

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

311B



**FROM:** General Manager-Chief Engineer

**SUBMITTAL DATE:**  
March 23, 2010

**SUBJECT:** Notice of Intent to Relinquish a Portion of a District Owned Easement  
Day Creek MDP Line F, RCFC Parcel No. 1247-500  
Project No. 1-0-00247

**RECOMMENDED MOTION:**

Approve Resolution No. F2010-06, Notice of Intent to Relinquish a Portion of an Easement, said easement consisting of a portion of Assessor's Parcel No. 156-080-016, portion of RCFC Parcel No. 1247-500 by Quitclaim Deed to Costco Wholesale Corporation, and authorize the Clerk of the Board to give notice pursuant to Section 6061 of the Government Code.

**BACKGROUND:**

See Page 2

**FINANCIAL:**  
N/A

AU:rip

**WARREN D. WILLIAMS**  
General Manager-Chief Engineer

<b>FINANCIAL DATA</b>	Current F.Y. District Cost:	N/A	In Current Year Budget:	N/A
	Current F.Y. County Cost:	N/A	Budget Adjustment:	N/A
	Annual Net District Cost:	N/A	For Fiscal Year:	N/A

<b>SOURCE OF FUNDS:</b> N/A	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

APPROVE

BY:   
**Alex Gann**

**County Executive Office Signature**

**MINUTES OF THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT**

On motion of Supervisor Ashley, seconded by Supervisor Buster and duly carried IT WAS ORDERED that the above matter is approved as recommended, and is set for April 20, 2010 at 1:30 p.m.

Ayes: Buster, Benoit and Ashley  
Nays: None  
Absent: Tavaglione and Stone  
Date: March 23, 2010  
xc: Flood COB

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

**Prev. Agn. Ref.:** District: 2nd Agenda Number:

ATTACHMENTS FILED WITH  
THE CLERK OF THE BOARD

11.2

FORM APPROVED, COUNTY COUNSEL  
BY:   
CYNTHIA M. GUNZEL  
DATE: 3-9-10  
Environmental Concurrence

- Dept' Recomm.:  Consent
- Per Exec. Ofc.:  Consent
- Policy
- Policy

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

**SUBJECT:** Notice of Intent to Relinquish a Portion of a District Owned Easement  
Day Creek MDP Line F, RCFC Parcel 1247-500  
Project No. 1-0-00247

**SUBMITTAL DATE:** March 23, 2010

**Page 2**

**BACKGROUND:**

Costco Wholesale Corporation was originally conditioned to construct and dedicate an easement to the District pursuant to the development of Plot Plan 14420. The District was granted an easement across APN 156-080-016 to operate and maintain a storm drain for Day Creek MDP Line F referenced as RCFC Parcel No. 1247-500. A portion of this facility is being relocated. As the District has reviewed and approved the realigned right of way, and additional right of way has been dedicated, the District recommends that the easement referenced as RCFC Parcel No. 1247-500A, and shown on Exhibits A and B, be relinquished to Costco Wholesale Corporation. All costs shall be borne by Costco Wholesale Corporation.

BOARD OF SUPERVISORS

RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT

RESOLUTION NO. F2010-06

NOTICE OF INTENT TO RELINQUISH A PORTION  
OF A DISTRICT OWNED EASEMENT  
DAY CREEK MDP LINE F, PARCEL NO. 1247-500

BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of the Riverside County Flood Control and Water Conservation District (District) in regular session assembled on March 23, 2010, notice is hereby given, pursuant to California Water Code – Appendix, Chapter 48, Section 48-9, Paragraph 5, that it intends to relinquish all rights to a portion of the District's easement known as Parcel No. 1247-500, recorded as Instrument No. 2004-0825295 on October 19, 2004, Official Records, Riverside County, California, at or after 1:30 p.m. on April 20, 2010 to Costco Wholesale Corporation, that certain real property in the County of Riverside, State of California, property consisting of a portion of Assessor's Parcel Number 156-080-016, referenced as Parcel No. 1247-500A and described in Exhibit "A", attached hereto and made a part hereof.

BE IT FURTHER RESOLVED AND DETERMINED that the interest to be conveyed is not required for the District's use because the storm drain facility has been realigned and an alternate right of way has been provided by Costco Wholesale Corporation.

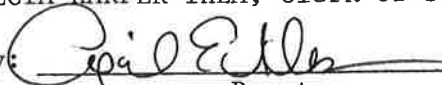
BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors is directed to give notice pursuant to Section 6061 of the Government Code.

ROLL CALL:

Ayes: Buster, Wilson and Ashley  
Nays: None  
Absent: Tavaglione and Stone

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

KECIA HARPER-IHEM, Clerk of said Board

By:  Deputy

FORM APPROVED COUNTY COUNSEL  
BY:  3-4-10  
CYNTHIA M. GUNZEL DATE

**EXHIBIT A  
PARCEL 1247-500B  
LEGAL DESCRIPTION**

THAT PORTION OF PARCEL 1 OF CERTIFICATE OF PARCEL MERGER NO. 01711, IN THE UNINCORPORATED AREA OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, RECORDED JUNE 5, 2007 AS INSTRUMENT NO. 2007-0367189, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

A STRIP OF LAND 30.00 FEET IN WIDTH, LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

**COMMENCING** AT THE EASTERLY TERMINUS OF THAT CERTAIN CENTERLINE COURSE DESCRIBED IN STRIP 2 OF AN EASEMENT DEED RECORDED OCTOBER 19, 2004, AS INSTRUMENT NO. 2004-0825295, OF OFFICIAL RECORDS OF SAID COUNTY, HAVING A BEARING AND DISTANCE OF "NORTH 88°48'04" WEST 650.11 FEET", SAID POINT REFERRED TO AS POINT "B" THEREIN;

THENCE NORTH 88°48'04" WEST 177.69 FEET TO THE **TRUE POINT OF BEGINNING**;

THENCE NORTH 43°48'04" WEST 19.30 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 90.00 FEET;

THENCE NORTHWESTERLY AND NORTHERLY 70.68 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 44°59'44";

THENCE NORTH 01°11'40" EAST 437.89 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 90.00 FEET;

THENCE NORTHERLY, NORTHWESTERLY, AND WESTERLY 141.36 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°59'44";

THENCE NORTH 88°48'04" WEST 522.72 FEET TO THE EASTERLY TERMINUS THAT CERTAIN COURSE OF SAID CENTERLINE OF STRIP 2, HAVING A BEARING AND DISTANCE OF "NORTH 88°48'04" WEST 303.53 FEET" SAID POINT BEING THE TERMINUS OF THE STRIP OF LAND DESCRIBED THEREIN.

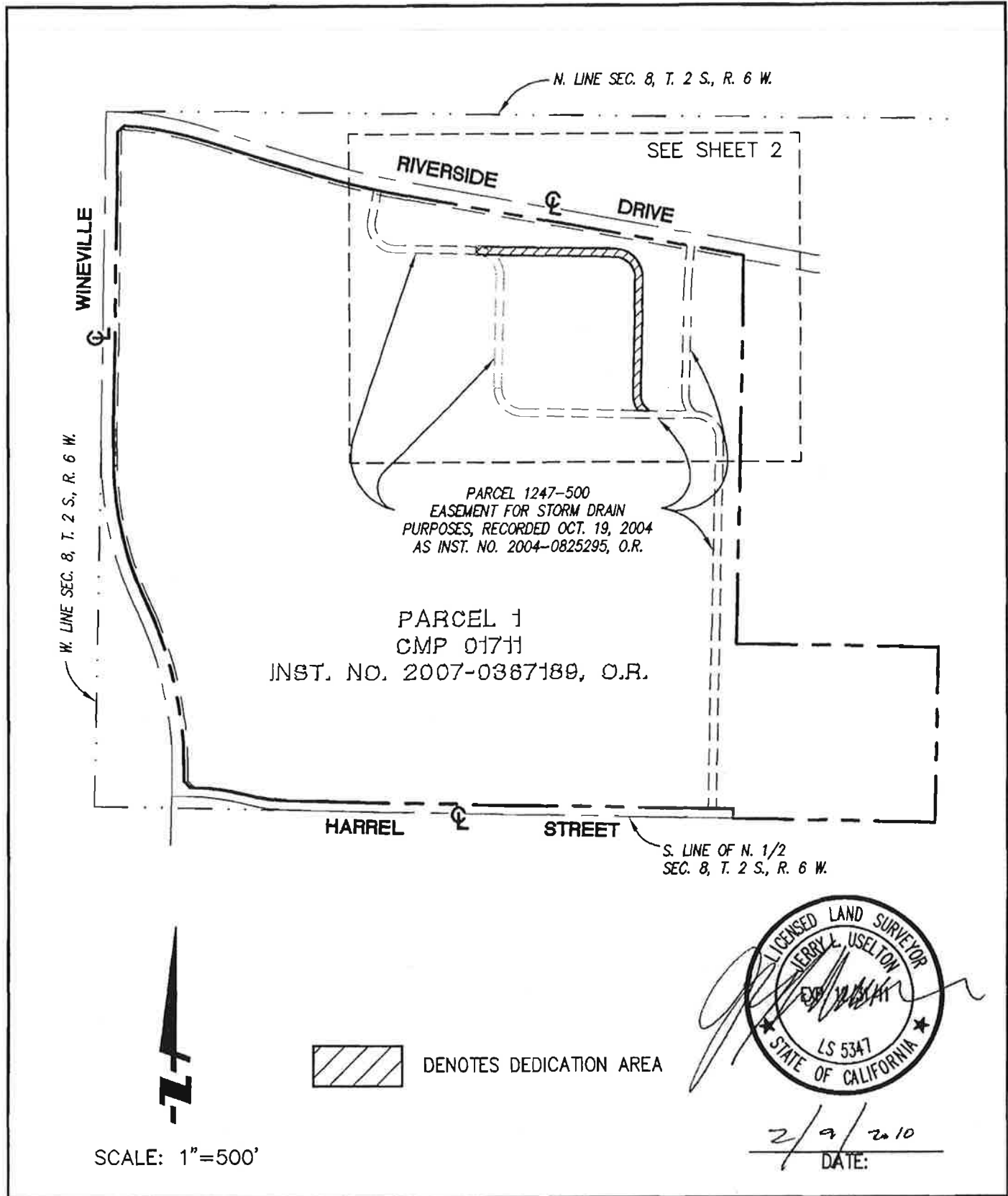
THE SIDELINES OF SAID STRIP TO BE SHORTENED OR LENGTHENED TO TERMINATE SOUTHERLY ON THE NORTHERLY LINE OF SAID STRIP 2 OF SAID EASEMENT DEED AND WESTERLY ON A RADIAL LINE BEARING NORTH 01°11'56" EAST THROUGH THE POINT OF TERMINUS OF SAID STRIP.

AS SHOWN ON EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

DATED THIS 9<sup>th</sup> DAY OF February, 2010.

  
JERRY L. USELTON, L.S. 5347, EXP. 12/31/11

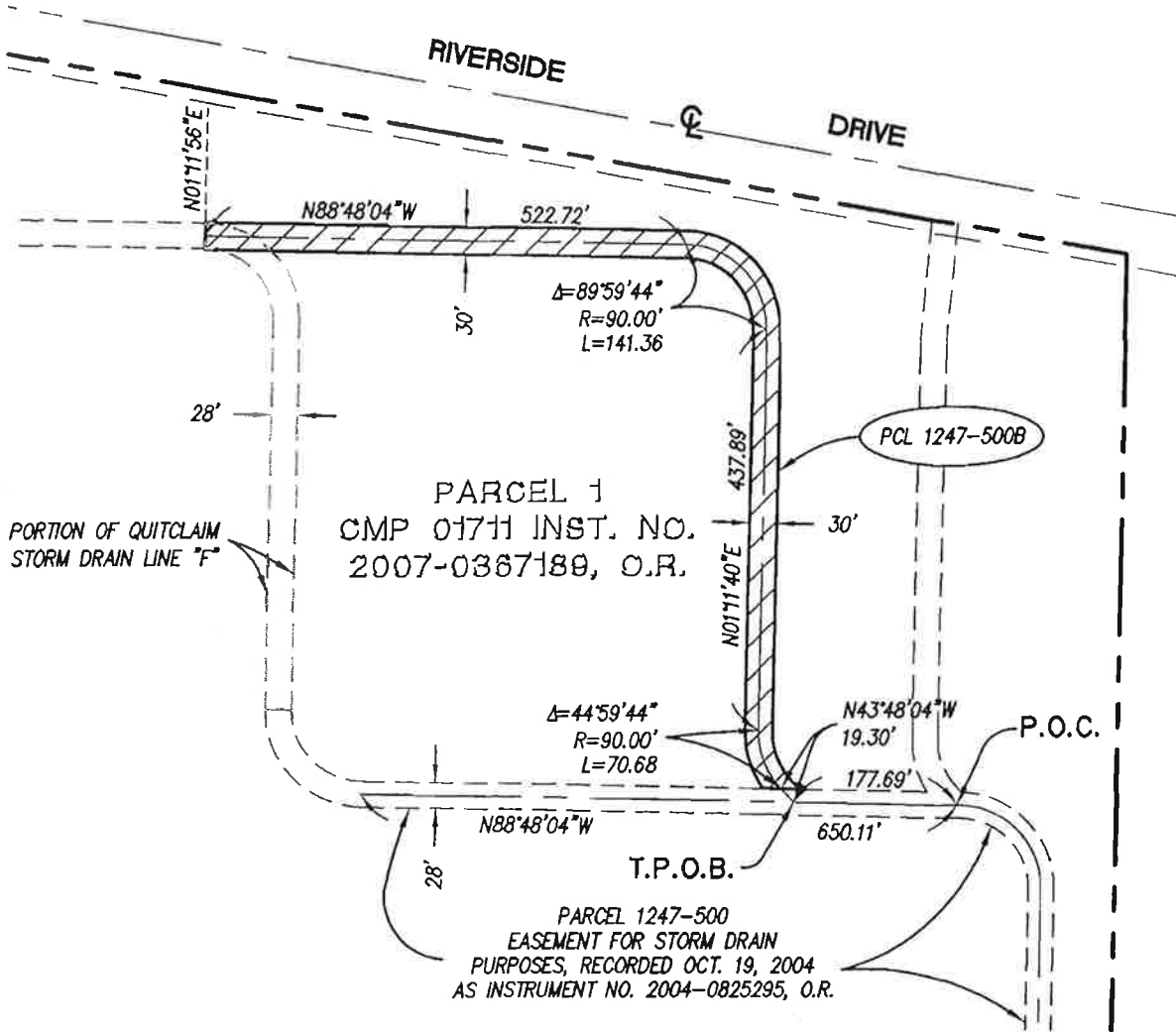





**FUSCOE**  
ENGINEERING  
16795 Von Karman, Suite 100, Irvine, California 92606  
tel 949.474.1960 • fax 949.474.5315 • www.fuscoe.com

**EXHIBIT 'B'**  
**DEDICATION**  
RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT  
PARCEL 1247-500B  
**COUNTY OF RIVERSIDE, CALIFORNIA**

DATE: 10/16/09  
SCALE: 1"=500'  
JN: 756.9001  
**1 OF 2**



SCALE: 1"=200'

 DENOTES QUITCLAIM PORTION



2/2/2010  
DATE:



**FUSCOE**  
ENGINEERING  
16795 Von Karman, Suite 100, Irvine, California 92606  
tel 949.474.1960 • fax 949.474.5315 • www.fuscoe.com

**EXHIBIT 'B'**  
**DEDICATION**  
RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT  
PARCEL 1247-500B  
**COUNTY OF RIVERSIDE, CALIFORNIA**

DATE: 10/16/09  
SCALE: 1"=200'  
JN: 756.9001  
**2 OF 2**

# *The Riverside County Record Newspaper*

Western Riverside County's Only Hometown Newspaper

*Since 1955*

Post Office Box 3187 • Riverside, California 92519

**951 685-6191 • FAX 951 685-2961**

e-mail: recordmde@aol.com



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## INVOICE

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April 7, 2010

Riverside County  
Clerk of the Board  
4080 Lemon Street, 1st Floor  
P.O. Box 1147  
Riverside, CA 92502- 1147

Legal Advertising

Notice of Public Hearing

Your: Resolution No. F2010-006  
Our #00307

36.00 column inches x \$8.94 = \$321.84

Publish one (1) week: April 8, 2010

Amount Due: \$321.84

Thank You,

Cathy Sypin-Barnes

Flood  
11.2 of 03/23/10

# Affidavit of Publication

(2015.5 C.C.P.)

## County of Riverside

## State of California

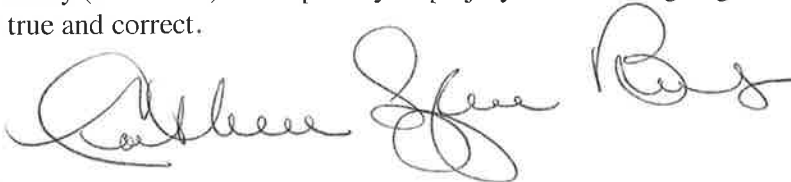
Catherine Sy-pin-Barnes, being first duly sworn, deposes and says: That all times hereinafter, mentioned that she was a citizen of the United States over the age of eighteen years, and a resident of said County, and was and during all said times the principal clerk of the printer and publisher of The Riverside County Record-News, a newspaper of general circulation adjudicated by court decree, printed and published weekly in said County of Riverside, State of California, that said Riverside County Record-News is and was at all times herein mentioned, a newspaper of general circulation as that term is defined in section 4460 of the Political Code, and, as provided by that section, is published for the dissemination of local and telegraphic news and intelligence of a general character, having a bona fide subscriber list of paying subscribers, and is not devoted to nor published for the entertainment or instruction of a particular class, profession, trade, caste or race of denominations; that at all said time said newspaper has been published, printed and published in said County and State at regular intervals more than one year preceding the date of publication of the notice herein mentioned; that said notice was set in type not smaller than nonpareil and preceded with words printed in black face type not smaller than nonpareil describing and expressing in general terms the purport and character of the notice intended to be given; that the

**RIVERSIDE COUNTY RECORD  
NEWSPAPER**

of which the annexed is a printed copy, published and printed in said newspaper in at least 1 weekly issues, as follows:

April 8, 2010

I certify (or declare) under penalty of perjury that the foregoing is true and correct.



Signature

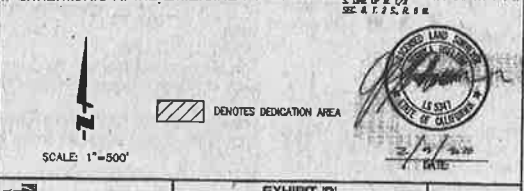
Dated: April 8, 2010 at  
Riverside, California

**NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT**

**RESOLUTION NO. F2010-06**

**NOTICE OF INTENT TO RELINQUISH A PORTION OF A DISTRICT OWNED EASEMENT DAY CREEK MDP LINE F, PARCEL NO. 1247-500**

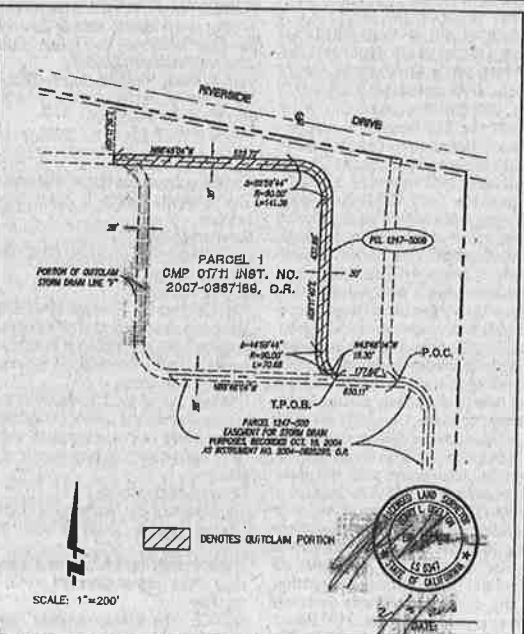
BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of the Riverside County Flood Control and Water Conservation District:



SCALE: 1"=500'

EXHIBIT 'B'  
DEDICATION  
RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT  
PARCEL 1247-500  
COUNTY OF RIVERSIDE, CALIFORNIA

DATE: 10/16/09  
SCALE: 1"=500'  
JOB: 756-3007  
1 OF 2



SCALE: 1"=200'

EXHIBIT 'B'  
DEDICATION  
RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT  
PARCEL 1247-500  
COUNTY OF RIVERSIDE, CALIFORNIA

DATE: 10/16/09  
SCALE: 1"=200'  
JOB: 756-3007  
2 OF 2

**ROLL CALL:**  
 Ayes: Buster, Benoit and Ashley  
 Nays: None  
 Absent: Tavaglione and Stone  
 The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.  
 KECIA HARPER-IHEM, Clerk of said Board  
 By: Cecilia Gil, Board Assistant  
 Any person affected by the above matter(s) may submit written comments to the Clerk of the Board before the public hearing or may appear and be heard in support of or opposition to the project at the time of the hearing. If you challenge the above item(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence, to the Board of Supervisors at, or prior to, the public hearing.  
 Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147  
 Dated: April 6, 2010  
 Kecia Harper-Ihem  
 Clerk of the Board  
 By: Cecilia Gil, Board Assistant  
 Published: April 8, 2010  
 RCR0307



# Legal Advertising Invoice

⑨ REMITTANCE ADDRESS  
 POST OFFICE BOX 12009  
 RIVERSIDE, CA 92502-2209  
 FAX (951) 368-9026

① BILLING PERIOD | ⑩ ADVERTISING/CLIENT NAME

04/08/10 - 04/08/10 | BOARD OF SUPERVISORS  
 ⑤ BILLING DATE | FOR BILLING INFORMATION CALL | ⑭ PAGE NO

③ TOTAL AMOUNT DUE | ⑪ UNAPPLIED AMOUNT | ⑮ TERMS OF PAYMENT | ⑯ PAGE NO  
 539.50 | (951) 368-9713 | Due Upon Receipt | 1

⑥ BILLED ACCOUNT NAME AND ADDRESS

BOARD OF SUPERVISORS  
 COUNTY OF RIVERSIDE  
 P.O. BOX 1147  
 RIVERSIDE CA 92502

⑥ BILLED ACCOUNT NUMBER | REP NO

045202 | LE04

Statement #: 56534104 Amount Paid \$ \_\_\_\_\_ Your Check # \_\_\_\_\_

**PLEASE DETACH AND RETURN UPPER PORTION WITH YOUR REMITTANCE**

⑪ DATE	⑫ REFERENCE	⑬ DESCRIPTION-OTHER COMMENTS/CHARGES	⑭ SAIZ SIZE ⑮ BILLED UNITS	⑯ RATE	⑰ GROSS AMOUNT	⑱ NET AMOUNT
04/08	4174752 CO	RESOLUTION NO. F2010-06 Class : 10 Ctext Ad# 10224103 Placed By : Cecilia Gil	415 L	1.30		539.50

Flood  
 11-2 of 03/23/10  
 lhl

2010 APR 15 PM 2:13  
 RECEIVED RIVERSIDE COUNTY

COMING SOON! Electronic Tearsheet Delivery Service  
 It's easy! Search, view, save, email notification & more

⑲ CURRENT NET AMOUNT DUE	⑳ 30 DAYS	㉑ 60 DAYS	㉒ OVER 90 DAYS	㉓ UNAPPLIED AMOUNT	㉔ PLEASE PAY THIS AMOUNT 539.50
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THE PRESS-ENTERPRISE  P.O. BOX 12009 RIVERSIDE, CA 92502-2209 TELEPHONE (951) 368-9711 (951) 368-9720 □ (951) 368-9713

**ADVERTISING STATEMENT/INVOICE**

 \* UNAPPLIED AMOUNTS ARE INCLUDED IN TOTAL AMOUNT DUE

⑲ STATEMENT NUMBER		ADVERTISER INFORMATION			
⑲	⑱	⑲	⑲	⑲	⑲
56534104	04/08/10 - 04/08/10	045202			BOARD OF SUPERVISORS

# THE PRESS-ENTERPRISE

3450 Fourteenth Street  
Riverside CA 92501-3878  
951-684-1200  
951-368-9018 FAX

**PROOF OF PUBLICATION  
(2010, 2015.5 C.C.P.)**

Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: Resolution No. F2010-06

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper of general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673 and under date of August 25, 1995, Case Number 267864; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

04-08-10

I Certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: Apr. 8, 2010  
At: Riverside, California

BOARD OF SUPERVISORS

P.O. BOX 1147  
COUNTY OF RIVERSIDE  
RIVERSIDE CA 92502

Ad #: 10224103

PO #:

Agency #: \_\_\_\_\_

Ad Copy:

**NOTICE OF PUBLIC HEARING BEFORE THE  
BOARD OF SUPERVISORS OF THE RIVERSIDE  
COUNTY FLOOD CONTROL AND WATER CONSER-  
VATION DISTRICT**

**RESOLUTION NO. F2010-06**

**NOTICE OF INTENT TO RELINQUISH A PORTION  
OF A DISTRICT OWNED EASEMENT  
DAY CREEK MDP LINE F, PARCEL NO. 1247-500**

BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of the Riverside County Flood Control and Water Conservation District (District) in regular session assembled on March 23, 2010, notice is hereby given, pursuant to California Water Code - Appendix, Chapter 48, Section 48-9, Paragraph 5, that it intends to relinquish all rights to a portion of the District's easement known as Parcel No. 1247-500, recorded as Instrument No. 2004-0825295 on October 19, 2004, Official Records, Riverside County, California, at or after 1:30 p.m. on April 20, 2010 to Costco Wholesale Corporation, that certain real property in the County of Riverside, State of California, property consisting of a portion of Assessor's Parcel Number 156-080-016, references as Parcel No. 1247-500A and described in Exhibit "A", attached hereto and made a part hereof.

BE IT FURTHER RESOLVED AND DETERMINED that the interest to be conveyed is not required for the District's use because the storm drain facility has been realigned and an alternate right of way has been provided by Costco Wholesale Corporation.

BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors is directed to give notice pursuant to Section 6061 of the Government Code.

**EXHIBIT A  
PARCEL 1247-500B  
LEGAL DESCRIPTION**

THAT PORTION OF PARCEL 1 OF CERTIFICATE OF PARCEL MERGER NO. 01711, IN THE UNINCORPORATED AREA OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, RECORDED JUNE 5, 2007 AS INSTRUMENT NO. 2007-0367189, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

A STRIP OF LAND 30.00 FEET IN WIDTH, LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE EASTERLY TERMINUS OF THAT CERTAIN CENTERLINE COURSE DESCRIBED IN STRIP 2 OF AN EASEMENT DEED RECORDED OCTOBER 19, 2004, AS INSTRUMENT NO. 2004-0825295, OF OFFICIAL RECORDS OF SAID COUNTY, HAVING A BEARING AND DISTANCE OF "NORTH 88° 48' 04" WEST 650.11 FEET", SAID POINT REFERRED AS POINT "B" THEREIN;

THENCE NORTH 88° 48' 04" WEST 177.69 FEET TO THE TRUE POINT OF BEGINNING;

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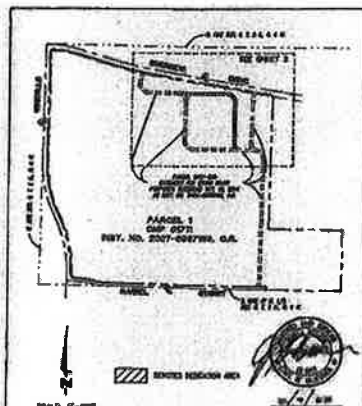
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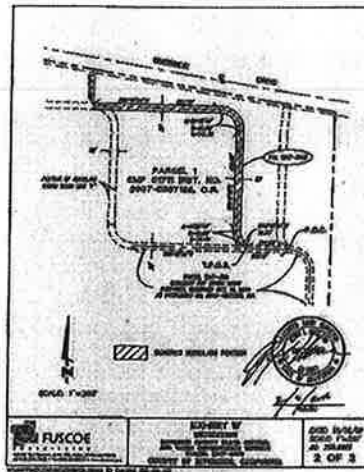
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THE SIDELINES OF SAID STRIP TO BE SHORTENED OR LENGTHENED TO TERMINATE SOUTHERLY ON THE NORTHERLY LINE OF SAID STRIP 2 OF SAID EASEMENT DEED AND WESTERLY ON A RADIAL LINE BEARING NORTH 01° 11' 56" EAST THROUGH THE POINT OF TERMINUS OF SAID STRIP.

AS SHOWN ON EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

DATED THIS 9TH DAY OF FEBRUARY, 2010  
S/ JERRY L. USELTON, L.S. 5347, EXP. 12/31/11





**ROLL CALL:**

**Ayes: Buster, Benoit and Ashley**

**Nays: None**

**Absent: Tavaglione and Stone**

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

**KECIA HARPER-IHEM, Clerk of said Board**

By: Cecilia Gil, Board Assistant

Any person affected by the above matter(s) may submit written comments to the Clerk of the Board before the public hearing or may appear and be heard in support of or opposition to the project at the time of the hearing. If you challenge the above item(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence, to the Board of Supervisors at, or prior to, the public hearing.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147

Dated: April 6, 2010

**Kecia Harper-Ihem, Clerk of the Board**

By: Cecilia Gil, Board Assistant