacts listed above. To the
28 extent any mitigation measures could not be incorporated, such mitigation measures are infeasible

1 because of specific economic, legal, social, technological, and other considerations and the benefits of the
2 Project outweigh the unmitigated impacts.

3 The County finds that improvements on State Route 91 are necessary to address existing and
4 projected deficiencies regarding mobility, access, goods movement and freeway capacity on the project
5 segment of State Route 91, which is the only major highway that links Riverside and Orange counties.

6 The Project is intended to achieve the following specific objectives:

- 7 a. Improve the vehicle, person, and goods movement within the SR-91 corridor to
8 more efficiently serve existing and future travel demand between and within
9 Riverside and Orange counties.
- 10 b. Provide improvements along the SR-91 and I-15 transportation corridors as well as
11 to related local roads, and to reduce diversion of regional traffic from the freeways
12 into the surrounding communities.

13 Caltrans and RCTC, have previously identified the following benefits of the Project compared to
14 the No Build Alternative which meet the project objectives, and which override the unavoidable
15 significant adverse environmental impacts of the Project:

- 16 a. Improved travel times and speeds compared to the No Build Alternative
- 17 b. Improved safety compared to the No Build Alternative
- 18 c. Correction of existing roadway operational deficiencies compared to the No Build
19 Alternative
- 20 d. Support of existing, approved and planned land uses compared to the No Build
21 Alternative
- 22 e. Improved system linkages and regional goods movement compared to the No Build
23 Alternative
- 24 f. Air Quality improvements compared to the No Build Alternative

25 These benefits listed above are discussed in more detail in Caltrans Statement of Overriding
26 Considerations and RCTC's Resolution 12-028, incorporated herein by reference, and are also found by
27 the County to be benefits of the Project that override the unavoidable significant adverse environmental
28 impacts of the Project.

1 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that, as required by State
2 CEQA Guidelines section 15096 and in its limited role as responsible agency under CEQA, the Board
3 hereby approves the grant of a utility easement to Pacific Bell Telephone Company, a California
4 corporation dba AT&T California for a portion of the Frontage Road near its intersection with Serfas
5 Club Drive, as described and depicted in the Grant of Easement, for utility relocation for the Project.

6 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Board hereby directs
7 the Clerk of the Board to file a Notice of Determination with the Riverside County Clerk and also with the
8 Governor's Office of Planning and Research within five (5) working days of the approval of the Project.

9 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the documents and
10 materials that constitute the record of proceedings on which these findings are based are located at the
11 offices of the Clerk of the Board of Supervisors for the County at 4080 Lemon St., 1st Floor, Riverside,
12 CA 92501 and the County Transportation Office, 3525 14th Street, Riverside, CA 92501.

13 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Clerk of the Board
14 shall sign this Resolution to attest and certify to the passage and adoption thereof.

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AFTER RECORDING, RETURN TO:

**STOP NO. 1080
RIVERSIDE COUNTY SURVEYOR
4080 LEMON STREET, 8TH FLOOR
RIVERSIDE, CA 92501**

NO CONSIDERATION
DOCUMENT TRANSFER TAX \$0

Signature of declarant or agent determining tax:

_____ Agent:

Exchange: Corona
TRA: 059-033

Por Tomas Yorba Allotment
LB(18)8615452
E011514/10939
Page 1 of 3
Caltrans 22129-2

GRANT OF EASEMENT

The undersigned Grantor, **COUNTY OF RIVERSIDE**, a political subdivision of the State of California, hereby grants to **PACIFIC BELL TELEPHONE COMPANY, a California corporation dba AT&T California**, its associated and affiliated companies, its and their successors, assigns, lessees and agents, hereinafter referred to as "Grantee," an easement to construct, reconstruct and maintain (place, operate, inspect, repair, replace and remove) such underground communication facilities as Grantee may from time to time require (including ingress thereto and egress therefrom) consisting of wires, cables, conduits, pipes, manholes, handholes, service boxes, aboveground markers, risers, service pedestals, underground and aboveground switches, fuses, terminals, terminal equipment cabinets, transformers with associated concrete pads, associated electrical conductors, necessary fixtures and appurtenances necessary to any and all thereof, together with the right of way therefore in, over, under and upon that certain real property in the City of Corona, County of Riverside, State of California.

The easement is described on Exhibit "A-2", and shown on Exhibit "B-2" attached hereto and made a part hereof.

This legal description was prepared pursuant to Section 8730(c) of the Business and Professions Code.

Grantor(s) also grant(s) to Grantee(s) the right to trim such trees and other foliage and to cut such limbs and roots on said property as may be necessary for the protection of said facilities.

Grantor(s) also grant(s) to Grantee(s) the right to cut, fill or otherwise change the grade of said property and to place such drainage and retaining structures thereon, as Grantee(s) may elect for the protection of such facilities.

Grantor(s) also grant(s) to Grantee(s) the right to receive municipal service and commercial power service from the appropriate utility company serving the area together with the right for such utility company to place their respective service facilities upon and within said easement.

Grantor(s), his/her/their successors and assigns, shall not erect, construct or maintain any building or other structure or drill or operate any well within said easement.

Grantee(s) shall be responsible for damage caused intentionally or by any negligent act or omission of Grantee(s), its agents or employees, while exercising the rights granted herein.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto.

Executed this _____ day of _____, 20_____.

COUNTY OF RIVERSIDE

BY: _____
Printed Name: Marion Ashley
Title: Chairman, Board of Supervisors

APPROVED AS TO FORM:
Gregory P. Priamos
County Counsel

BY: Synthia M. Gunzel
Printed Name: Synthia M. Gunzel
Title: Deputy County Counsel

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of _____

On _____ before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(Signature of Notary)

EXHIBIT "A-2"**AT&T EASEMENT
CALTRANS PARCEL No. 22129-2****LEGAL DESCRIPTION**

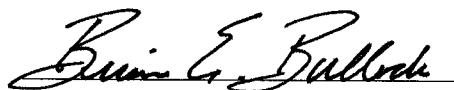
In the County of Riverside, State of California, being a portion of the lands described in those certain documents recorded January 27, 1971 as Document No. 8344 and May 18, 1973 as Document No. 64957 of Official Records of said County, being a strip of land 10.00 feet wide described as follows:

COMMENCING at the most westerly corner of the lands described in the document recorded October 25, 2007 as Document No. 2007-0658579 of Official Records of said County, said point being the beginning of a curve concave northwesterly having a radius of 111.00 feet, to which point a radial line bears South 10°00'07" East; thence northeasterly along the general northwesterly line of last said lands and along said curve 103.24 feet through a central angle of 53°17'24"; thence continuing along last said line North 26°42'29" East 1.70 feet to a point thereon, said point being the **POINT OF BEGINNING**, said point also being the beginning of a non-tangent curve concave southerly having a radius of 95.00 feet, to which point a radial line bears North 05°39'48" East; thence westerly along said curve 80.82 feet through a central angle of 48°44'46"; thence North 08°58'08" East 2.79 feet; thence North 09°26'47" East 12.47 feet to the beginning of a non-tangent curve concave southerly having a radius of 105.00 feet, to which point a radial line bears North 36°28'04" West; thence easterly along said curve 81.03 feet through a central angle of 44°12'59" parallel with and 10.00 feet northerly of that certain curve described herein as having a radius of 95.00 feet to a point on said northwesterly line; thence South 26°42'29" West 10.64 feet along said northwesterly line to the **POINT OF BEGINNING**.

CONTAINING: 808 square feet, more or less.

EXHIBIT "B-2" attached and by this reference made a part hereof.

The distances described herein are grid distances and are based on California Coordinate System of 1983, Zone 6, 2007.00 epoch. Ground distances may be obtained by dividing grid distances by the mean combination factor of the courses being described. The mean combination factor for this conversion is 0.99997476.



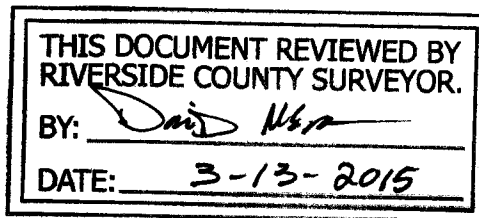
Brian E. Bullock, PLS 5260

12-24-14

Date



PSOMAS
3 Hutton Centre Drive, Ste. 200
Santa Ana, California 92707



THIS DOCUMENT REVIEWED BY
RIVERSIDE COUNTY SURVEYOR.

BY: *[Signature]*

DATE: 3-13-2015



Brian E. Bullock 12-24-14
BRIAN E. BULLOCK, PLS 5260 DATE

LINE TABLE

L1	- S26°42'29"W	34.06'
L2	- S02°09'37"W	52.00'
L3	- N09°26'34"W	72.97'
L4	- S44°38'28"W	14.99'

CURVE TABLE

C1 - Δ=53°17'24" R=111.00' L=103.24'

SEE SHEET 2
FOR DETAILS

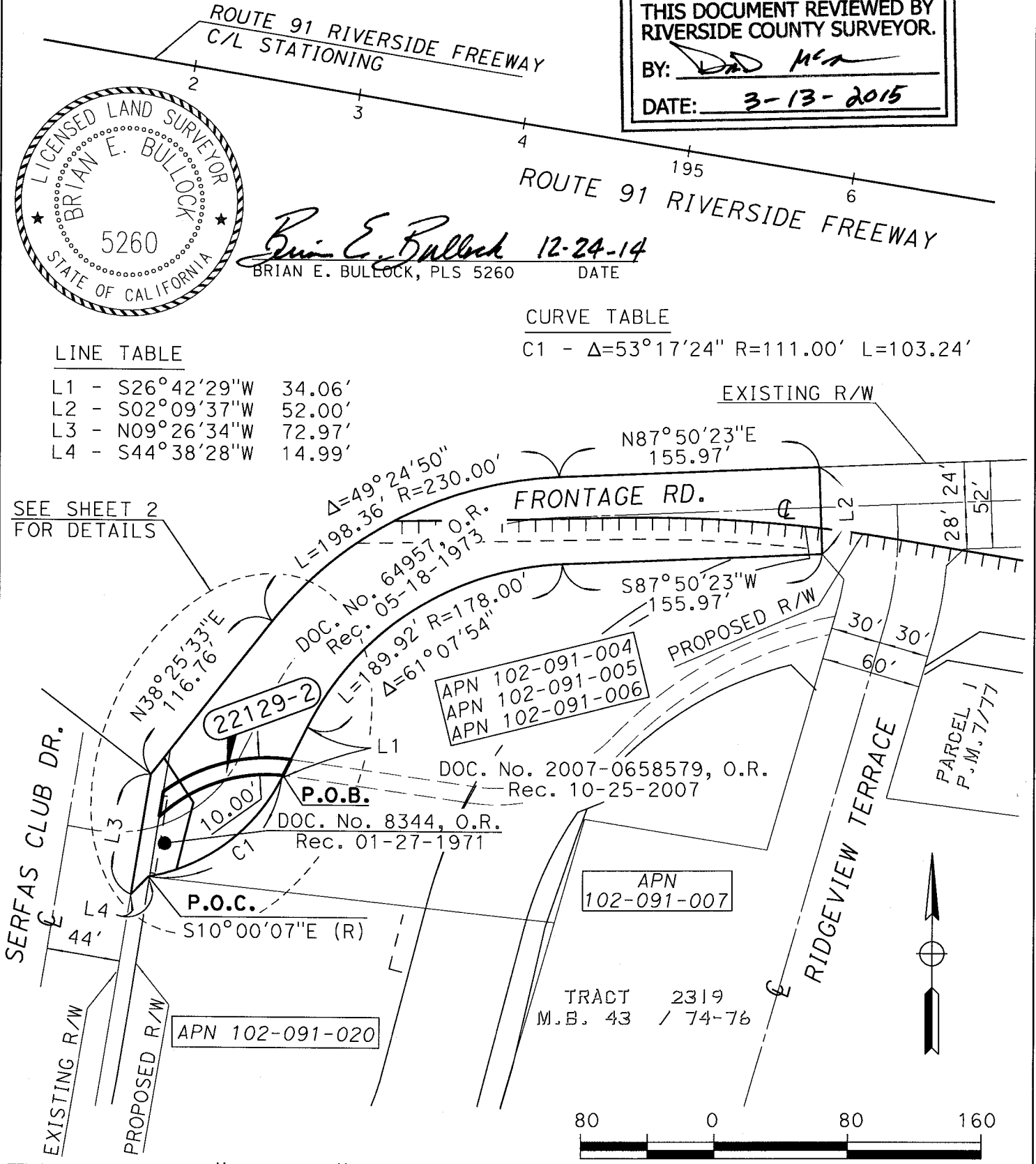


EXHIBIT " B - 2 "

PLAT TO ACCOMPANY A
LEGAL DESCRIPTION FOR
AT&T EASEMENT
CALTRANS PARCEL No. 22129-2
CONTAINING: 808 SQ.FT.

Coordinates and bearings are on
CCS 1983(2007.00) Zone 6. Distances and
stationing are grid distances. Divide
by 0.99997476 to obtain ground
distances. All distances are in feet
unless otherwise noted.

SHEET 1 OF 2 SHEETS

PSOMAS

3 Hutton Centre Drive, Ste. 200
Santa Ana, California 92707
(714)481-8053/(714)545-8883 (Fax)

DECEMBER 23, 2014

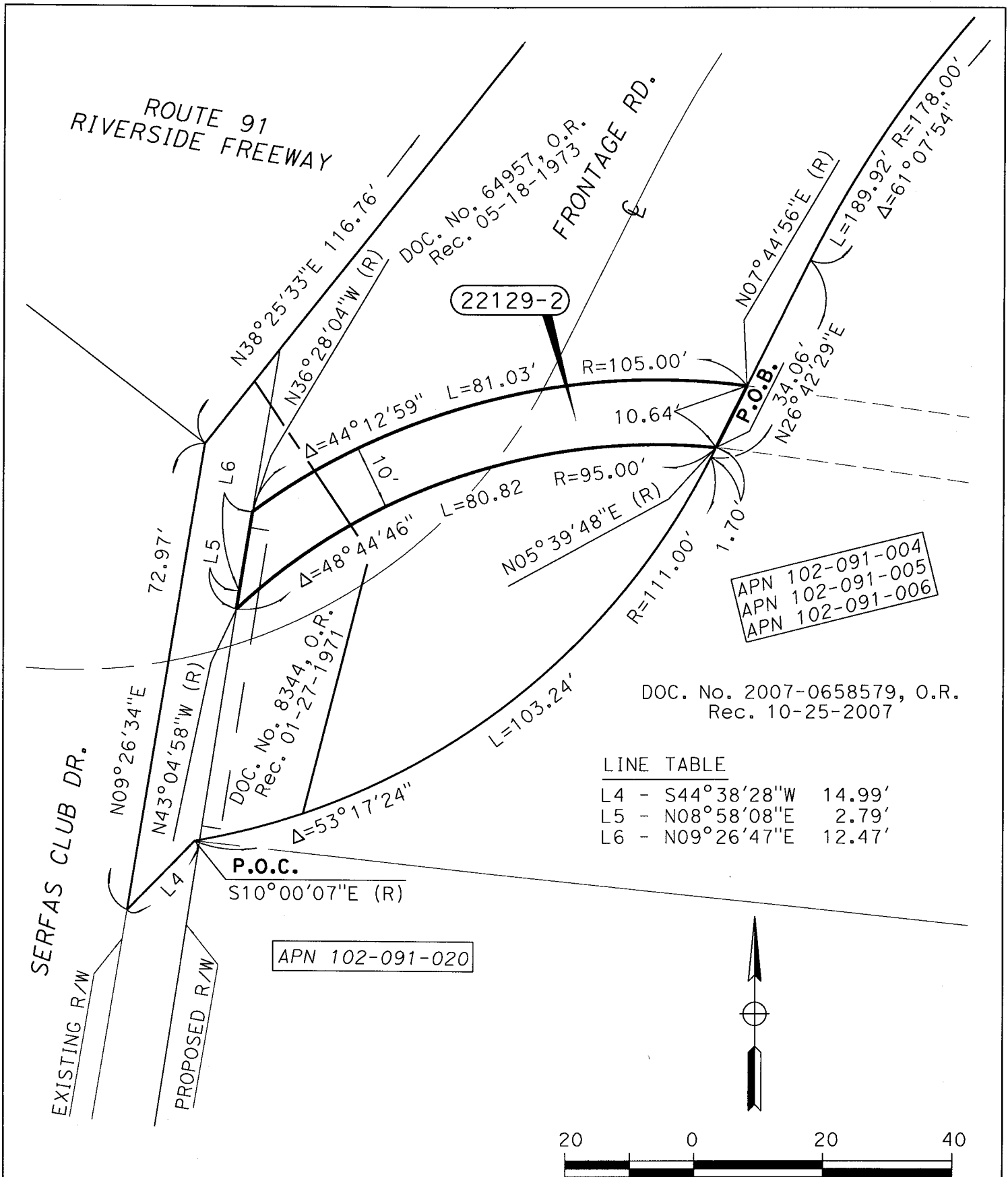


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SHEET 2 OF 2 SHEETS

PSOMAS

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DECEMBER 23, 2014



NOTICE OF DETERMINATION
COUNTY OF RIVERSIDE TRANSPORTATION DEPARTMENT

EA No. _____

SCH# 2008071075

PROJECT NAME: Grant of Utility Easement to Pacific Bell Telephone Company over a portion of the Frontage Road near its intersection with Serfas Club Drive for utility relocation of the SR 91 Project.

DESCRIPTION AND LOCATION: The County of Riverside (County) proposes to approve a grant of utility easement to Pacific Bell Telephone Company over a portion of the Frontage Road near its intersection with Serfas Club Drive for utility relocation in support of the SR-91 Project.

The utility easement is needed for relocation of existing AT&T fiber optic lines, as required for the construction of improvements on the State Route 91 Express Lanes and Corridor Improvements Project ("Project"). This realignment directly impacts an existing AT&T underground fiber optic facility under the existing Frontage Road. The AT&T fiber optic lines will be relocated within the proposed Frontage Road by the Project. A portion of existing AT&T facility has prior rights to the County via an easement within the existing Frontage Road and the Project proposes to perpetuate that prior right by granting a similar easement in the proposed Frontage Road alignment.

The Project proposes to convert the existing High Occupancy Vehicle (HOV) lanes to managed toll lanes in each direction from the Interstate 15 (I-15) interchange to the Riverside County/Orange County border. Additionally, one general purpose lane will be added in each direction from the State Route 71 (SR-71) interchange to the I-15 interchange. Also, the non-standard interchange spacing between Auto Center and Maple Street will be improved by the introduction of a braided ramp configuration to improve traffic flow. All of these improvements will require the existing County Frontage Road to be re-aligned approximately 100 feet to the south and requires the relocation of the AT&T facility.

This request has been made by the Riverside County Transportation Commission (RCTC) and is consistent with the Cooperative Agreement for State Route 91 Express Lanes and Corridor Improvements between Riverside County Transportation Commission and the County of Riverside, Agreement No. 12-31-080-00.

1. The project will will not] have a significant effect on the environment.
2. An Environmental Impact Report was prepared and certified for this project pursuant to the provisions of CEQA
3. The grant of utility easement was reviewed and no new environmental documentation is required because (a) In accordance with CEQA, Caltrans prepared a Final Environmental Impact Report/Environmental Impact Statement (EIR/EIS), approved the Project on August 8, 2012, and filed and posted a Notice of Determination (NOD) on or about August 16, 2012. Staff has determined that all requirements of CEQA have been satisfied in the Final EIR/EIS, which is sufficiently detailed so that all the potentially significant environmental effects of the Project, as well as feasible mitigation measures and a range of potentially feasible alternatives capable of eliminating or reducing those effects, have been adequately evaluated. (b) RCTC adopted Resolution No. 12-028 on November 14, 2012, considering the Final EIR/EIS, adopting responsible agency findings pursuant to CEQA, adopting a mitigation and monitoring program, adopting a statement of overriding considerations, and approving the Project. (c) Adoption of Resolution No. 2015-145, by the County of Riverside, to make the requisite responsible agency CEQA findings for the limited County approval associated with the Project namely the grant of easement for the utility relocation in support of the Project.
4. All potentially significant effects of the Project have been avoided or mitigated pursuant to that EIR because (a) The Project will not result in any new significant environmental effects not identified in the earlier Document. (b) The Project will not substantially increase the severity of the environmental effects identified in the Document. (c) No considerably different mitigation measures have been identified. (d) No mitigation measures found infeasible have become feasible.

<i>Russell Williams</i>	Title	Environmental Division Mgr.	Date	9/30/15
<i>Russell Williams</i>				
<i>Juan C. Perez</i>	Title	Director of Transportation	Date	10/26/18
<i>Juan C. Perez</i>				

HEARING BODY OR OFFICER

XX Board of Supervisors
 _____ Planning Commission

ACTION ON PROJECT

_____ Approval
 _____ Disapproval
 Date: _____

Verifying: _____ Title: _____ Date: _____
 For County Clerk Use