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



FROM: TLMA - Transportation Department

SUBJECT: Summarily vacating various public road easements, in the Temecula area, Third Supervisorial District.

**RECOMMENDED MOTION:** Adopt Resolution No. 2010-008, summarily vacating various public road easements.

BACKGROUND: The applicant, K. Hovnanian Homes of the Four Seasons Development is conveying the Tucalota Channel portion of their development to The Riverside Land Conservancy. As a requirement of the conveyance the Army Corps of Engineers is requiring the applicant to vacate road easements within the property being transferred to the Riverside Land Conservancy. The primary purpose for these easements is for drainage which will be retained / reserved. The Transportation Department finds that the use of these easements for road purposes is no longer needed and is excess right of way. The Riverside County Flood Department has reviewed this project and has no objections.

> Juah C. Perez **Director of Transportation**

**WJH** 

Attachments: Resolution No. 2010-008

Exhibits "A", "B" and "C"

#### MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Buster, seconded by Supervisor Benoit and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes:

Buster, Tavaglione, Stone, Benoit and Ashley

Nays:

None

Absent:

None

Date:

May 4, 2010

XC:

Transp., Recorder

Kecia Harper-Ihem

Prev. Agn. Ref.

District: 3

Agenda Number:

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD

REVIEWED BY EXECUTIVE OFFICE

FORM APPROVED COUNTY COUNSEL

Policy Policy 

Consent Consent

 $\boxtimes$ 

Dep't Recomm.: Exec. Ofc.: PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

KECIA HARPER-IHEM, CLERK OF THE BOARD RIVERSIDE CO. CLERK OF THE BOARD 4080 LEMON STREET, 1<sup>ST</sup> FLOOR CAC P O BOX 1147 – RIVERSIDE, CA 92502

**MAIL STOP # 1010** 

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DOC # 2010-0498561
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Page 1 of 14
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder



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# **RESOLUTION NO. 2010-008**

Title of Document



## SUMMARILY VACATING VARIOUS ROAD EASEMENTS IN THE TEMECULA AREA (AB 09007)

(THIRD SUPERVISORIAL DISTRICT)

(Transportation Department ~ Item 2.21 of 05/04/10)

referenced - original stated Mony 9, 1990, but it was changed to reflect May 9, 1996 which is the accurate date.

2811 DE 31 PH J: DI

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION

2010-11-104139

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

KECIA HARPER-IHEM, CLERK OF THE BOARD RIVERSIDE CO. CLERK OF THE BOARD 4080 LEMON STREET, 1<sup>ST</sup> FLOOR CAC P O BOX 1147 – RIVERSIDE, CA 92502

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DOC # 2010-0206056 05/05/2010 08:00A Fee:NC Page 1 of 10 Recorded in Official Records County of Riverside Larry W. Ward

Assessor, County Clerk & Recorder

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# **RESOLUTION NO. 2010-008**

Title of Document

## SUMMARILY VACATING VARIOUS ROAD EASEMENTS IN THE TEMECULA AREA

(THIRD SUPERVISORIAL DISTRICT)

(Transportation Department ~ Item 2.21 of 05/04/10)

2019-0498561 10/18/2019 08:08A

1	Board of Supervisors County of Riverside
2	
3	RESOLUTION NO. 2010-008
4	
5	SUMMARILY VACATING VARIOUS ROAD EASEMENTS
6	IN THE TEMECULA AREA
7	
8	(AB 09007)
9	
10	(THIRD Supervisorial District)
11	
12	WHEREAS, the hereinafter-described road easements, described in Instrument
13	No. 43148, recorded December 13, 1991, Instrument No. 181179, recorded May 19,
14	1992, Instrument No.333255, recorded August 25, 1993, Instrument No. 346668,
15	recorded September 7, 1994, California, and in, Instrument No. 171574, recorded May
16	9, 1996, all Official Records of the Recorder, Riverside County, California;
17	
18	WHEREAS, the hereinafter described easements, are not necessary for road
19	purposes and are excess Right of Way, and not required for public street or highway
20	purposes, now, therefore;
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Page 1 of 3

## **RESOLUTION NO. 2010-008** 1 2 BE IT RESOLVED, DETERMINED AND ORDERED by the Board of 3 Supervisors of the County of Riverside, State of California, in regular session 4 5 assembled on May 4, 2010, as follows; 6 7 1. Pursuant to Section 8334(a) of the Streets and Highways Code, that the hereinafter said easements are excess Right-of-Way, and are no longer required for 8 9 public street and highway purposes and are hereby summarily vacated. 10 A portion of the following Instrument (See Exhibit's "A" and "B") 11 A portion of Parcel "B" of Instrument No. 431418, Recorded December 13, 12 1991, Official Records of the Recorder, Riverside County, California, see Legal 13 Description and Plat attached hereto as Exhibits "A" and "B" and made a part hereof, 14 15 All of the following Instruments (See Exhibit "C") 16 Instrument No. 181179, recorded May 19, 1992, and in, Instrument 17 18 No.333255, recorded August 25, 1993, and in, Instrument No. 346668, recorded September 7, 1994, California, and in, Instrument No. 171574, recorded May 9, 1996, 19 20 all Official Records of the Recorder, Riverside County, California, and Parcel "A" of Instrument No. 431418, Recorded December 13, 1991, Official Records of the 21 Recorder, Riverside County, California, See Exhibit "C" attached hereto and made a 22 23 part hereof;

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25

### **RESOLUTION NO. 2010-008** 1 2 **EXCEPTING AND RESERVING** from the vacation, an easement for any 3 existing public utilities, public service facilities and easements for drainage purposes, 4 together with the right to maintain, operate, replace, remove, or renew such facilities, 5 over, upon, across, and within the real property described, pursuant to Section 8340 of 6 7 the Streets and Highways Code. 8 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Clerk 9 of the Board is directed to cause a certified copy of this resolution to be recorded in 10 the office of the Recorder of the County of Riverside, California. 11 12 ROLL CALL: 13 Buster, Tavaglione, Stone, Benoit, and Ashley Ayes: 14 None Nays: Absent: None 15 16 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. 17 KECIA HARPER-IHEM, Clerk of said Board 18 19 20 21 22 23 24 WJH 25 W.O. # AB 09007



1 **Board of Supervisors** County of Riverside 2 **RESOLUTION NO. 2010-008** 3 4 SUMMARILY VACATING VARIOUS ROAD EASEMENTS 5 IN THE TEMECULA AREA 6 7 (AB 09007) 8 9 (THIRD Supervisorial District) 10 11 WHEREAS, the hereinafter-described road easements, described in Instrument 12 13 No. 43148, recorded December 13, 1991, Instrument No. 181179, recorded May 19, 14 1992, Instrument No.333255, recorded August 25, 1993, Instrument No. 346668, 15 recorded September 7, 1994, California, and in, Instrument No. 171574, recorded May 16 9, 1990, all Official Records of the Recorder, Riverside County, California; 17 WHEREAS, the hereinafter described easements, are not necessary for road 18 19 purposes and are excess Right of Way, and not required for public street or highway 20 purposes, now, therefore; 21 22 23 24 25

Page 1 of 3



FORM APPROVED COUNTY COUNSEL

GUNZE



2010-0498561 10/18/2010 08:00A 7 of 14

1	RESOLUTION NO. 2010-008
2	
3	BE IT RESOLVED, DETERMINED AND ORDERED by the Board of
4	Supervisors of the County of Riverside, State of California, in regular session
5	assembled onMay 4, 2010, as follows;
6	
7	1. Pursuant to Section 8334(a) of the Streets and Highways Code, that the
8	hereinafter said easements are excess Right-of-Way, and are no longer required for
9	public street and highway purposes and are hereby summarily vacated.
10	
1	A portion of the following Instrument (See Exhibit's "A" and "B")
2	A portion of Parcel "B" of Instrument No. 431418, Recorded December 13,
3	1991, Official Records of the Recorder, Riverside County, California, see Legal
4	Description and Plat attached hereto as Exhibits "A" and "B" and made a part hereof,
5	
6	All of the following Instruments (See Exhibit "C")
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8	No.333255, recorded August 25, 1993, and in, Instrument No. 346668, recorded
9	September 7, 1994, California, and in, Instrument No. 171574, recorded May 9, 1990
20	all Official Records of the Recorder, Riverside County, California, and Parcel "A" of
21	Instrument No. 431418, Recorded December 13, 1991, Official Records of the
22	Recorder, Riverside County, California, See Exhibit "C" attached hereto and made a
23	part hereof;

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2010-0498561 10/18/2010 08:00A 8 of 14

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**WJH** 

W.O. # AB 09007

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**EXCEPTING AND RESERVING** from the vacation, an easement for any existing public utilities, public service facilities and easements for drainage purposes, together with the right to maintain, operate, replace, remove, or renew such facilities, over, upon, across, and within the real property described, pursuant to Section 8340 of the Streets and Highways Code.

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

ROLL CALL:

Ayes:

Buster, Tavaglione, Stone, Benoit, and Ashley

Nays:

None

Absent:

None

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

Bv:

Deputy

Page 3 of 3



# EXHIBIT "A" VACATION OF VARIOUS PUBLIC ROAD EASEMENTS LEGAL DESCRIPTION

#### PARCEL B

THAT PORTION OF LOT 185 LOCATED IN SECTION 24, TOWNSHIP 7 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, MURRIETA PORTION OF THE TEMECULA RANCHO, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA AS SHOWN BY MAP OF THE TEMECULA LAND AND WATER COMPANY FILED IN BOOK 8 PAGE 359 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, STATE OF CALIFORNIA, AND AS DESCRIBED IN THE DOCUMENT RECORDED DECEMBER 13, 1991 AS INSTRUMENT NO. 431418 IN THE COUNTY OF RIVERSIDE. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF THE WINCHESTER ROAD WITH THE NORTHERLY BOUNDARY OF TEMECULA RANCHO, AS SHOWN ON RECORD OF SURVEY AS FILED IN BOOK 58 PAGES 75 THROUGH 83 RECORD OF SURVEYS IN THE OFFICE OF THE COUNTY RECORDER OF SAID RIVERSIDE COUNTY;

THENCE ALONG THE CENTERLINE OF SAID TEMECULA ROAD SOUTH 11°10'15" WEST, 627.13 FEET;

THENCE CONTINUING, SOUTH 12°58'31" WEST, 88.08 FEET TO THE BEGINNING OF A 2000.00 FOOT RADIUS CURVE, CONCAVE WESTERLY;

THENCE SOUTHERLY ALONG SAID CENTERLINE AND SAID CURVE THROUGH A CENTRAL ANGLE OF 09°38'31" AN ARC DISTANCE OF 336.58 FEET;

THENCE ALONG SAID CENTERLINE SOUTH 22°37'01" WEST, 1190.97 FEET;

THENCE LEAVING SAID CENTERLINE, SOUTH 67°22'59" EAST 67.00 TO A POINT ON A LINE PARALLEL, WITH AND 67.00 FEET SOUTHEASTERLY OF SAID CENTERLINE, THENCE CONTINUING SOUTH 67°22'59" EAST, 55.52 FEET TO THE NORTHERLY LINE OF SAID LOT 185 AS SHOWN ON SAID RECORD OF SURVEY AND BEING KNOWN AS THE TRUE POINT OF BEGINNING;

THENCE SOUTH 67°22'59" EAST 73.48 FEET TO A POINT ON A LINE PARALLEL WITH AND 196.00 FEET SOUTHEASTERLY OF SAID CENTERLINE OF WINCHESTER ROAD HEREIN;

THENCE ALONG SAID PARALLEL LINE NORTH 22°37'01" EAST, 105.44 FEET;

THENCE ALONG A LINE PARALLEL WITH AND 44 FEET SOUTH OF WILLOWS AVENUE NORTH 67°22'59" WEST 106.00 FEET;

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THENCE ALONG THE AFOREMENTIONED PARALLEL LINE SOUTH 22°37'01" WEST 55.67 FEET TO THE NORTHERLY LINE OF SAID LOT 185 HEREIN;

THENCE ALONG SAID NORTHERLY LINE SOUTH 41°38'28" EAST 61.63' TO THE **POINT OF BEGINNING.** 

CONTAINING 0.29 ACRES, 12,594 SQ. FT. MORE OR LESS

SEE EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

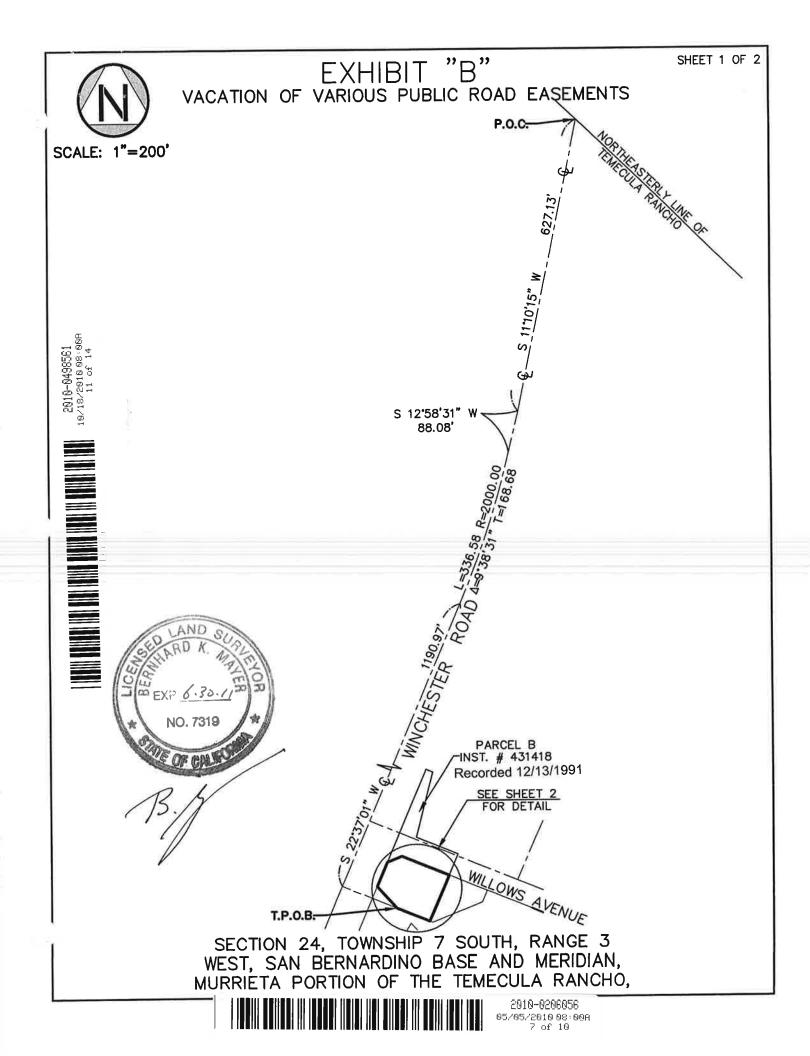
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PAGE 2 of 2







## LARRY W. WARD COUNTY OF RIVERSIDE ASSESSOR-COUNTY CLERK-RECORDER

Recorder P.O. Box 751 Riverside, CA 92502-0751 (951) 486-7000

http://riverside.asrelkiec.com

## CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

CLARIFICATION OF THE SEAL for the Riverside County Board of Supervisors (embossed on document)



Date:

Signature:

Karen Barton, Board Assistant, Riverside County Clerk of the Board

Print Name



2010-0206056 05/05/2010 08:00A 10 of 10

2010-0438551 1872619 08:00A 14 of 14 PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

KECIA HARPER-IHEM, CLERK OF THE BOARD RIVERSIDE CO. CLERK OF THE BOARD 4080 LEMON STREET, 1<sup>ST</sup> FLOOR CAC P O BOX 1147 – RIVERSIDE, CA 92502

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# **RESOLUTION NO. 2010-008**

Title of Document

SUMMARILY VACATING VARIOUS ROAD EASEMENTS IN THE TEMECULA AREA

(THIRD SUPERVISORIAL DISTRICT)

(Transportation Department ~ Item 2.21 of 05/04/10)

2010-15-16/12

## **RESOLUTION NO. 2010-008** 1 2 3 **BE IT RESOLVED, DETERMINED AND ORDERED** by the Board of Supervisors of the County of Riverside, State of California, in regular session 4 assembled on May 4 , 2010, as follows; 5 6 7 1. Pursuant to Section 8334(a) of the Streets and Highways Code, that the hereinafter said easements are excess Right-of-Way, and are no longer required for 8 9 public street and highway purposes and are hereby summarily vacated. 10 A portion of the following Instrument (See Exhibit's "A" and "B") 11 A portion of Parcel "B" of Instrument No. 431418, Recorded December 13, 12 1991, Official Records of the Recorder, Riverside County, California, see Legal 13 Description and Plat attached hereto as Exhibits "A" and "B" and made a part hereof, 14 15 All of the following Instruments (See Exhibit "C") 16 17 Instrument No. 181179, recorded May 19, 1992, and in, Instrument 18 No.333255, recorded August 25, 1993, and in, Instrument No. 346668, recorded 19 September 7, 1994, California, and in, Instrument No. 171574, recorded May 9, 1996, all Official Records of the Recorder, Riverside County, California, and Parcel "A" of 20 Instrument No. 431418, Recorded December 13, 1991, Official Records of the 21 Recorder, Riverside County, California, See Exhibit "C" attached hereto and made a 22 23 part hereof;

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FORM APPROVED COUNTY COUNSEL

GUNZE

County of Riverside

## SUMMARILY VACATING VARIOUS ROAD EASEMENTS IN THE TEMECULA AREA

(THIRD Supervisorial District)

WHEREAS, the hereinafter-described road easements, described in Instrument No. 43148, recorded December 13, 1991, Instrument No. 181179, recorded May 19, 1992, Instrument No.333255, recorded August 25, 1993, Instrument No. 346668, recorded September 7, 1994, California, and in, Instrument No. 171574, recorded May 9, 1990, all Official Records of the Recorder, Riverside County, California;

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Page 1 of 3



05/05/2010 08:00A

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# EXHIBIT "A" VACATION OF VARIOUS PUBLIC ROAD EASEMENTS LEGAL DESCRIPTION

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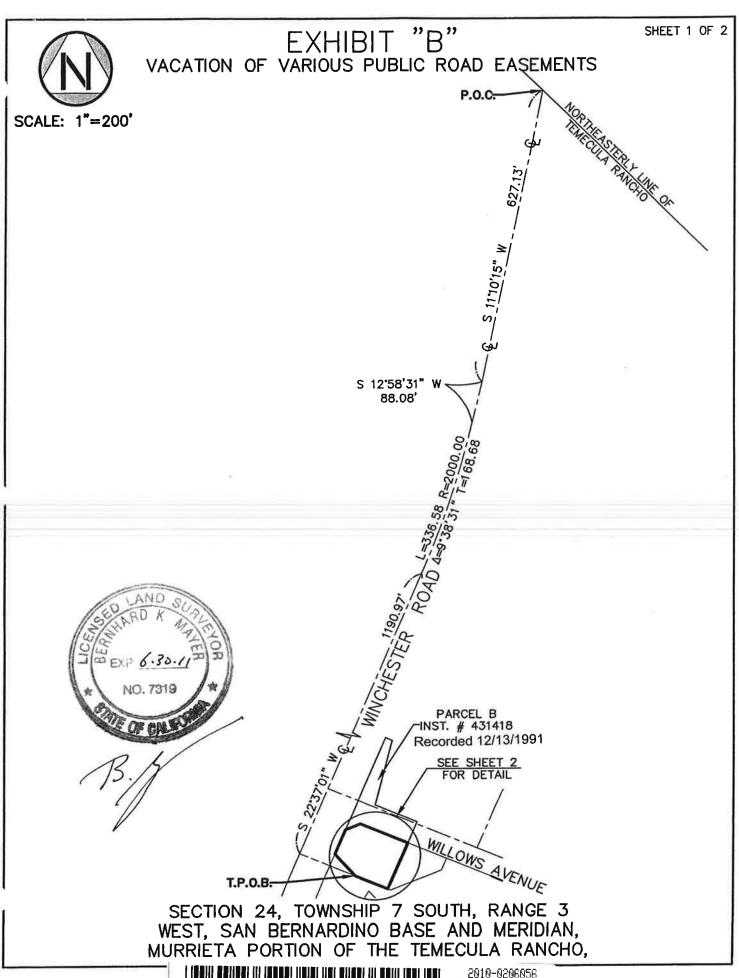
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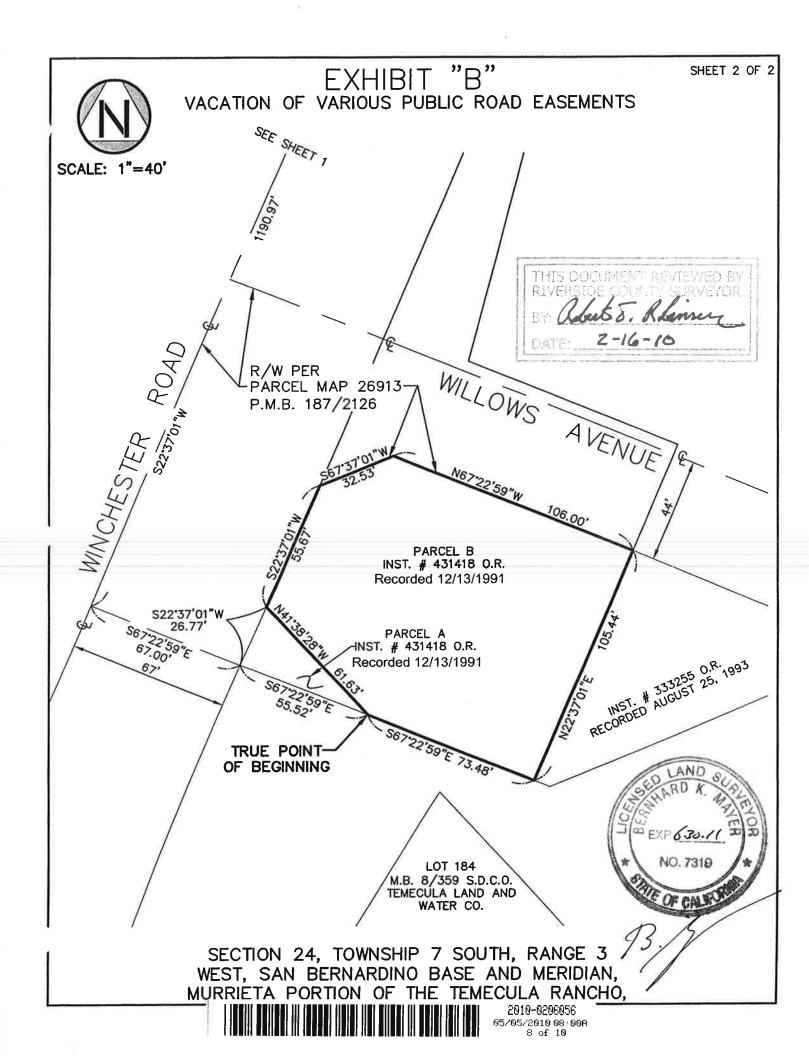
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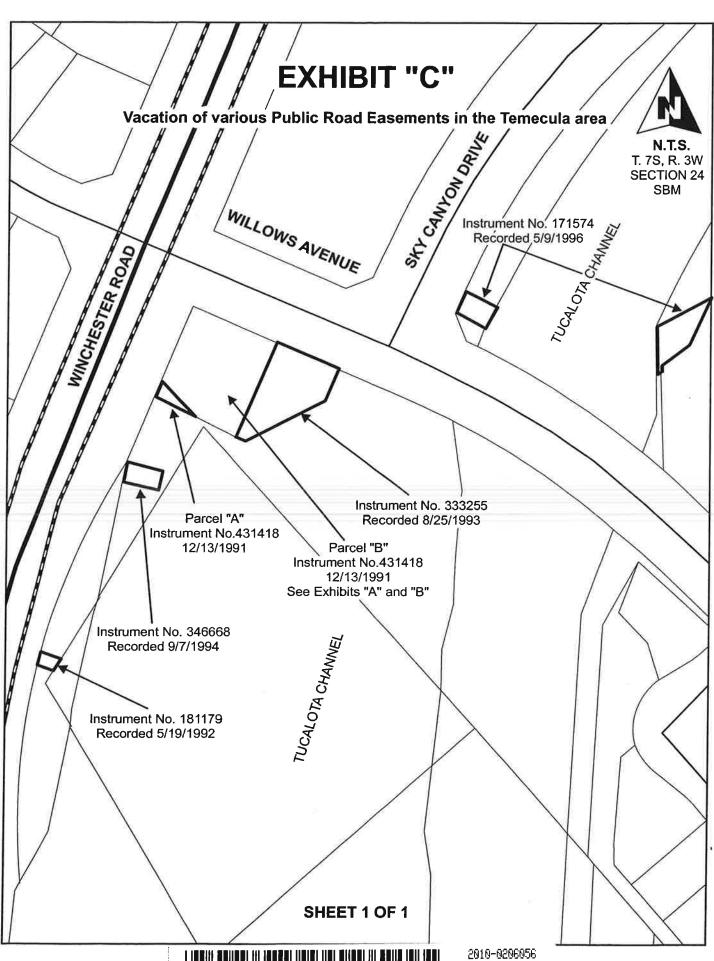


PAGE 2 of 2









2010-0206056 05/05/2010 08:00A 9 of 10



# LARRY W. WARD COUNTY OF RIVERSIDE ASSESSOR-COUNTY CLERK-RECORDER

Recorder P O. Box 751 Riverside, CA 92502-0751 (951) 486-7000

http://riverside.asrelkree.com

## CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

CLARIFICATION OF THE SEAL for the Riverside County Board of Supervisors (embossed on document)



Date

Signature:

5-4-10

Karen Barton, Board Assistant, Riverside County Clerk of the Board

Print Name:

