

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

628A



**FROM:** Economic Development Agency and Transportation Department

**SUBMITTAL DATE:**  
July 15, 2010

**SUBJECT:** Resolution No. 2010-133, Notice of Intention to Convey an Easement Interest in Real Property – City of Indio

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve Resolution No. 2010-133, Notice of Intention to Convey an Easement Interest in Real Property located in the City of Indio, County of Riverside, on a portion of Assessor's Parcel Number 606-200-077 by Grant of Easement Deed to the Coachella Valley Water District; and
2. Direct the Clerk of the Board to give notice pursuant to Government Code Section 6061.

**BACKGROUND:** (Commences on Page 2)

Juan C. Perez, Director  
Transportation Department

Robert Field  
Assistant County Executive Officer/EDA

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$0	For Fiscal Year:	N/A
<b>SOURCE OF FUNDS:</b> N/A			Positions To Be Deleted Per A-30	<input type="checkbox"/>
			Requires 4/5 Vote	<input type="checkbox"/>

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

County Executive Office Signature

BY: *Jennifer L. Sargent*  
Jennifer L. Sargent

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Stone, seconded by Supervisor Benoit and duly carried, IT WAS ORDERED that the above matter is approved as recommended and is set for August 10, 2010 at 9:00 a.m.

**Ayes:** Buster, Stone, Benoit and Ashley  
**Nays:** None  
**Absent:** Tavaglione  
**Date:** July 27, 2010  
**xc:** EDA, Transp., COB

Kecia Harper-Ihem  
Clerk of the Board  
By: *Kecia Harper-Ihem*  
Deputy

Prev. Agn. Ref.: 3.29 of 9/16/2008; District: 4 Agenda Number:  
3.18 of 12/1/09

ATTACHMENTS FILED WITH  
THE CLERK OF THE BOARD

**3.35**

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

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

**BACKGROUND:**

The Miles Avenue and Clinton Street Road Widening Project, is located in the City of Indio in eastern Riverside County. In order to significantly reduce construction cost and accelerate construction of the project, the project is proposed to be constructed in three phases, under three separate contracts, as discussed below.

Phase I will widen Miles Avenue to four lanes and replace existing low water crossing at the Whitewater River with a bridge. These improvements have already been completed.

Phase 2A will widen Miles Avenue between Madison Street and Clinton Street to four lanes and construct curb, gutter, sidewalk and storm drain improvements within the existing right of way. These improvements have already been completed.

Phase 2B will widen Clinton Street between Miles Avenue and Fred Waring Drive to four lanes and construct curb, gutter, sidewalk, and storm drain improvements. These improvements will commence Summer 2010.

On December 1, 2009, the Board approved item 3.18, approving the acquisition of the permanent easement for access purposes of a portion of Assessor's Parcel Number 606-200-077. The access easement was purchased to allow Coachella Valley Water District (CVWD) access to their channel for operation and maintenance activities once the bridge was installed. This conveyance will fulfill the County's obligation to CVWD to provide access to their facility for any maintenance and operational activities.

Pursuant to Government Code Section 25365, the County may transfer interests in real property or interest therein, belonging to the County to another public agency, upon the terms and conditions as are agreed upon and without complying with any other provisions of the Government Code, if the property or interest therein to be conveyed is not required for county use. The County intends to convey an Easement Interest in Real Property located in the City of Indio, County of Riverside, an 56 square foot portion of Assessor's Parcel Number 606-200-077 by Grant of Easement Deed to Coachella Valley Water District.

The Form 11 and Resolution have been reviewed and approved by County Counsel as to legal form.

**FINANCIAL DATA:**

There are no costs associated with this transaction.

2  
3 RESOLUTION NO. 2010-133

4 NOTICE OF INTENTION TO CONVEY AN  
5 EASEMENT INTEREST IN REAL PROPERTY  
6 CITY OF INDIO, COUNTY OF RIVERSIDE, CALIFORNIA  
7 PORTION OF ASSESSOR PARCEL NUMBER 606-200-077  
8 BY GRANT OF EASEMENT DEED

9 WHEREAS, the County of Riverside (County) acquired a permanent easement for  
10 access purposes of a portion of Assessor's Parcel Number 606-200-077, consisting of fifty six  
11 (56) square feet for the Miles Avenue and Clinton Street Road Widening Project.

12 WHEREAS, the County determined that the easement interest is no longer required for  
13 County's use and desires to convey its interest to Coachella Valley Water District (CVWD) to  
14 allow CVWD access to maintain and operate their facility and would fulfill the County's  
15 obligation.

16 BE IT RESOLVED, DETERMINED AND ORDERED that the Board of Supervisors  
17 hereby finds and declares that the above recitals are true and correct.

18 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED and NOTICE IS  
19 HEREBY GIVEN by the Board of Supervisors of the County of Riverside, California, in regular  
20 session that the County of Riverside, intends to convey an easement interest to Coachella  
21 Valley Water District, identified as a portion of Assessor's Parcel Number 606-200-077  
22 referenced as Parcel 0389-003C and more particularly described in Exhibits "A" and "B"  
23 attached hereto and made a part hereof, by Grant of Easement Deed consisting of fifty six (56)  
24 square feet of land. The terms and conditions of the proposed conveyance are as follows:  
25 County will grant its easement interest in the portion of real property to CVWD which will be  
used for access related to the operation and maintenance activities of their facility.

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

1 The Board of Supervisors intends to meet to conclude the proposed transaction on or  
2 after August 10, 2010, at 9:00 am at the meeting room of the Board of Supervisors located on  
3 the 1<sup>st</sup> floor of the County Administrative Center, 4080 Lemon Street, Riverside, California.

4 BE IT FURTHER RESOLVED AND DETERMINED that the Clerk of the Board of  
5 Supervisors is directed to give notice hereof as provided in Section 6061 of the Government  
6 Code.

SS:ra  
07/12/10  
243TR  
13.285

7 ROLL CALL:

8 Ayes: Buster, Stone, Benoit, and Ashley  
9 Nays: None  
Absent: Tavaglione

10  
11 The foregoing is certified to be a true copy of a resolution duly  
12 adopted by said Board of Supervisors on the date therein set forth.

13 KECIA HARPER-IHEM, Clerk of said Board

14 By: \_\_\_\_\_  
15 Deputy

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**MILES AVENUE**  
**CVWD ACCESS EASEMENT**  
**PARCEL NO. 0389-003C**

That certain parcel of land situated in the City of Indio, County of Riverside, State of California, being a portion of a Grant Deed recorded July 22, 1997 as Instrument No. 257569, being Parcel No. 7 as shown on a Record of Survey filed in Book 28, Page 57 of Surveys, all of Official Records of the Recorder of said Riverside County, lying within the northeast quarter of Section 21, Township 5 South, Range 7 East, San Bernardino Meridian, more particularly described as follows:

**COMMENCING** at the southwesterly corner of said Parcel No. 7;

**Thence** along the northwesterly line of said Parcel No. 7, also being the southeasterly line of the Coachella Valley Stormwater Channel per Final Order of Condemnation recorded October 6, 1923 in Book 591, Page 223, Official Records of said County, as described in said Grant Deed and as shown on said Record of Survey, North 34°52'13" East 26.89 feet to a point of intersection with the northerly right-of-way line of Miles Avenue per Grant Deed recorded June 7, 2007 as Instrument No. 2007-0374526, Official Records of said County, said point being the **TRUE POINT OF BEGINNING**;

**Thence** leaving said westerly line and along said northerly right-of-way line North 89°45'40" East 8.85 feet;

**Thence** leaving said Northerly right-of-way line at right angles, North 00°14'20" West 12.59 feet to a point of intersection with said westerly line of said Parcel No. 7;


**Thence** along said westerly line South 34°52'13" West 15.39 feet to the **TRUE POINT OF BEGINNING**.

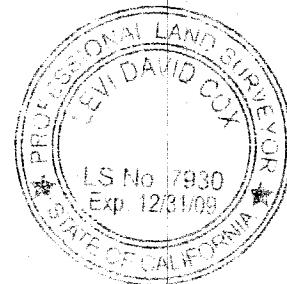
**CONTAINING:** 56 Square Feet, more or less

**EXHIBIT "B"** attached and by this reference made a part hereof.

This description was prepared by  
me or under my direction.

Date: 8/11/2009

  
Levi David Cox, P.L.S. 7930  
My license expires 12/31/09



RBF CONSULTING  
74-130 Country Club Drive, Suite 201  
Palm Desert, CA 92260  
Job No. 20-100220-003C  
Prepared: August 11, 2009  
Page 1 of 1

THIS DOCUMENT REVIEWED BY  
RIVERSIDE COUNTY SURVEYOR.

BY: Jonathan F. Rayburn

DATE: 8/12/09

INDICATES CVWD  
ACCESS EASEMENT:  
56 +/- S.F.

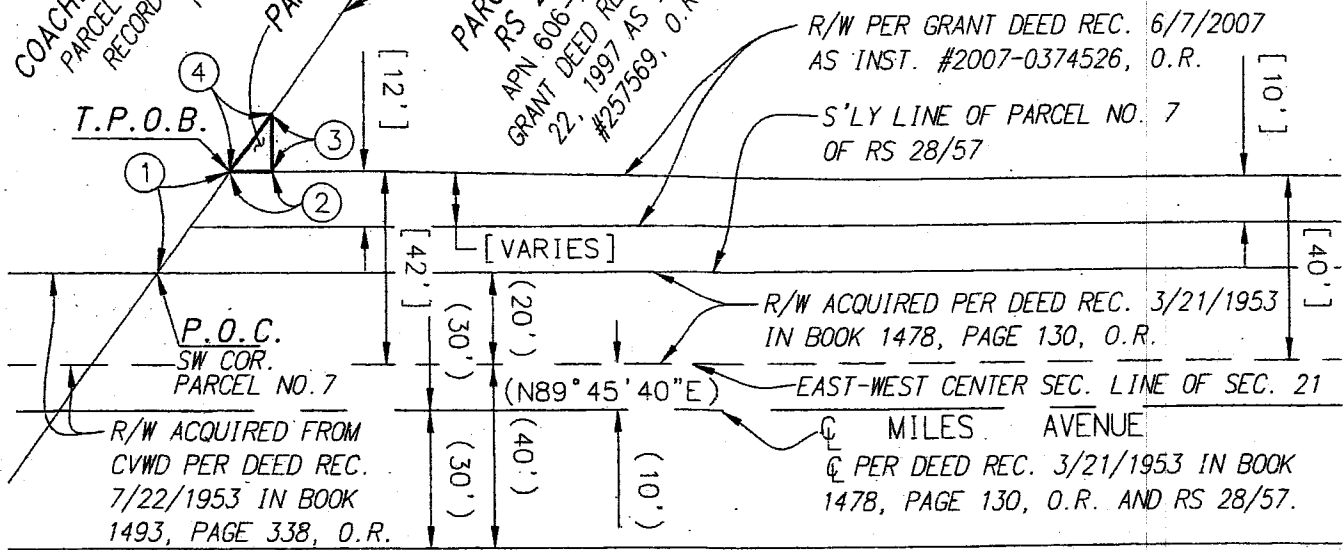
# EXHIBIT "B"

PLAT  
MILES AVENUE  
CVWD ACCESS EASEMENT

SCALE: 1"=40'

COACHELLA VALLEY STORMWATER CHANNEL  
PARCEL B OF FINAL DECREE OF CONDEMNATION  
RECORDED OCTOBER 6, 1923 IN BOOK 591,  
PAGE 223 OF DEEDS, O.R.  
PARCEL NO 0389-003C  
NW 1/4 LINE OF PARCEL NO. 7  
PARCEL NO. 7  
RS 28/57  
APN 606-200-077  
GRANT DEED REC. JULY  
22, 1997 AS INST.  
#257569, O.R.

DATA TABLE		
NO	BEARING/Delta	LENGTH
1	(N34° 52' 13"E)	26.89'
2	(N89° 45' 40"E)	8.85'
3	(N00° 14' 20"W)	12.59'
4	(S34° 52' 13"W)	15.39'

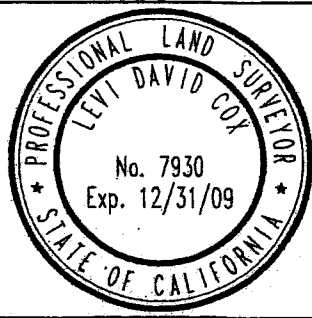


- ( ) INDICATES RECORD DATA PER RS 28/57
- [ ] INDICATES RECORD DATA PER INST. NO. 2007-0374526.

TRACT NO. 12783-7  
M.B. 203/6-8

THIS DOCUMENT REVIEWED BY  
RIVERSIDE COUNTY SURVEYOR.  
BY: Justhy & Rayburn  
DATE: 8/12/09

NORTHEAST QUARTER OF SECTION 21  
TOWNSHIP 5 SOUTH, RANGE 7 EAST,  
SAN BERNARDINO MERIDIAN  
PARCEL NO. 0389-003C



PLAT TO ACCOMPANY A LEGAL  
DESCRIPTION FOR MILES AVENUE  
CVWD ACCESS EASEMENT

SHEET 1 OF 1 SHEET

**RBF** CONSULTING  
PLANNING ■ DESIGN ■ CONSTRUCTION  
74-180 COUNTRY CLUB DRIVE, SUITE 201  
PALM DESERT, CALIFORNIA 92260-1655  
760.346.7481 • FAX 760.346.8315 • www.RBF.com

DATE: AUGUST 11, 2009 JN: 20-100220-003C