

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

621B



FROM: TLMA - Transportation Department

SUBMITTAL DATE:
May 4, 2010

SUBJECT: Summarily vacating the right to accept a storm drain easement in the French Valley area, Third Supervisorial District.

RECOMMENDED MOTION: Adopt Resolution No. 2010-122, summarily vacating the right to accept a storm drain easement in the French Valley area.

BACKGROUND: The applicant, Riverside County Flood Control District has requested to vacate the right to accept this storm drain easement due to Tract 29114 recording. The Tract by design replaced the storm drain with new drainage facilities causing the easement to be excess right of way and no longer needed.

REVIEWED BY EXECUTIVE OFFICE

DATE 4/22/10
Tina Grande

FORM APPROVED COUNTY COUNSEL
BY: Synthia M. Gunzel DATE 4-19-10
SYNTHIA M. GUNZEL Departmental Counselor

Juan C. Perez
Director of Transportation

AM
Attachments: Resolution No. 2010-122
Exhibit "A"

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
Clerk of the Board
By:
Deputy

Policy Policy
Consent Consent
Dep't Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.

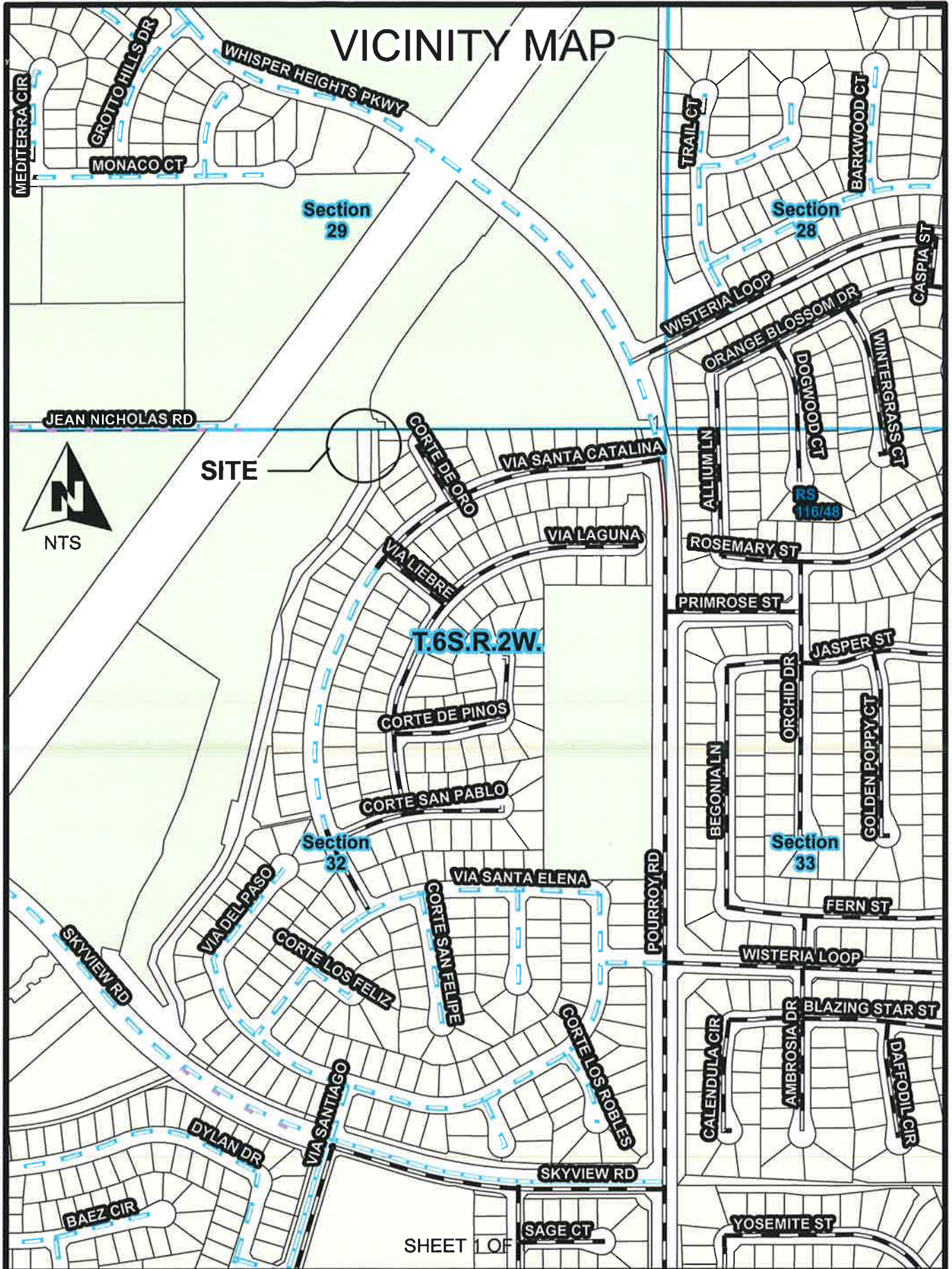
District: 3

Agenda Number:

ATTACHMENTS FILED WITH
THE CLERK OF THE BOARD

2.22

VICINITY MAP



REMOVE PRIOR TO RECORDATION

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

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

MAIL STOP # 1010

AND WHEN RECORDED MAIL TO:

RETURN TO: STOP #1010
RIVERSIDE COUNTY CLERK OF THE BOARD
P. O. BOX 1147 - RIVERSIDE, CA 92502

DOC # 2010-0206057

05/05/2010 08:00A Fee:NC

Page 1 of 9

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



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RESOLUTION NO. 2010-122

Title of Document

C
509

**SUMMARILY VACATING THE RIGHT TO ACCEPT A STORM DRAIN EASEMENT IN THE
FRENCH VALLEY AREA
(AB10005)**

(THIRD SUPERVISORIAL DISTRICT)

(Transportation Department ~ Item 2.22 of 05/04/10)

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE
FOR RECORDING INFORMATION

2010-05-100622

1 Board of Supervisors

County of Riverside

2
3 **RESOLUTION NO. 2010-122**

4 **SUMMARILY VACATING THE RIGHT TO ACCEPT A STORM DRAIN EASEMENT IN**
5 **THE FRENCH VALLEY AREA**

6 **(AB10005)**

7 **(Third Supervisorial District)**

8
9 **WHEREAS**, the hereinafter-described easement was dedicated per Instrument
10 No. 2005-0477478, recorded May 16, 2005, official records of Riverside County,
11 California;

12
13 **WHEREAS**, the hereinafter-described easement is not necessary and is excess
14 Right of Way, and not required for public street and highway purposes, now, therefore;

15
16 **BE IT RESOLVED, DETERMINED AND ORDERED** by the Board of
17 Supervisors of the County of Riverside, State of California, in regular session
18 assembled on May 4, 2010, as follows:

19
20 1. Pursuant to Section 8334(a) of the Streets and Highways Code that
21 the hereinafter-described easement is excess Right of Way and is no longer
22 required for public street and highway purposes and is hereby summarily
23 vacated.



2010-0206057
05/05/2010 09:00A
2 of 9

FORM APPROVED COUNTY COUNSEL
BY: Synthia M. Gunzel 4-19-10
DATE
SYNTHIA M. GUNZEL

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RESOLUTION NO. 2010-122

SEE LEGAL DESCRIPTION AND PLAT ATTACHED HERETO
AS EXHIBITS "A" AND MADE A PART HEREOF

EXCEPTING AND RESERVING from the vacation an easement for any existing public utilities and public service facilities, together with the right to maintain, operate, replace, remove, or renew such facilities, 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
By: *Karen Harper-Ihem*
Deputy

AM
W.O. # AB 10005



EXHIBIT "A"

CONSENT TO RECORD (GOV. CODE 7050)

THIS IS TO CERTIFY that the County of Riverside consents to the recordation of this Declaration of Dedication pursuant to a Cooperative Agreement recorded on January 11, 2005 as Instrument No. 2005-0025545

AFTER RECORDING RETURN TO:
RIVERSIDE COUNTY FLOOD CONTROL
1995 MARKET STREET, RIVERSIDE, CA 92501

NO FEE (GOV. CODE 6103)

WSV-Corte San Pablo
Tract No. 29114-2
Project No. 7-0-0215

DOC # 2005-0477478

05/16/2005 08:00A Fee:NC

Page 1 of 5

Recorded in Official Records
County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



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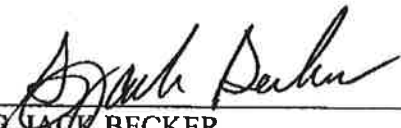


IRREVOCABLE OFFER OF DEDICATION

BARRATT AMERICAN INCORPORATED, a Delaware Corporation,

hereby Dedicates in Perpetuity to the Public, on behalf of Riverside County Flood Control and Water Conservation District, a storm drain easement for flood control and drainage purposes for the construction, use, repair, reconstruction, inspection, operation and maintenance of storm drain facilities, and all appurtenant works, including ingress and egress thereto, over, under and across that certain real property situated in the County of Riverside, State of California, described in legal description attached hereto as Exhibits "A" and "B" and made a part hereof.

BARRATT AMERICAN INCORPORATED,
a Delaware Corporation

By: 
G. JACK BECKER
Vice President/ President San Diego Division

(NOTARY)



2010-0206057
05/05/2010 08:00A
4 of 9

EXHIBIT "A"

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

STATE OF CALIFORNIA]
] **ss.**
COUNTY OF SAN DIEGO]

On June 13, 2005, before me, STEPHANIE C. HAGAN, Notary Public, personally appeared G. JACK BECKER personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



THIS AREA FOR OFFICIAL NOTARIAL SEAL


STEPHANIE C. HAGAN, Notary Public

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER	DESCRIPTION OF ATTACHED DOCUMENT
<input type="checkbox"/> INDIVIDUAL	
<input checked="" type="checkbox"/> CORPORATE OFFICER	
VICE PRESIDENT, BARRATT AMERICAN INCORPORATED	CAPISTRANO - TR. 29114-2 IRREVOCABLE OFFER OF DEDICATION
TITLE	TITLE OR TYPE OF DOCUMENT
<input type="checkbox"/> PARTNERS	
<input type="checkbox"/> ATTORNEY-IN-FACT	
<input type="checkbox"/> TRUSTEE(S)	
<input type="checkbox"/> GUARDIAN/CONSERVATOR	
<input type="checkbox"/> OTHER:	
<input type="checkbox"/> LIMITED GENERAL	
	1 NUMBER OF PAGES
	06/13/05 DATE OF DOCUMENT

SIGNER IS REPRESENTING:
(NAME OF PERSON OR ENTITY)

Barratt American Incorporated a Delaware Corporation



2005-0477478
06/16/2005 08:06A
2 of 5

2010-0206057
05/05/2010 08:06A
5 of 8



EXHIBIT "A"

EXHIBIT "A" LEGAL DESCRIPTION

BEING A PORTION OF PARCELS "B" AND "C" OF LOT LINE ADJUSTMENT NO. 4572, IN THE UNINCORPORATED TERRITORY OF RIVERSIDE COUNTY, STATE OF CALIFORNIA, RECORDED ON JUNE 11, 2003, AS INSTRUMENT NO. 2003-423757, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, LOCATED IN SECTION 32, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID PARCEL "C";

THENCE NORTH 89°24'06" EAST ALONG THE NORTH LINE OF SAID PARCEL "C", A DISTANCE OF 161.67 FEET;

THENCE SOUTH 18°46'08" EAST A DISTANCE OF 4.75 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 48.00 FEET, THE INITIAL RADIAL LINE BEARS SOUTH 18°48'12" EAST;

THENCE SOUTHERLY ALONG SAID NON-TANGENT CURVE THROUGH A CENTRAL ANGLE OF 59°38'00", AN ARC LENGTH OF 49.96 FEET;

THENCE SOUTH 89°24'06" WEST A DISTANCE OF 105.77 FEET;

THENCE SOUTH 02°12'30" EAST A DISTANCE OF 160.24 FEET;

THENCE SOUTH 29°02'12" WEST A DISTANCE OF 178.29 FEET TO A POINT ON THE NORTHEASTERLY LINE OF SAID PARCEL "B";

THENCE SOUTH 51°10'43" EAST ALONG SAID NORTHEASTERLY LINE A DISTANCE OF 110.67 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 883.00 FEET THE INITIAL RADIAL LINE BEARS SOUTH 51°08'50" EAST;

THENCE SOUTHWESTERLY SAID NON-TANGENT CURVE AND SAID NORTHEASTERLY LINE THROUGH A CENTRAL ANGLE OF 03°29'08" AN ARC LENGTH OF 53.72 FEET;

THENCE CONTINUING ALONG SAID NORTHEASTERLY SOUTH 54°37'58" EAST A DISTANCE OF 66.00 FEET;

THENCE CONTINUING ALONG SAID NORTHEASTERLY NORTH 80°06'23" EAST A DISTANCE OF 21.08 FEET;

THENCE CONTINUING ALONG SAID NORTHEASTERLY SOUTH 51°25'13" EAST A DISTANCE OF 87.87 FEET;

THENCE SOUTH 77°33'12" WEST A DISTANCE OF 187.28 FEET;

THENCE NORTH 22°45'48" WEST A DISTANCE OF 220.40 FEET TO THE WESTERLY LINE OF SAID PARCEL "B";

THENCE NORTH 40°24'55" EAST ALONG SAID WESTERLY LINE A DISTANCE OF 74.74 FEET TO THE MOST NORTHERLY CORNER OF SAID PARCEL "B";

THENCE ALONG THE WESTERLY LINE OF SAID PARCEL "C" NORTH 30°13'16" EAST A DISTANCE OF 157.33 FEET;



2005-0477478
06/16/2005 08:00A
3 of 5

2010-0206057
05/05/2010 08:00A
6 of 9



EXHIBIT "A"

THENCE CONTINUING ALONG SAID WESTERLY LINE NORTH 00°35'46" WEST A DISTANCE OF 201.61 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.03 ACRES, MORE OR LESS.

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

THIS LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION.



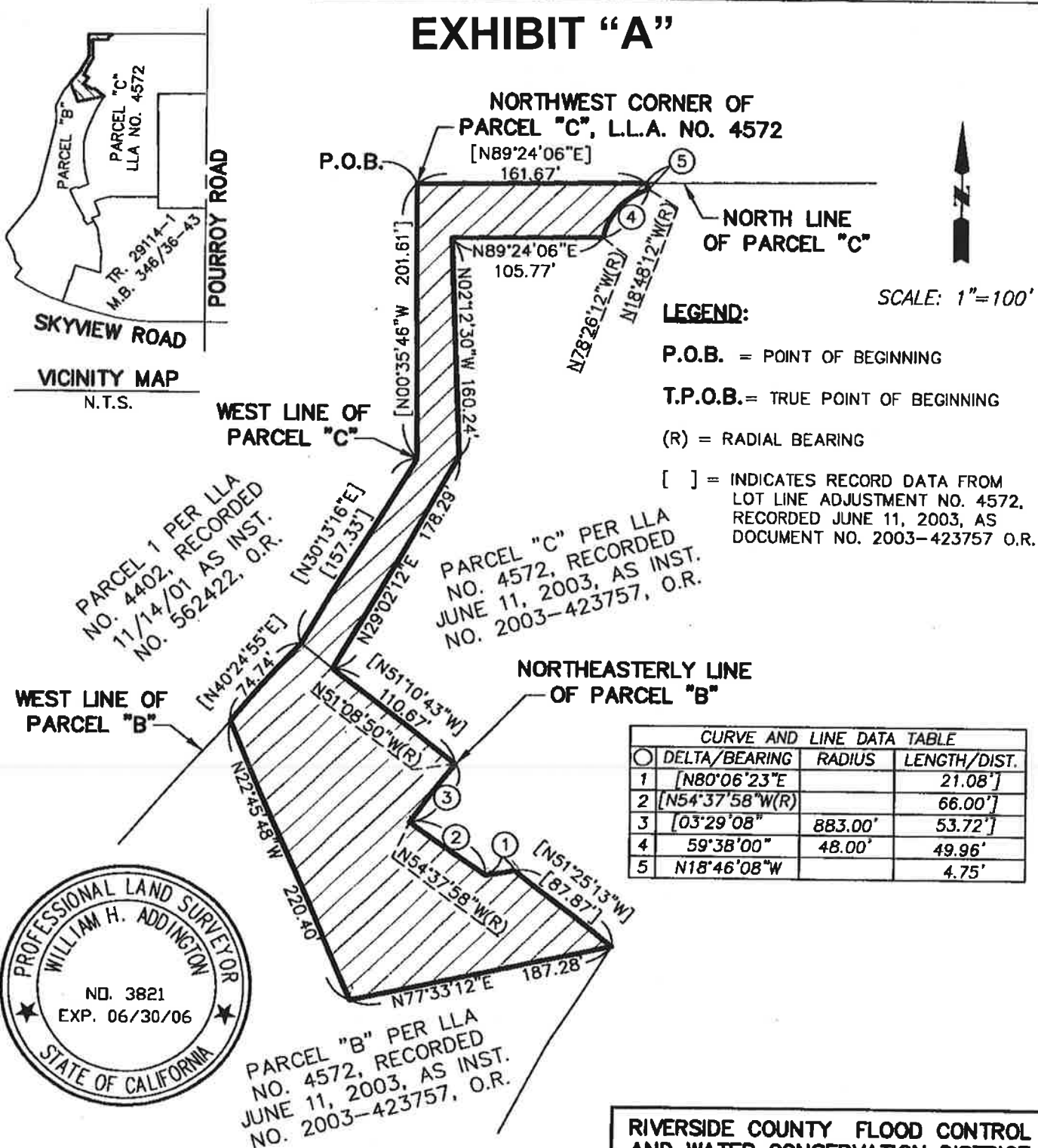
William H. Addington 11/9/04
WILLIAM H. ADDINGTON, P.L.S. 3821 DATE
LICENSE EXPIRES 06/30/06

2010-0206057
05/05/2010 08:00A
7 of 9



2005-0477478
06/16/2005 08:00A
4 of 5

EXHIBIT "A"



2005-0477478
 06/16/2005 08:08A
 5 of 5



William H. Addington 11/9/04

WILLIAM H. ADDINGTON, P.L.S. 3821 Dated
 My License Expires on 06/30/06

AEI-CASC
 ENGINEERING
PAGE 5

**RIVERSIDE COUNTY FLOOD CONTROL
 AND WATER CONSERVATION DISTRICT**



2010-0206057
 05/05/2010 08:08A
 8 of 9



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

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

<http://riverside.asrclrec.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:

5-4-10

Signature:

Karen Barton

Print Name:

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

