

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

105B



FROM: TLMA - Transportation Department

SUBMITTAL DATE:

June 2, 2010

SUBJECT: Summarily vacating a portion of Benton Road and Execution of a Quitclaim Deed in the Temecula area, Third Supervisorial District.

RECOMMENDED MOTION: Adopt Resolution No. 2010-146, summarily vacating a portion of Benton Road and execute the quitclaim deed and forward to the Riverside County Recorder's Office for recording.

BACKGROUND: The property owners and applicants of Parcel Map No. 30474 have requested the vacation and quitclaim of a portion of Benton Road. This portion of Benton Road will be included within the boundary of Parcel Map No. 30474 per the approved tentative map. This portion Benton Road is now excess right of way due to re-alignment of the road. The County previously vacated a portion of this segment of Benton Road by Resolution 92-015, but due to an oversight, neglected to include the all references pertaining to the right of way. The adjacent property owners have been notified and the County has not received any objections.

Juan C. Perez
Director of Transportation

AM

Attachments: Resolution No. 2010-146
Exhibits "A" & "B"

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Buster, Benoit and Ashley

Nays: None

Absent: Tavaglione and Stone

Date: June 15, 2010

xc: Transp., Recorder

Kecia Harper-Ihem

Clerk of the Board

By:
Deputy

Prev. Agn. Ref.

District: 3

Agenda Number:

2.16

REVIEWED BY EXECUTIVE OFFICE

FORM APPROVED COUNTY COUNSEL

BY: DATE: 6-3-10

SYNTHIA M. GUNZEL, DATE: 6-3-10

☐ Policy

☒ Consent

Dep't Recomm.:

☐ Policy

☒ Consent

Per Exec. Ofc.:

VICINITY MAP



PORTH RD

BRIGGS RD

WINCHESTER ROAD

PM 30474

T.7S.R.2W.

Section
6

BENTON RD

PENFIELD LN

LEON RD

COCHISE CIR

BRIGGS RD

SHEET 1 OF 1

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 # 2010-0286251

06/22/2010 08:00A Fee:NC

Page 1 of 7

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



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RESOLUTION NO. 2010-146

Title of Document

**SUMMARILY VACATING A PORTION BENTON ROAD AND EXECUTION OF
QUITCLAIM DEED IN THE FRENCH VALLEY AREA
(AB 04024)**

(THIRD SUPERVISORIAL DISTRICT)

(Transportation Department ~ Item 2.16 of 06/15/10)

C
517

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE
FOR RECORDING INFORMATION

2010-07-1011001

2
3 **RESOLUTION NO. 2010-146**

4 **SUMMARILY VACATING A PORTION BENTON ROAD AND EXECUTION OF**
5 **QUITCLAIM DEED IN THE FRENCH VALLEY AREA**

6 (AB 04024)

7 (Third Supervisorial District)

8
9 **WHEREAS**, the hereinafter-described portion of Benton Road was granted to
10 the County by deed recorded on November 13, 1929, in Book 722 Page 449 of deeds,
11 official records of the Recorder of Riverside County, California;

12
13 **WHEREAS**, the hereinafter-described portion Benton Road has been
14 superseded by relocation, and no longer required for public street or highway
15 purposes, now, therefore;

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

20
21 1. Pursuant to Section 8334(a) of the Streets and Highways Code that
22 the hereinafter-described portion of Benton Road is excess Right of Way and is
23 no longer required for public street and highway purposes and is hereby
24 summarily vacated.
25

FORM APPROVED COUNTY COUNSEL
BY: *Synthia M. Gunzel* 6-3-10
DATE: *SYNTHIA M. GUNZEL*



1 **RESOLUTION NO. 2010-146**

2
3 **SEE LEGAL DESCRIPTION AND PLAT ATTACHED HERETO**
4 **AS EXHIBIT "A" AND "B" AND MADE A PART HEREOF**
5

6 **EXCEPTING AND RESERVING** from the vacation an easement for any existing
7 public utilities and public service facilities, together with the right to maintain, operate,
8 replace, remove, or renew such facilities, pursuant to section 8340 of the Streets and
9 Highways Code.

10
11 **BE IT FURTHER RESOLVED, DETERMINED AND ORDERED** that the
12 Chairman of the Board is authorized the execute Quitclaim Deed and that the Clerk of
13 the Board is directed to cause a certified copy of this resolution and quitclaim deed to
14 be recorded in the office of the Recorder of the County of Riverside, California,

15
16 **ROLL CALL:**

17 Ayes: Buster, Benoit and Ashley
18 Nays: None
19 Absent: Tavaglione and Stone

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

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

23 By: 
24 Deputy

25 **AM**

W.O. # AB 04024



EXHIBIT "A"
LEGAL DESCRIPTION
RIGHT-OF-WAY VACATION

THAT PORTION OF BENTON ROAD GRANTED TO THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, BY DOCUMENT RECORDED NOVEMBER 13, 1929 IN BOOK 722, PAGE 449 OF DEEDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, LYING IN THE EAST ONE-HALF OF SECTION 6, TOWNSHIP 7 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF BENTON ROAD, 55.00 FOOT HALF WIDTH AND WINCHESTER ROAD (HIGHWAY 79), 67.00 FOOT HALF WIDTH, AS SHOWN ON PARCEL MAP 23199, RECORDED IN BOOK 170, PAGES 73 THROUGH 76, INCLUSIVE OF PARCEL MAPS, RECORDS OF SAID COUNTY;

THENCE NORTH 89°54'40" EAST, ALONG SAID CENTERLINE OF BENTON ROAD, A DISTANCE OF 84.38 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID WINCHESTER ROAD AND THE **TRUE POINT OF BEGINNING**, SAID POINT BEING A POINT IN A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 3433.00 FEET, A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARS SOUTH 52°18'46" EAST;

THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°51'51", AN ARC DISTANCE OF 51.78 FEET TO A POINT IN THE NORTHERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN SAID BOOK 722, PAGE 449 OF DEEDS;

THENCE SOUTH 89°54'20" EAST, ALONG SAID NORTHERLY LINE, A DISTANCE OF 742.49 FEET TO A POINT IN THAT CERTAIN COURSE DESCRIBED AS "SOUTH 23°57'08" EAST 30.97 FEET" IN PARCEL 1 OF RESOLUTION NO. 92-015 OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, RECORDED SEPTEMBER 3, 1992 AS INSTRUMENT NO. 92-332830 OF OFFICIAL RECORDS, RECORDS OF SAID COUNTY;

THENCE SOUTH 23°57'08" EAST, ALONG SAID DESCRIBED COURSE, A DISTANCE OF 11.50 FEET TO THE SOUTHEASTERLY TERMINUS OF SAID DESCRIBED COURSE, LAST SAID POINT ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 589.00 FEET, A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARS SOUTH 69°36'20" EAST;

THENCE SOUTHWESTERLY ALONG THE EASTERLY LINE OF SAID PARCEL 1 OF INSTRUMENT NO. 92-332830 AND SAID CURVE THROUGH A CENTRAL ANGLE OF 05°47'13", AN ARC DISTANCE OF 59.49 FEET TO A POINT IN THE SOUTHERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN SAID BOOK 722, PAGE 449 OF DEEDS;

THENCE SOUTH 89°49'20" WEST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 431.29 FEET TO A POINT IN THE SOUTHERLY LINE OF SAID PARCEL 1 OF INSTRUMENT NO. 92-332830, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 100.00 FEET, A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARS NORTH 35°21'30" EAST;

THENCE NORTHWESTERLY ALONG SAID SOUTHERLY LINE OF PARCEL 1 OF INSTRUMENT NO. 92-332830 AND SAID CURVE THROUGH A CENTRAL ANGLE OF 08°49'52", AN ARC DISTANCE OF 15.41 FEET;



THENCE NORTH 45°48'38" WEST, ALONG SAID SOUTHERLY LINE OF PARCEL 1 OF INSTRUMENT NO. 92-332830, A DISTANCE OF 41.26 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 88.00 FEET;

THENCE ALONG SAID SOUTHERLY LINE OF PARCEL 1 OF INSTRUMENT NO. 92-332830, NORTHWESTERLY, WESTERLY AND SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 109°58'02", AN ARC DISTANCE OF 168.90 FEET;

THENCE SOUTH 24°13'26" WEST, ALONG SAID SOUTHERLY LINE OF PARCEL 1 OF INSTRUMENT NO. 92-332830, A DISTANCE OF 13.38 FEET TO A POINT ON SAID SOUTHERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN BOOK 722, PAGE 449 OF DEEDS;

THENCE SOUTH 89°49'20" WEST, ALONG SAID SOUTHERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN BOOK 722, PAGE 449 OF DEEDS, A DISTANCE OF 164.42 FEET TO A POINT IN THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID WINCHESTER ROAD (HIGHWAY 79), SAID POINT BEING A POINT IN A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 3,433.00 FEET, A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARS SOUTH 52°56'39" EAST;

THENCE NORTHEASTERLY ALONG SAID CURVE AND SAID SOUTHEASTERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 00°37'53", A DISTANCE OF 37.84 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINING AN AREA OF 1.03 ACRES, MORE OR LESS.

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


WILLIAM E. EADSON, L.S. 6154

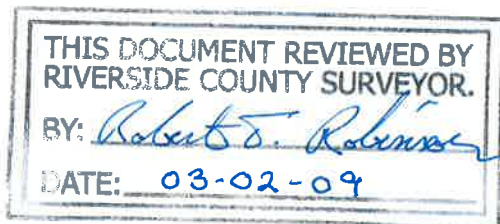


EXHIBIT "B"

RIGHT-OF-WAY VACATION

1 inch = 120 feet

2010-0208251
06/22/2010 08:00H
6 of 7

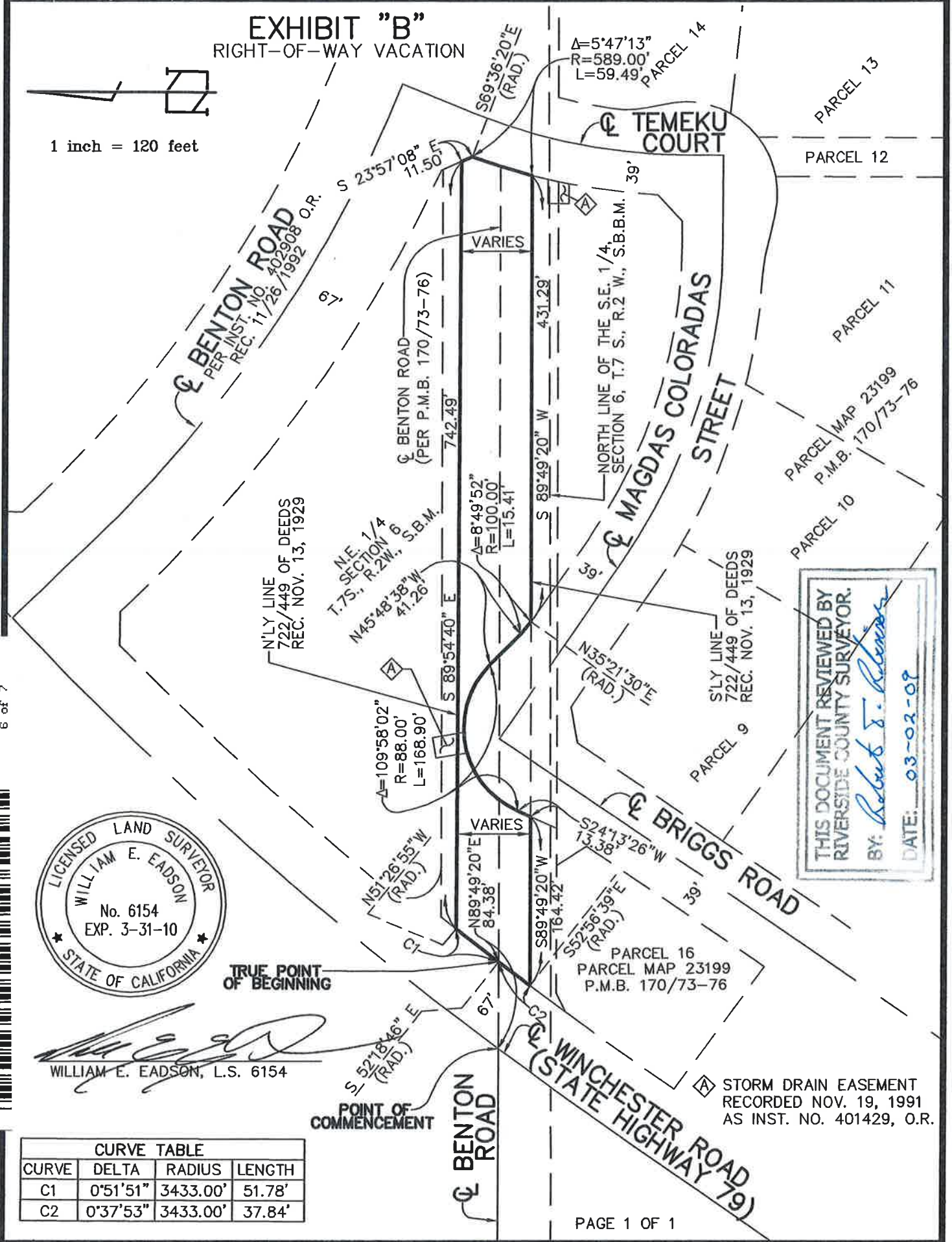


WILLIAM E. EADSON, L.S. 6154

TRUE POINT OF BEGINNING

POINT OF COMMENCEMENT

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	0°51'51"	3433.00'	51.78'
C2	0°37'53"	3433.00'	37.84'



THIS DOCUMENT REVIEWED BY
RIVERSIDE COUNTY SURVEYOR.
BY: *Robert T. Roberts*
DATE: 03-02-09



**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: 6-15-10

Signature: Karen Barton

Print Name: Karen Barton, Board Assistant, Riverside County Clerk of the Board



Recorded at the request of and return to:
Transportation Department
Office of the County Surveyor
4080 Lemon Street
Riverside, CA 92501
STOP NO. 1080

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

DOC # 2010-0286252
06/22/2010

Customer Copy Label
The paper to which this label is
affixed has not been compared
with the recorded document

Larry W Ward
County of Riverside
Assessor, County Clerk & Recorder

THE UNDERSIGNED GRANTOR DECLARES
DOCUMENTARY TRANSFER TAX IS \$0

- ☒ Computed on full value of property conveyed, or ☐ computed on full value less value of liens or
encumbrances remaining at time of sale,
☒ Unincorporated area: ☐ City of _____

Robert T. Robinson
Robert T. Robinson - Signature of Declarant or Agent

QUITCLAIM DEED

The COUNTY OF RIVERSIDE, a political subdivision of the State of California, hereby
REMISES, RELEASES, AND QUITCLAIMS to

**FRENCH VALLEY 35 LTD., A CALIFORNIA LIMITED PARTNERSHIP, AS TO AN
UNDIVIDED 50% INTEREST; MICHAEL N. MONTELEONE AND HENDRIKA
MONTELEONE, HUSBAND AND WIFE, AS TO AN UNDIVIDED 21.666% INTEREST;
ANNA VAN GAAL, A WIDOW, AS TO AN UNDIVIDED 11.667% INTEREST; STEPHEN
R. GOLDSMITH AND MAUREEN E. GOLDSMITH, TRUSTEES OF THE STEPHEN AND
MAUREEN GOLDSMITH FAMILY TRUST, AS TO AN UNDIVIDED 6.481% INTEREST;
PETER SINGER AND MARJORIE SINGER, HUSBAND AND WIFE, AS TO AN
UNDIVIDED .926% INTEREST; JEAN-LOUIS LERENARD AND DALIA LERENARD,
HUSBAND AND WIFE, AS TO AN UNDIVIDED .926%; DANIEL E. ROUSE FAMILY
TRUST AS TO AN UNDIVIDED 8.334% INTEREST.**

The following real property in the County of Riverside, State of California, described as
follows:

COPY

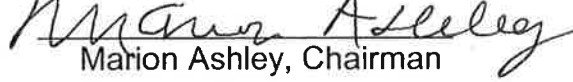
SEE LEGAL DESCRIPTION AND PLAT ATTACHED HERETO
AS EXHIBITS "A" AND "B" AND MADE A PART HEREOF.

ATTEST:

Kecia Harper-Ihem
Clerk of the Board

By: 
Deputy

COUNTY OF RIVERSIDE

By: 
Marion Ashley, Chairman
Board of Supervisors

FORM APPROVED COUNTY COUNSEL

BY: 
SYNTHIA M. GUNZEL DATE 6-3-10

EXHIBIT "A"
LEGAL DESCRIPTION
RIGHT-OF-WAY QUITCLAIM

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WILLIAM E. EADSON, L.S. 6154

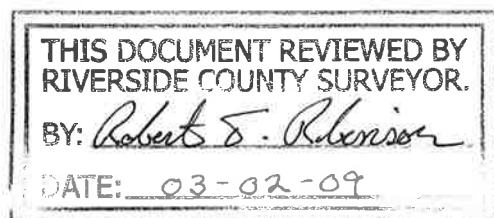


EXHIBIT "B"

RIGHT-OF-WAY QUITCLAIM



1 inch = 120 feet

CL BENTON ROAD
PER INST. NO. 402908 O.R.
REC. 11/26/1992

N'LY LINE
722/449 OF DEEDS
REC. NOV. 13, 1929

N.E. 1/4
SECTION 6
T.7S., R.2W., S.B.M.
N45°48'38"W
41.26'

CL BENTON ROAD
(PER P.M.B. 170/73-76)
742.49'

VARIES

Δ=8°49'52"
R=100.00'
L=15.41'

Δ=109°58'02"
R=88.00'
L=168.90'

VARIES

N51°26'55"W
(RAD.)

N89°49'20"E
84.38'

S24°13'26"W
13.38'

S52°56'39"E
(RAD.)

PARCEL 16
PARCEL MAP 23199
P.M.B. 170/73-76

CL TEMEKU COURT

CL MAGDAS COLORADAS STREET

CL BRIGGS ROAD

CL WINCHESTER ROAD
(STATE HIGHWAY 79)

PARCEL 14
PARCEL 13
PARCEL 12

PARCEL 11
PARCEL MAP 23199
P.M.B. 170/73-76

PARCEL 10

PARCEL 9

S'LY LINE
722/449 OF DEEDS
REC. NOV. 13, 1929

THIS DOCUMENT REVIEWED BY
RIVERSIDE COUNTY SURVEYOR.
BY: Robert E. Robinson
DATE: 03-02-09



TRUE POINT
OF BEGINNING

POINT OF
COMMENCEMENT

STORM DRAIN EASEMENT
RECORDED NOV. 19, 1991
AS INST. NO. 401429, O.R.

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	0°51'51"	3433.00'	51.78'
C2	0°37'53"	3433.00'	37.84'



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

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000
<http://riverside.asrelkrec.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:

6-15-10

Signature:

Karen Barton

Print Name:

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