

FORM APPROVED COUNTY COUNSEL
 BY: GREGORY P. PRIAMOS DATE: 4/20/16

Departmental Concurrence

**SUBMITTAL TO THE FLOOD CONTROL AND
 WATER CONSERVATION DISTRICT BOARD OF SUPERVISORS
 COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

5103



FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
 May 17, 2016

SUBJECT: Adopt Resolution No. F2016-08, Authorization to Summarily Vacate a District Right of Way Located in the City of Menifee, RCFC Parcel Nos. 4310-28B, 28C, 29, 30, 31 and 32; CEQA Notice of Exemption – Romoland MDP Line A, Stages 5 & 6, Project No. 4-0-0310, District 5, District Funds 0%

RECOMMENDED MOTION: That the Board of Supervisors:

1. Finds that the vacation in real property easement interest is categorically exempt from the California Environmental Quality Act ("CEQA") as it has been determined that the project qualifies for a "Class 12 Categorical Exemption" pursuant to the State CEQA Guidelines, Section 15312, "Surplus Government Property Sales" and Section 15061(b)(3), "Common Sense Exemption"; and
2. Adopt Resolution No. F2016-08, Authorization to Summarily Vacate a District Right of Way easement interest located in the City of Menifee, RCFC Parcel Nos. 4310-28B, 28C, 29, 30, 31 and 32, portions of land identified with Assessor's Parcel Numbers 331-230-003, 331-260-009, 331-270-005, 331-300-002 and 331-300-007; and
3. Direct the Clerk of the Board to file the Notice of Exemption with the County Clerk within five (5) working days of approval by the Board.

Continued on Page 2.

AU:rlp
 P8\203328

[Signature]
 JASON UHLEY
 Acting General Manager-Chief Engineer

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

SOURCE OF FUNDS: Budget Adjustment: No
 For Fiscal Year: 15/16

C.E.O. RECOMMENDATION:

APPROVE
 BY: *[Signature]*
 Steven C. Horn

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

**SUBMITTAL TO THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT
BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

FORM 11: Adopt Resolution No. F2016-08, Authorization to Summarily Vacate a District Right of Way Located in the City of Menifee, RCFC Parcel Nos. 4310-28B, 28C, 29, 30, 31 and 32; CEQA Notice of Exemption – Romoland MDP Line A, Stages 5 & 6, Project No. 4-0-00310, District 5, District Funds 0%

DATE: May 17, 2016

PAGE: Page 2 of 2

BACKGROUND:

Summary

Homeland/Romoland Area Drainage Plan ("ADP") was adopted by the County of Riverside in 1988. This watershed is within the Perris and Menifee area. In 2005, a group of developers owning land in this area formed a corporation, ADP, to pursue the planning, design and construction of the major infrastructure necessary to develop this area. By 2007, a majority of the flood protection and drainage facilities identified in the ADP had been designed and the rights of way had been acquired to construct, operate and maintain these facilities. Subsequently, due to an economic downturn, ADP was unable to proceed with the construction of these facilities.

In 2013, the District held their annual public hearings in the Menifee/Perris area. The comments and concerns from the public to complete the backbone flood control infrastructure facilities within the ADP contributed to the decision by the District's Board to allocate appropriate zone funding to complete the necessary design, acquisition and construction of this Master Drainage Plan facility.

Due to the lapse in time, the previously prepared flood control plans required slight re-alignment in a few locations. Additional right of way was necessary as well. The District negotiated and obtained all rights of way from the private land owners to construct this facility. In two (2) locations, the right of way procured in 2007 was no longer within the project limits and excess to the District's needs. The easements are between the vacated Junipero Road and Briggs Road north of McLaughlin Road, within land identified with APNs 331-230-003, 331-260-009, 331-270-005, 331-300-002 and 331-300-007.

The project is exempt from CEQA because it satisfies the intent of a "Class 12 Categorical Exemption" pursuant the State CEQA Guidelines Section 15312, "Surplus Government Property Sales." The project is also consistent with Section 15061(b)(3), "Common Sense Exemption" because it can be seen with certainty that there is no possibility that the proposed project may have a significant effect on the environment, as it is merely vacating an unnecessary flood control easement for parcels that are no longer needed nor will be needed in the future for the District's use and purposes.

Therefore, the District recommends that the right of way easements, as shown in the attached maps, referred to as RCFC Parcel Nos. 4310-28B, 28C, 29, 30, 31 and 32, be summarily vacated.

Resolution No. F2016-08 has been approved as to form by County Counsel.

Impact on Residents and Businesses

No impact

ATTACHMENTS:

1. Resolution No. F2016-08
2. Regional Map of the subject area
3. Right of Way Map for RCFC Parcels 4310-28B, 28C, 29, 30, 31 and 32
4. Notice of Exemption (NOE) and Authorization to Bill to pay NOE filing fee

1 have been determined that the proposed action qualifies for a "Class 12 Categorical Exemption"
2 pursuant to Article 19 of the CEQA, State CEQA Guidelines: Section 15312 and Section
3 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity in
4 question will have a significant effect on the environment because the District is merely vacating
5 an unnecessary right of way on undisturbed property and the vacation of the easement does not
6 adversely affect a change in the environment.

6 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED by a vote of this
7 Board that this Board authorizes the summary vacation of the ROW, RCFC Parcels 4310-28B,
8 28C, 29, 30, 31 and 32, that certain real property located in the city of Menifee, County of
9 Riverside, State of California, more particularly described in Exhibit "A".

10 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Clerk of
11 Board is directed to file the Notice of Exemption with the County Clerk within five (5) working
12 days of approval by the Board.

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

15
16
17
18
19
20
21
22
23
24
25
26
27
28

ATTACHEMENT "1"

RCFC PARCEL 4310-28B:

Easement Deed recorded on August 16, 2007, as Instrument No. 2007-0529484, records of the Recorder's Office, Riverside County, State of California.
APN 331-230-003

RCFC PARCEL 4310-28C:

Easement Deed recorded on August 16, 2007, as Instrument No. 2007-0529485, records of the Recorder's Office, Riverside County, State of California.
APN 331-230-003

RCFC PARCEL 4310-29:

Quitclaim Deed recorded on November 14, 2014, as Instrument No. 2014-0436997, records of the Recorder's Office, Riverside County, State of California.
APN 331-260-009

RCFC PARCEL 4310-30:

Quitclaim Deed recorded on November 14, 2014, as Instrument No. 2014-0436998, records of the Recorder's Office, Riverside County, State of California.
APN 331-270-005

RCFC PARCEL 4310-31:

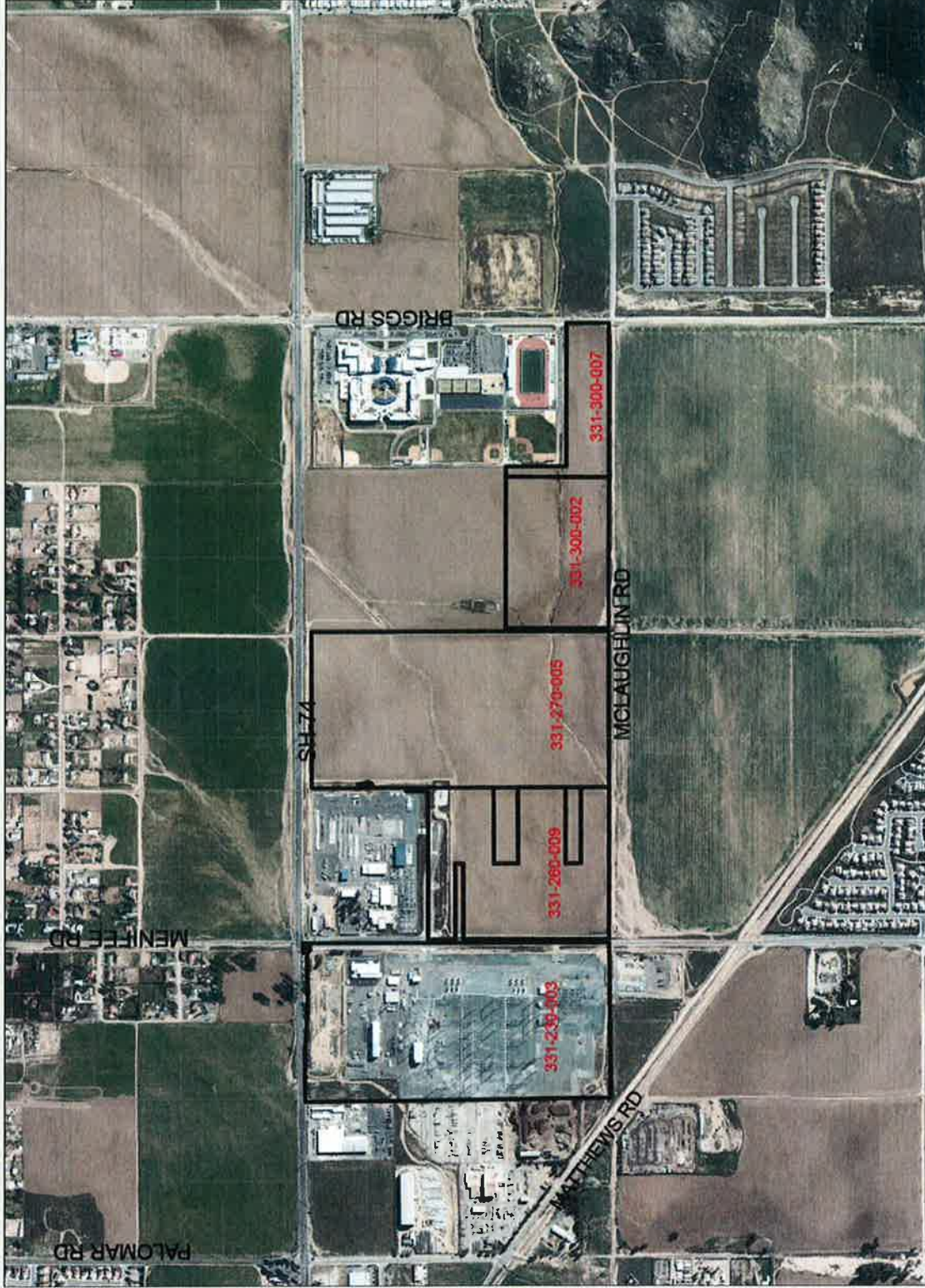
Quitclaim Deed recorded on November 14, 2014, as Instrument No. 2014-0436999, records of the Recorder's Office, Riverside County, State of California.
APN 331-300-002

RCFC PARCEL 4310-31:

Quitclaim Deed recorded on November 14, 2014, as Instrument No. 2014-0437000, records of the Recorder's Office, Riverside County, State of California.
APN 331-300-007

SUBJECT: RES # F2016-08 AUTHORIZATION TO SUMMARILY VACATE ROW

LOCATION: CITY OF MENIFEE - ROMOLAND MDP LINE A, STG 5 & 6



Legend



0 1,579 3,159 Feet



REPORT PRINTED ON...3/24/2016 11:37:11 AM

© Riverside County TLMA GIS

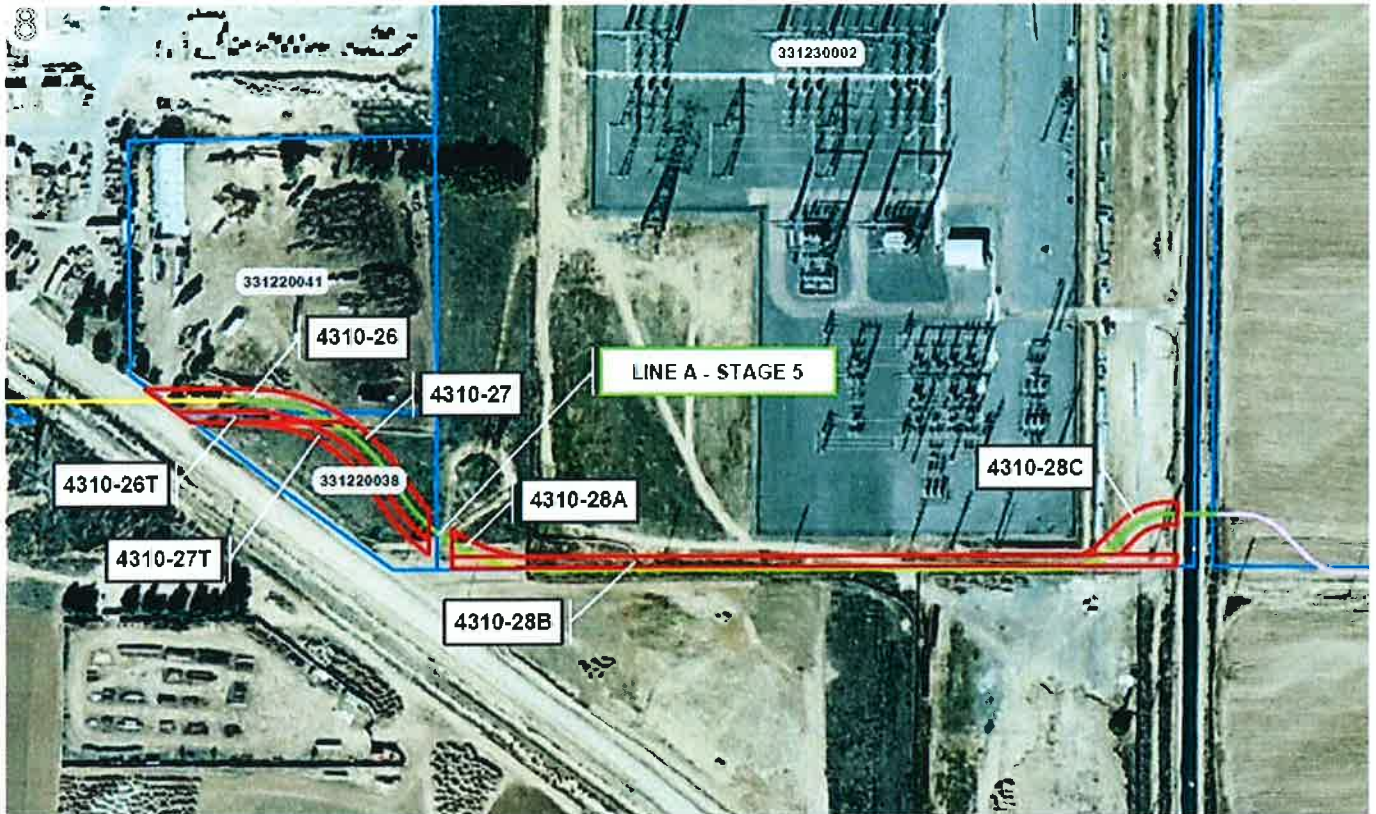
Notes

APN'S 331-230-003, 331-260-009, 331-270-005, 331-300-002 and 331-300-007
District: 5

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.

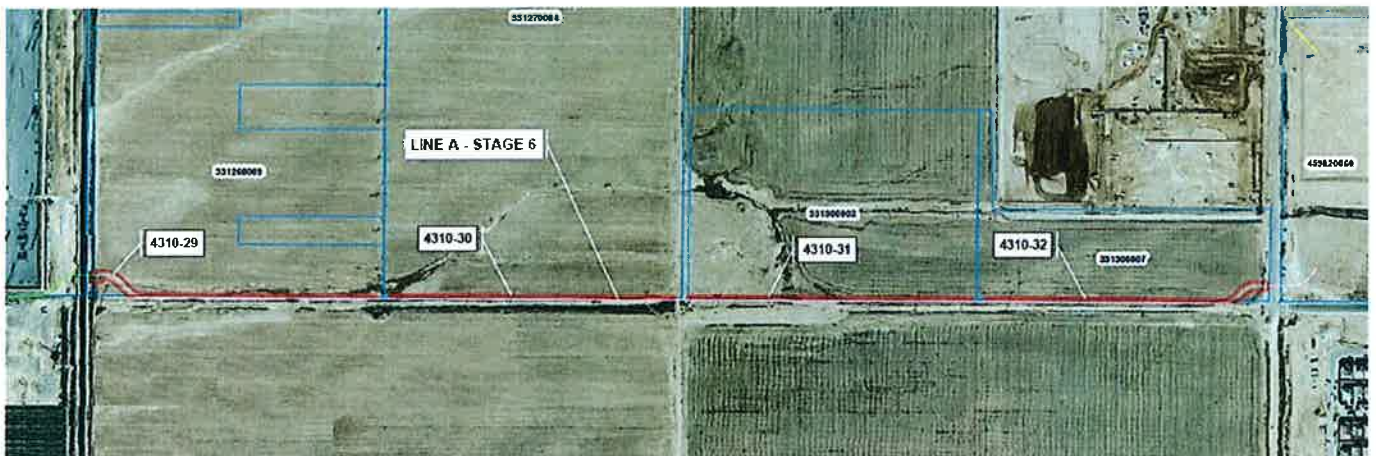
RIGHT OF WAY MAP

Romoland MDP Line A, Stage 5



RCFC PARCELS 4310-28B & 4310-28C

Romoland MDP Line A, Stage 6



RCFC PARCELS 4310-29, 4310-30, 4310-31 & 4310-32

NOTICE OF EXEMPTION

To: County Clerk
County of Riverside
2724 Gateway Drive
Riverside, CA 92507

From: Riverside County Flood Control District
1995 Market Street
Riverside, CA 92501
Contact: Kris Flanigan
Phone: 951.955.1200

Project Title: Romoland MDP Line A, Stages 5 and 6 Summary Vacation of District Right of Way/Easement Interest

Project Location – City: Menifee

Project Location – County: Riverside

The project is located in the City of Menifee, and includes approximately 3.1 acres of vacant undisturbed land northwest of the intersection of Menifee Road and McLaughlin Road. The project affects the following Assessor's Parcel Numbers (APNs): 331-230-003, 331-260-009, 331-270-005, 331-300-002 and 331-300-007. The project is within Township 5 South, Range 3 West, Section 13 of the Romoland 7.5 Minute US Geological Survey (USGS) Topographic Quadrangle. The properties are located at 33° 40' 32.65" N, 117° 10' 41.82" W (Lat/Long).

Project Description:

The Riverside County Flood Control and Water Conservation District (District) is the owner of certain real property right of way easement interests over land identified by the aforementioned APNs. The easement interest is no longer needed nor will it be needed in the future for the District's use and purposes. Therefore, pursuant to California Water Code Appendix Section 48-9, Subsection 5 and Chapter 48-13, the District may dispose of real property when interest is no longer necessary to be retained for District use or purposes. The District proposes to relinquish property rights by summarily vacation the easement interest in APNs 331-230-003, 331-260-009, 331-270-005, 331-300-002 and 331-300-007.

Public Agency Approving Project: Riverside County Flood Control and Water Conservation District

Public Agency Carrying Out Project: Riverside County Flood Control and Water Conservation District

Exempt Status: Categorical Exemption Pursuant to State CEQA Guidelines §§15312 and 15061(b)(3)

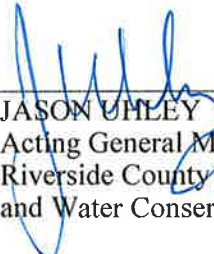
Reasons Why Project is Exempt: The project qualifies for the following CEQA exemptions:

Section 15312: Class 12 Categorical Exemption, "Surplus Government Property Sales", consists of sales of surplus government property except for parcels of land located in an area of statewide, regional, or area-wide concern identified in Section 15206(b)(4). The Lead Agency (District) has determined that the proposed project is not of statewide, regional, or area-wide significance. Although the project does not include any exchange of funds or "sale" this exemption is appropriate because whether or not there is any monetary exchange, the primary action is relinquishing or vacation surplus government property/property rights, and in this case doing so would not adversely affect the environment.

Section 15061(b)(3): The project qualifies for the "General Rule" or "Common Sense Exemption" because it can be seen with certainty that there is no possibility that the proposed project may have a significant effect on the environment. The District is merely vacating an unnecessary flood control easement on undisturbed property.

The project does not affect a change in the environment. The project will not result in any specific or general exceptions to the validity of the categorical exemptions 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. Furthermore, no unusual circumstances or potential cumulative impacts would reasonably occur that may create an environmental impact.

Based upon the exemptions identified above, the District 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.

Lead Agency: 
JASON UHLEY
Acting General Manager-Chief Engineer
Riverside County Flood Control
and Water Conservation District

Date: 4/20/18

RIVERSIDE COUNTY CLERK-RECORDER

AUTHORIZATION TO BILL

TO BE FILLED OUT BY SUBMITTING AGENCY

DATE: 3/29/2016 BUSINESS UNIT/AGENCY: FLOOD CONTROL - FCARC

ACCOUNTING STRING:

ACCOUNT: 526410 FUND: 25140

DEPT ID: 947460 PROGRAM: _____

AMOUNT: \$50.00

REF: CEQA Notice of Exemption Posting Romoland MDP LN A 224-4-8-00310-03-15

THIS AUTHORIZES THE COUNTY CLERK & RECORDER TO ISSUE AN INVOICE FOR PAYMENT OF ALL FEES FOR THE ACCOMPANYING DOCUMENTS.

NUMBER OF DOCUMENTS INCLUDED: 1

AUTHORIZED BY: Michael Reyes *MR 3/29/16*

PRESENTED BY: Joan Valle 5-8856

CONTACT: Michael Reyes 5-6955

TO BE FILLED OUT BY COUNTY CLERK

ACCEPTED BY: _____

DATE: _____

DOCUMENT NO(S)/INVOICE NO(S): _____

CDFW/County Fee

COUNTY CLERK FEE SCHEDULE, continued...

Surety Fees

Power of Attorney for Admitted Surety Insurer, One name.....	\$27.00
Power of Attorney for Admitted Surety Insurer, Each additional name.....	27.00
Financial Statement - Admitted Surety Insurer.....	3.50
Revocation of Power of Attorney.....	27.00

County Clerk's Copy and Certification Fees

Certifying a copy of any filed paper.....	1.75
Photocopy or System Page Copy, First Page.....	1.00
Photocopy or System Page Copy, Each Additional Page.....	0.10
Certificate of Proof of Authority of Surety to Act.....	3.50
Certification of Notary Signature, One Name.....	15.00
Certification of Notary Signature (additional requests, same notary).....	2.25
Certification of Translation.....	10.00
Requests via the Public Records Act, First Page.....	1.00
Requests via the Public Records Act, Each Additional Page.....	0.10

Filing Fees

Administration of Oath for Humane Officer.....	5.00
Fish & Game documentary handling fee.....	50.00
All papers for which a fee is not elsewhere provided.....	2.25
Environmental Impact Report	3,069.75
Negative Declaration	2,210.00
FBN Daily Report	100/month

Other Fees

Bank Returned Item Fee	32.00
------------------------------	-------

NOTE:

No documents will be returned unless a stamped, self-addressed envelope is included.

DISCLAIMER: The information contained herein was valid at the time of publication. The Assessor-County Clerk-Recorder reserves the right to modify, change or make improvements at any time, without notice, and assumes no liability for damages incurred directly or indirectly as a result of errors, omissions or discrepancies.