

FORM APPROVED COUNTY COUNSEL 2/23/16
 BY: GREGORY P. PRIAMOS DATE

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

212



FROM: Economic Development Agency

SUBMITTAL DATE:
 March 31, 2016

SUBJECT: Resolution No. 2016-028, Authorization to Convey Real Property to the City of Wildomar, District 1, CEQA Exempt, [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that the transfer of real property to the City of Wildomar is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3), General Rule or "Common Sense" Exemption;
2. Adopt Resolution No. 2016-028, Authorization to Convey Real Property to the City of Wildomar, County of Riverside, Assessor's Parcel Numbers 365-051-001 and 365-051-026 by Quitclaim Deed to the City of Wildomar;

(Continued)

Robert Field
 Assistant County Executive Officer/EDA

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: N/A
 Budget Adjustment: No
 For Fiscal Year: 2015/16

C.E.O. RECOMMENDATION:

APPROVE
 BY:
 Rohini Dasika

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Prev. Agn. Ref.: | District: 1 | Agenda Number:

3-9

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

Economic Development Agency

FORM 11: Resolution No. 2016-028, Authorization to Convey Real Property to the City of Wildomar, District 1, CEQA Exempt, [\$0]

DATE: March 31, 2016

PAGE: 2 of 2

RECOMMENDED MOTION: (Continued)

3. Authorize the Chairman of the Board of Supervisors to execute the Quitclaim Deed to complete the conveyance of real property and this transaction;
4. Authorize the Assistant County Executive Office/EDA, or his designee, to execute any other documents to complete this transaction; and
5. Direct the Clerk of the Board to file the Notice of Exemption with the County Clerk within five days of approval by this Board.

BACKGROUND:

Summary

Pursuant to Government Code Section 25365, the County of Riverside (County) may transfer interests in real property, or any interest therein, belonging to the County to another public agency, upon the terms and conditions as are agreed upon and without complying with any other provisions of the Government Code, if the property or interest therein to be conveyed is not required for county use. The County intends to convey Fee Simple Interests in Real Property located in the City of Wildomar, County of Riverside, to the City of Wildomar, by Grant Deed, Assessor's Parcel Numbers 365-051-001 and 365-051-026, depicted in Exhibit A, attached hereto.

On March 29, 2016, the Board adopted Resolution No. 2016-027, Notice of Intention to Convey Real Property located in the City of Wildomar to the City of Wildomar, County of Riverside, California.

This acquisition is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines and Section 15061(b)(3), General Rule or "Common Sense" Exemption.

This Form 11 and Resolution No. 2016-028 have been reviewed and approved by County Counsel as to legal form.

Impact on Residents and Businesses

N/A

SUPPLEMENTAL:

Additional Fiscal Information

There are no costs associated with this Form 11.

Attachments:

Aerial Image

Resolution No. 2016-028

Quitclaim Deed

Notice of Exemption

FORM APPROVED COUNTY COUNSEL
BY:  TODD FRAHM
2/23/16

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Board of Supervisors

County of Riverside

RESOLUTION NO. 2016-028

AUTHORIZATION TO CONVEY REAL PROPERTY
TO THE CITY OF WILDOMAR, CALIFORNIA BY QUITCLAIM DEED
ASSESSOR'S PARCEL NUMBERS 365-051-001 and 365-051-026

WHEREAS, the County of Riverside ("County") is the owner of real property identified with Assessor's Parcel Numbers 365-051-001 and 365-051-026 (collectively, the "Property"), which was acquired for roadway purposes prior to the incorporation of the City of Wildomar; and

WHEREAS, the County desires to convey the Property to the City of Wildomar and the City desires to accept the conveyance of the Property which will complete the transition that was warranted after Wildomar incorporated; and

WHEREAS, the County and the City of Wildomar concur that it would be in both parties best interest to transfer the Property, along with all maintenance responsibilities, to the City of Wildomar; and

WHEREAS, pursuant to Government Code Section 25365, the Board of Supervisors may, with a four-fifths vote, grant, convey, quitclaim, assign, exchange or otherwise transfer any interest in real property to another public agency upon the terms and conditions as are agreed upon and without complying with any other provisions of Government Code, if the property or interest therein to be conveyed is not required for County use; and

WHEREAS, the Property is no longer needed for County use or purposes; and

WHEREAS, the County has reviewed and determined that the conveyance of the Property as being categorically exempt from the California Environmental Quality

1 Act ("CEQA") pursuant to State CEQA Guidelines section 15061(b)(3) as the proposed
2 project is the conveyance of surplus real property merely involving the transfer of title
3 to the real property and will not result in any physical changes or significant impact on
4 the environment; now, therefore,

5 BE IT RESOLVED, DETERMINED AND ORDERED by a four-fifths vote of the
6 Board of Supervisors of the County of Riverside, California, in regular session
7 assembled on April 12, 2016, at 9:00 a.m. or soon thereafter, in the meeting room of
8 the Board of Supervisors located on the 1st floor of the County Administrative Center,
9 4080 Lemon Street, Riverside, California, that the Board, based upon a review of the
10 evidence and information presented on the matter as it relates to the conveyance, has
11 determined that the proposed conveyance is categorically exempt from CEQA
12 pursuant to State CEQA Guidelines Section 15061(b)(3) and authorizes the
13 conveyance to the City of Wildomar the following described real property: Certain real
14 property located in the City of Wildomar, County of Riverside, State of California,
15 identified by and as Assessor Parcel Number 365-051-001 and 365-051-026 by
16 Quitclaim Deed and, more particularly described in Exhibit "A" Legal Description for
17 each respective assessor parcel number, attached hereto and thereby made a part
18 hereof.

19 BE IT FURTHER RESOLVED AND DETERMINED that the Chairman of the
20 Board of Supervisors of the County of Riverside is authorized to execute the quitclaim
21 deed to complete the conveyance of real property and this transaction.

22 BE IT FURTHER RESOLVED AND DETERMINED that the Assistant County
23 Executive Officer/EDA or his designee, is authorized to execute any other documents
24 to complete this transaction.

25 BE IT FURTHER RESOLVED AND DETERMINED that the Clerk of the Board of
26 Supervisors is directed to file the Notice of Exemption with the County Clerk.

1 BE IT FURTHER RESOLVED AND DETERMINED that the Clerk of the Board of
2 Supervisors has given notice hereof as provided in Section 6061 of the Government
3 Code.

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LGH:ra/022416/992FM/17.997 S:\Real Property\TYPING\Docs-17.500 to 17.999\17.997.doc

Legal Description

APN: 365-051-001

Lot 1 of the Las Faldas Tract, in the County of Riverside, State of California, as shown in Map Book 14, Pages 16 & 17, records of Riverside County, State of California.

APN: 365-051-026

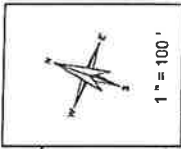
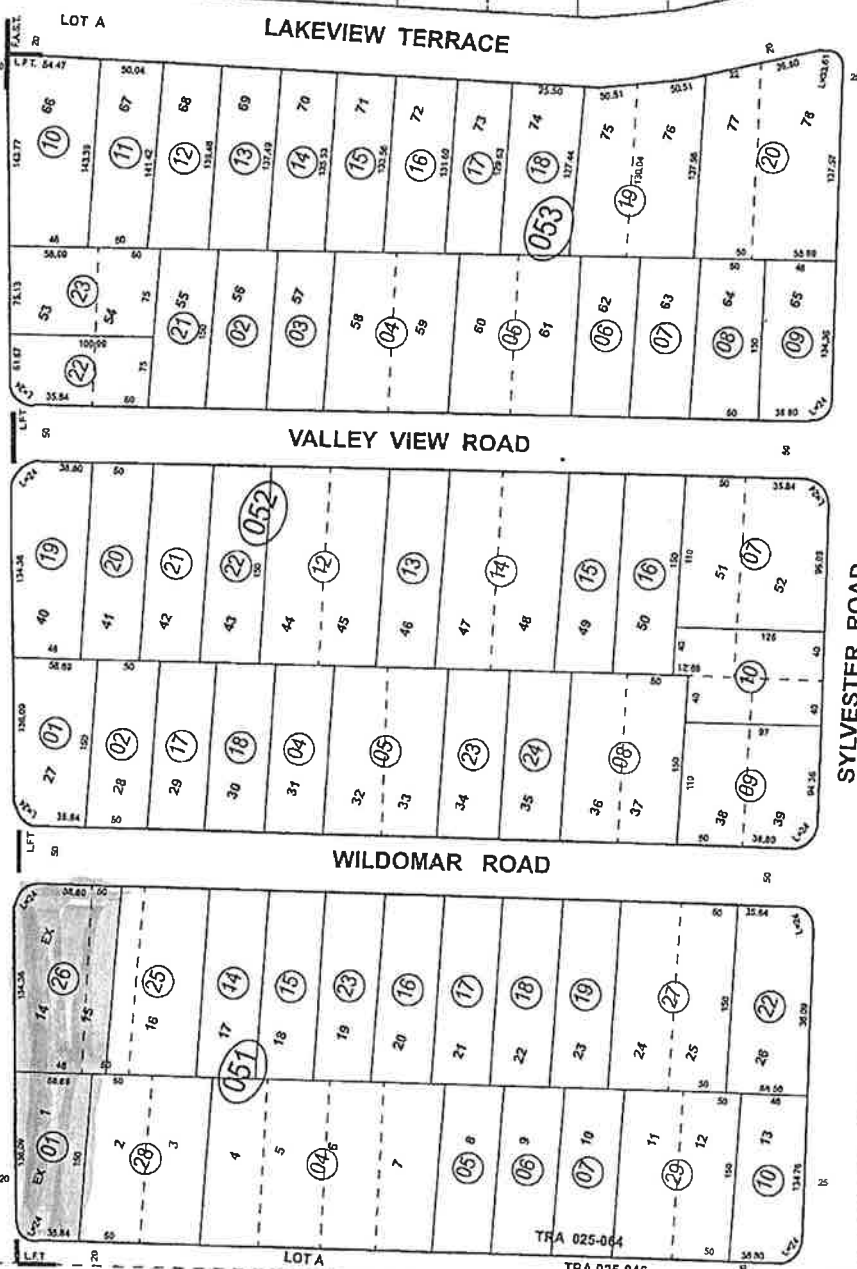
Lot 14 and the northerly one-half of Lot 15 of the Las Faldas Tract, in the County of Riverside, State of California, as shown in Map Book 14, Pages 15 & 17, records of Riverside County, State of California.

365-05
19-38

TRA 025-046
025-064

POR NE 1/4 SEC. 16 T6S R4W

MALAGA ROAD

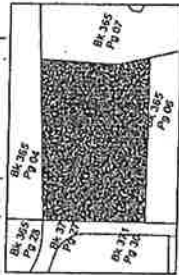


Legend

- Lot Lines
- Right-of-Way
- Old Lot Lines
- Reference R.O.W.
- Other Encumbrances
- LOMA Area
- Subdivision To Make

DATE	CDL No.	Revised
1/1/13	1433	1433
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Map Reference
MB 1416.17 LAS FALDAS TR



THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA. THE ASSessor'S PARCEL MAY NOT COMPLY WITH LOCAL LOT SPLIT OR BUILDING SITE ORDINANCES.

JAN 20 2010

MISSION TRAIL
A.T. & S.F.R.R.

N 10.32 W



ASSESSOR'S MAP BK365 PG.05
Riverside County, Calif

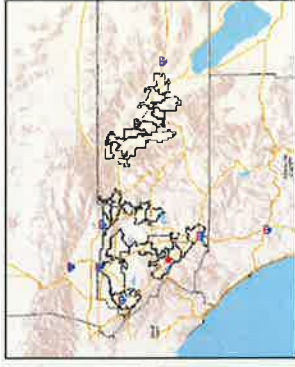
Dina
L.L.A. 2185

D. Underwood

NOVEMBER 2009

CITY OF WILDOMAR

Malaga Road



Legend



0 76 152 Feet



REPORT PRINTED ON... 12/15/2015 2:29:58 PM

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IMPORTANT Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

Notes

District 1
APN 365-051-001 and 365-051-026

Recorded at request of and return to:

City of Wildomar
23873 Clinton Keith Road
Suite 201
Wildomar, California 92595

FREE RECORDING

This instrument is for the benefit of
the County of Riverside, and is
entitled to be recorded without fee.
(Govt. Code 6103)

LGH:tg/121515/992FM/18.008

(Space above this line reserved for Recorder's use)

PROJECT: MALAGA ROAD TRANSFER
APN'S: 365-051-001 AND 365-051-026

QUITCLAIM DEED

FOR GOOD AND VALUABLE CONSIDERATION, receipt and adequacy of which are hereby acknowledged,

COUNTY OF RIVERSIDE, a political subdivision of the State of California does hereby remise, release and forever quitclaim to the CITY OF WILDOMAR, a municipal corporation; all right, title, and interest Grantor has in the real property located in Riverside County, State of California, described in Exhibit "A" and shown on Exhibit "B" and incorporated by reference.

See Exhibit "A" attached hereto
and made a part hereof

PROJECT: MALAGA ROAD TRANSFER
APN: 365-051-001 AND 365-051-026

Dated: _____

GRANTOR:
**COUNTY OF RIVERSIDE, a political
subdivision of the State of California**

John J. Benoit, Chairman
Board of Supervisors

ATTEST:
Kecia Harper-Ihem
Clerk of the Board

By: _____

APPROVED AS TO FORM:
Gregory P. Priamos, County Counsel

By: _____
Todd Frahm
Deputy County Counsel

Legal Description

APN: 365-051-001

Lot 1 of the Las Faldas Tract, in the County of Riverside, State of California, as shown in Map Book 14, Pages 16 & 17, records of Riverside County, State of California.

APN: 365-051-026

Lot 14 and the northerly one-half of Lot 15 of the Las Faldas Tract, in the County of Riverside, State of California, as shown in Map Book 14, Pages 15 & 17, records of Riverside County, State of California.



NOTICE OF EXEMPTION

December 16, 2015

Project Name: County of Riverside, Conveyance of Real Property to the City of Wildomar

Project Number: FM041000

Project Location: South side of Malaga Road, east of Mission Trail, Wildomar, California; Assessor's Parcel Number (APN): 365-051-001 and 365-051-026; (See attached exhibits)

Description of Project: The County of Riverside (County) is the owner of land identified with APNs 365-051-001 and 365-051-026, located in the City of Wildomar (City). The parcels are no longer needed for County use or purposes. Pursuant to Government Code Section 25365, the County may convey, quitclaim, or otherwise transfer to any special district or public agency within the county, any real property, or interest therein belonging to the County upon the terms and conditions as are agreed if the property or interest therein to be conveyed is not required for County use. The County has been asked, and is willing, to convey the parcels of land to the City. The conveyance of the parcels does not allow for any construction activity, change in use, or any other condition that may lead to a direct or indirect physical environmental impact at this time. Any future activity or project at the location would require California Environmental Quality Act (CEQA) review from the City, acting as the appropriate lead agency, for any changes to these parcels of property. Any attempt at evaluating physical impacts related to future development at this time would be wholly speculative and would provide no meaningful input or analysis for consideration of the discretionary action by the County Board of Supervisors to convey the land to the City.

Name of Public Agency Approving Project: County of Riverside, Economic Development Agency

Name of Person or Agency Carrying Out Project: County of Riverside, Economic Development Agency; City of Wildomar

Exempt Status: State CEQA Guidelines, 15061(b)(3), General Rule or "Common Sense" Exemption. Codified under California Code of Regulations Title 14, Article 5, Section 15061.

Reasons Why Project is Exempt: The Project 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 is the conveyance of real property that is no longer needed for the use by or purposes of the County. The Project will not cause any impacts to scenic resources, historic resources, or unique sensitive environments and will not result in physical changes to the existing site. The potential indirect effects from subsequent unforeseeable development resulting from this conveyance would be analyzed as part of the City's obligation as a Lead Agency to provide full environmental review under CEQA. Further, no unusual circumstances or potential cumulative impacts would occur that may reasonably create an environmental impact. The proposed conveyance of real property will not have an effect on the environment and the mere transfer of ownership interests will not allow for any development, construction, or change of use that may create any future direct or indirect physical environmental impact; thus, no environmental impacts are anticipated to occur.

P.O. Box 1180 • Riverside, California • 92502 • T: 951.955.8916 • F: 951.955.6686

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- **Section 15061 (b) (3) – “Common Sense” Exemption:** In accordance with CEQA, the use of the Common Sense Exemption is based on the “general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.” State CEQA Guidelines, Section 15061(b) (3). The use of this exemption is appropriate if “it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” *Ibid.* This determination is an issue of fact and if sufficient evidence exists in the record that the activity cannot have a significant effect on the environment, then the exemption applies and no further evaluation under CEQA is required. See *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal. 3d 68. The ruling in this case stated that if a project falls within a category exempt by administrative regulation or 'it can be seen with certainty that the activity in question will not have a significant effect on the environment', no further agency evaluation is required.

With certainty, there is no possibility that the conveyance of this property may have a significant physical effect on the environment. The conveyance would be limited to the transfer of land from the County to the City and would not result in any physical direct or reasonably foreseeable indirect impacts to the environment. The Project is merely the conveyance of existing property. The sites are located in an existing developed area in the City of Wildomar. The conveyance of the property does not facilitate an increase in the intensity of use of the site. The conveyance of this property does not require any construction activities and would not lead to any direct or reasonably foreseeable indirect physical environmental impacts to the existing site. Any future activity or development on either parcel which had the potential to result in environmental impacts, would require further a future discretionary action by the City, and this action would provide a mechanism to trigger additional CEQA review. This review would occur under responsibility of the City acting as a lead agency. Any attempt at predicting future development and the resulting indirect effects would be wholly speculative at this time and without meaning; especially given that a mechanism is in place (a discretionary approval by the City) to ensure that future actions are fully evaluated under CEQA. Unforeseeable future development would be processed through the City and would be evaluated with more certainty when more details are known and meaningful public input could be received. Therefore, in no way, would the mere transfer of property between the County and the City, as proposed, have the potential to cause a significant environmental impact and the Project is exempt from further CEQA analysis.

Based upon the identified exemptions above, the County of Riverside, Economic Development Agency hereby concludes that no physical environmental impacts are anticipated to occur and the Project as proposed meets all of the required categorical exemptions as identified. No further environmental analysis is warranted.

Signed:  Date: 12/16/15

Mike Sullivan, Senior Environmental Planner
County of Riverside, Economic Development Agency

RIVERSIDE COUNTY CLERK & RECORDER

**AUTHORIZATION
TO BILL
BY JOURNAL VOUCHER**

Project Name: Conveyance of Real Property on Malaga Road to the City of Wildomar

Accounting String: 524830-47220-7200400000- FM041000

DATE: December 16, 2015

AGENCY: Riverside County Economic Development Agency

THIS AUTHORIZES THE COUNTY CLERK & RECORDER TO BILL FOR FILING AND HANDLING FEES FOR THE ACCOMPANYING DOCUMENT(S).

NUMBER OF DOCUMENTS INCLUDED: One (1)

AUTHORIZED BY: Mike Sullivan, Senior Environmental Planner, Economic Development Agency

Signature:  _____

PRESENTED BY: Lorie Houghlan, Real Property Agent, Economic Development Agency

-TO BE FILLED IN BY COUNTY CLERK-

ACCEPTED BY: _____

DATE: _____

RECEIPT # (S) _____



Date: December 16, 2015

To: Mary Ann Meyer, Office of the County Clerk

From: Mike Sullivan, Senior Environmental Planner, Project Management Office

Subject: **County of Riverside Economic Development Agency Project # FM041000**
Conveyance of Real Property to the City Wildomar

The Riverside County's Economic Development Agency's Project Management Office is requesting that you post the attached Notice of Exemption. Attached you will find an authorization to bill by journal voucher for your posting fee.

After posting, please return the document to:

Mail Stop #1330

Attention: Mike Sullivan, Senior Environmental Planner,
Economic Development Agency,
3403 10th Street, Suite 400, Riverside, CA 92501

If you have any questions, please contact Mike Sullivan at 955-8009.

Attachment

cc: file