

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

118



SUBMITTAL DATE:
September 8, 2011

FROM: Economic Development Agency / Facilities Management

SUBJECT: Resolution No. 2011-167, Notice of Intention to Convey Fee Simple Interests in Real Property from the County of Riverside to the Western Riverside County Regional Conservation Authority

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2011-167, Notice of Intention to Convey Fee Simple Interests in Real Property located in the Unincorporated Area of Hemet, California, further described as County of Riverside Assessor's Parcel Numbers 465-020-010 and 465-020-011, from the County of Riverside by Grant Deed to the Western Riverside County Regional Conservation Authority (RCA); and,
2. Direct the Clerk of the Board to give notice pursuant to Government Code Section 6061.

BACKGROUND: (Commences on Page 2)

Rose Brandl for

Robert Field
Assistant County Executive Officer/EDA
By Lisa Brandl, Managing Director

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2011/12

COMPANION ITEM ON BOARD OF DIRECTORS AGENDA: No

SOURCE OF FUNDS: N/A

Positions To Be Deleted Per A-30
Requires 4/5 Vote

C.E.O. RECOMMENDATION: APPROVE

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

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Buster, seconded by Supervisor Benoit and duly carried, IT WAS ORDERED that the above matter is approved as recommended and is set for October 25, 2011 at 9:00 a.m.

Ayes: Buster, Benoit and Ashley
Nays: None
Absent: Tavaglione and Stone
Date: September 20, 2011
xc: EDA, CIP, COB(2)

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

Prev. Agn. Ref.: 3.17 of 10/19/10; 3.15 A and B of 12/7/10; 3.9 of 1/25/11; 3.28 of 4/12/11

District: 3

Agenda Number:

3.13

Reviewed by
CIP TEAM
Seren Chen

FORM APPROVED COUNTY COUNSEL
BY: Cynthia M. Gunzel 9-1-11
DATE: 9-1-11
SYNTHIA M. GUNZEL
Departmental Concurrence

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

BACKGROUND:

Western Riverside County has a diverse ecosystem supporting a wide range of plant and animal species, including 32 currently listed species, with additional listed species anticipated in the future. Riverside County faces the doubling of its population over the next 20 to 25 years, which will require new infrastructure development. To ensure sensitive species and their habitat are protected in spite of anticipated development, the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) was created. Western Riverside County Regional Conservation Authority (RCA) was formed to implement and administer the MSHCP.

The MSHCP is a multi-jurisdictional habitat conservation plan focusing on the conservation of both sensitive species and associated habitats to address biological and ecological diversity conservation needs in western Riverside County, setting aside undisturbed land for the conservation of sensitive habitats while preserving open space and recreational opportunities. The MSHCP addresses the potential impacts of urban growth, natural habitat loss and species endangerment, and creates a plan to mitigate for the potential loss of covered species and their habitats due to direct and indirect impacts of future development of both private and public lands within the MSHCP Plan Area.

In May of 2008, the Environmental Programs Department of the County of Riverside and RCA determined that the above-referenced property was described for Conservation and should be included in the Multiple Species Habitat Conservation Plan (MSHCP) Conservation Area if it could be acquired. The property includes vernal pool habitat essential for several vernal pool species covered by the MSHCP.

The County and RCA provided local funding of 55% of the purchase price in order to obtain the 45% match in Section 6 funding. Funding was available from reserved Open Space Mitigation fees collected prior to approval of the MSHCP; Multi-Species Project Trust Fund (#5852), Ordinance No. 810 funds and from the RCA (\$700,000).

On October 19, 2010 (Item 3.17) the Board of Supervisors approved Resolution No. 2010-295, Notice of Intention to Purchase Real Property in the Unincorporated Area of Hemet, California.

On December 7, 2010 (Item 3.15a), the Board of Supervisors approved Resolution No. 2010-296, Authorizing the Economic Development Agency to purchase real property known as the Wilhelm Ranch Property, located in the unincorporated area of Hemet, California, further described as County of Riverside Assessor's Parcel Numbers 465-020-010 and 465-020-011 and approved the Purchase Agreement between Wilhelm and the County. Additionally, on that same date (Item 3.15b), the Board of Supervisors approved a Funding Agreement for the purchase of the Wilhelm Ranch Property between the County and RCA.

On January 25, 2011 (Item 3.9), the Board of Supervisors approved the Wildlife Conservation Board (WCB) Subgrant Agreement providing the 45% match in Section 6 funding for the acquisition of the Wilhelm Ranch Property and adopted Resolution No. 2011-017 authorizing the acceptance of the Section 6 grant funds. Thereafter, the WCB considered and approved the Subgrant Agreement on February 24, 2011.

(Continued)

BACKGROUND: (Continued)

On April 12, 2011 (Item 3.28) the Board of Supervisors approved the reallocation of funds from Ordinance No. 810 (Fund 30547) to complete escrow for the purchase of the Wilhelm Ranch Property for Conservation.

On April 20, 2011, the County completed and closed escrow for the acquisition of the above-referenced property. The intent was to transfer the property interests to RCA after the close of escrow.

Pursuant to Government Code Section 25365, a county may transfer 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 and RCA intend to enter into a Memorandum of Understanding to provide the terms and conditions for the conveyances made by the County to RCA.

The County intends to convey the above-referenced property described in Attachment "A" and depicted in Attachment "B" to the RCA by Grant Deed. RCA will take all responsibilities of ownership, including but not limited to managing, monitoring and maintaining the above-referenced real properties consistent with the wildlife and plant life conservation purposes of the MSHCP.

This Form 11 and Resolution has been approved as to form by County Counsel.

FINANCIAL DATA:

There are no costs associated with this transaction.

Attachments:

Attachment A - Legal Description

Attachment B - Map

2
3 **RESOLUTION NO. 2011-167**

4
5 **NOTICE OF INTENTION TO CONVEY FEE SIMPLE INTERESTS IN REAL**
6 **PROPERTY FROM THE COUNTY OF RIVERSIDE TO THE WESTERN RIVERSIDE**
7 **COUNTY REGIONAL CONSERVATION AUTHORITY**
8 **(ASSESSOR'S PARCEL NUMBERS 465-020-010 and 465-020-011)**
9

10 WHEREAS, Western Riverside County has a diverse ecosystem supporting a
11 wide range of plant and animal species; and,

12 WHEREAS, to ensure sensitive species and their habitat are protected in spite
13 of anticipated development, the Multiple Species Habitat Conservation Plan (MSHCP)
14 was created; and,

15 WHEREAS, the County of Riverside (County) has acquired real property that
16 possess important wildlife and habitat value using Ordinance No. 810 funds with the
17 intention to transfer all such real property interests to the Western Riverside County
18 Regional Conservation Authority in furtherance of the MSHCP; and,

19 WHEREAS, the Western Riverside County Regional Conservation Authority
20 (RCA) was created in 2004 to implement the MSHCP; and

21 WHEREAS, the County and RCA intend to enter into a Memorandum of
22 Understanding to provide the terms and conditions for the conveyance of the real
23 property interests from County to RCA; now, therefore,

24 **BE IT RESOLVED, DETERMINED AND ORDERED AND NOTICE IS HEREBY**
25 **GIVEN** by the Board of Supervisors of the County of Riverside, California that the
26 County intends to convey the properties to the Western Riverside County Regional
27 Conservation Authority by Grant Deed. The terms and conditions of the proposed
28 conveyance are as follows: Western Riverside County Regional Conservation

FORM APPROVED COUNTY COUNSEL
DATE 9-1-11
BY: SYLVIA M. GUNZEL
SYLVIA M. GUNZEL

1 Authority will take all responsibilities of ownership, including but not limited to
2 managing, monitoring and maintaining the above-referenced real properties consistent
3 with the wildlife and plant life conservation purposes of the Multiple Species Habitat
4 Conservation Plan.

5 BE IT FURTHER RESOLVED AND ORDERED THAT the Board of Supervisors
6 intends to meet to conclude the proposed transaction on or after October 25, 2011, at
7 9:00 am at the meeting room of the Board of Supervisors located on the 1st floor of the
8 County Administrative Center, 4080 Lemon Street, Riverside, California.

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

12 ///

ROLL CALL:

13 ///

Ayes: Buster, Benoit and Ashley

14 ///

Nays: None

15 ///

Absent: Tavaglione and Stone

16 ///

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

18 ///

KECIA HARPER-IHEM, Clerk of said Board

19 ///

By: _____

Deputy

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27 CAO:ra/081711/001EP/14.173 S:\Real Property\TYPING\Docs-14.000 to 14.499\14.173.doc

28

Attachment "A"

PARCEL 1:

THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER AND THE NORTH 5 ACRES OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 5 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

EXCEPT THAT PORTION CONVEYED TO THE COUNTY OF RIVERSIDE BY DEED RECORDED MARCH 30, 1915 IN BOOK 406 PAGE 135 OF DEEDS.

ALSO EXCEPT THAT PORTION THEREOF LYING SOUTHEASTERLY OF THE NORTHWESTERLY LINE OF THE SECOND SAN DIEGO AQUEDUCT CANAL AS CONVEYED TO THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA BY DEEDS RECORDED JUNE 30, 1959 IN BOOK 2500 PAGE 593 AND JULY 20, 1959 IN BOOK 2512 PAGE 270, BOTH OF OFFICIAL RECORDS.

PARCEL 2:

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 5 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 13,
THENCE WEST 70 RODS,
THENCE AT A RIGHT ANGLE NORTH 220 RODS,
THENCE AT A RIGHT ANGLE EAST, 50 RODS,
THENCE AT A RIGHT ANGLE NORTH, 20 RODS TO THE NORTH LINE OF SAID SECTION,
THENCE EAST ALONG SAID NORTH LINE, 20 RODS TO THE NORTHEAST CORNER OF THE WEST-HALF OF SAID SECTION;
THENCE SOUTH ALONG THE CENTER LINE OF SAID SECTION, 240 RODS TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION THEREOF LYING SOUTHEASTERLY OF THE NORTHWESTERLY LINE OF THE SECOND SAN DIEGO AQUEDUCT CANAL AS CONVEYED TO THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA BY DEEDS RECORDED JUNE 30, 1959 IN BOOK 2500 PAGE 593 AND JULY 20, 1959 IN BOOK 2512 PAGE 270, BOTH OF OFFICIAL RECORDS.

APN: 465-020-011-9 and 465-020-010-8

Attachment "B"



Selected parcel(s):
465-020-010 465-020-011

IMPORTANT

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

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