

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

101 B



FROM: TLMA - Transportation Department

SUBMITTAL DATE:
March 15, 2012

SUBJECT: Resolution No. 2012-017, Rescinding the Adoption of Resolution No. 2009-039 Concerning Road Dedications in the Cherry Valley area, Excepting therefrom a portion of Lofty Lane. Fifth District/Fifth District

RECOMMENDED MOTION: That the Board of Supervisors adopt Resolution No. 2012-017, Rescinding the Adoption of Resolution No. 2009-039 Concerning Road Dedications in the Cherry Valley area, Excepting therefrom a portion of Lofty Lane.

BACKGROUND: On April 3, 2011, the Transportation Department received a request from the Cherry Valley Water Company to reinstitute the property lines for all properties within the areas affected by Resolution No. 2009-039. In 2009, the former President of the Board of Directors of the Cherry Valley Water Company improperly requested that the County accept various street dedications in the Cherry Valley area for public use, which was done through Resolution No. 2009-039. The request for the acceptance was done without an authorized vote of approval from the shareholders/property owners nor without approval by the Board of the Cherry Valley Water Company. The Transportation Department is recommending that Resolution No. 2009-039 be rescinded through adoption of Resolution No. 2012-017 (except that portion of Lofty Lane described in the resolution) and the dedication remains as it was prior to the 2009 resolution and that the Assessor adjust the acreages accordingly.

WJH
Attachments: F-11, Resolution No. 2009-039, Director of Transportation

REVIEWED BY EXECUTIVE OFFICE
DATE 3/12/12
BY: Tina Grande
Department Concurrence
FORM APPROVED COUNTY COUNSEL
BY: SYNTIA M. GUNZEL
DATE 3-7-12

MINUTES OF THE BOARD OF SUPERVISORS

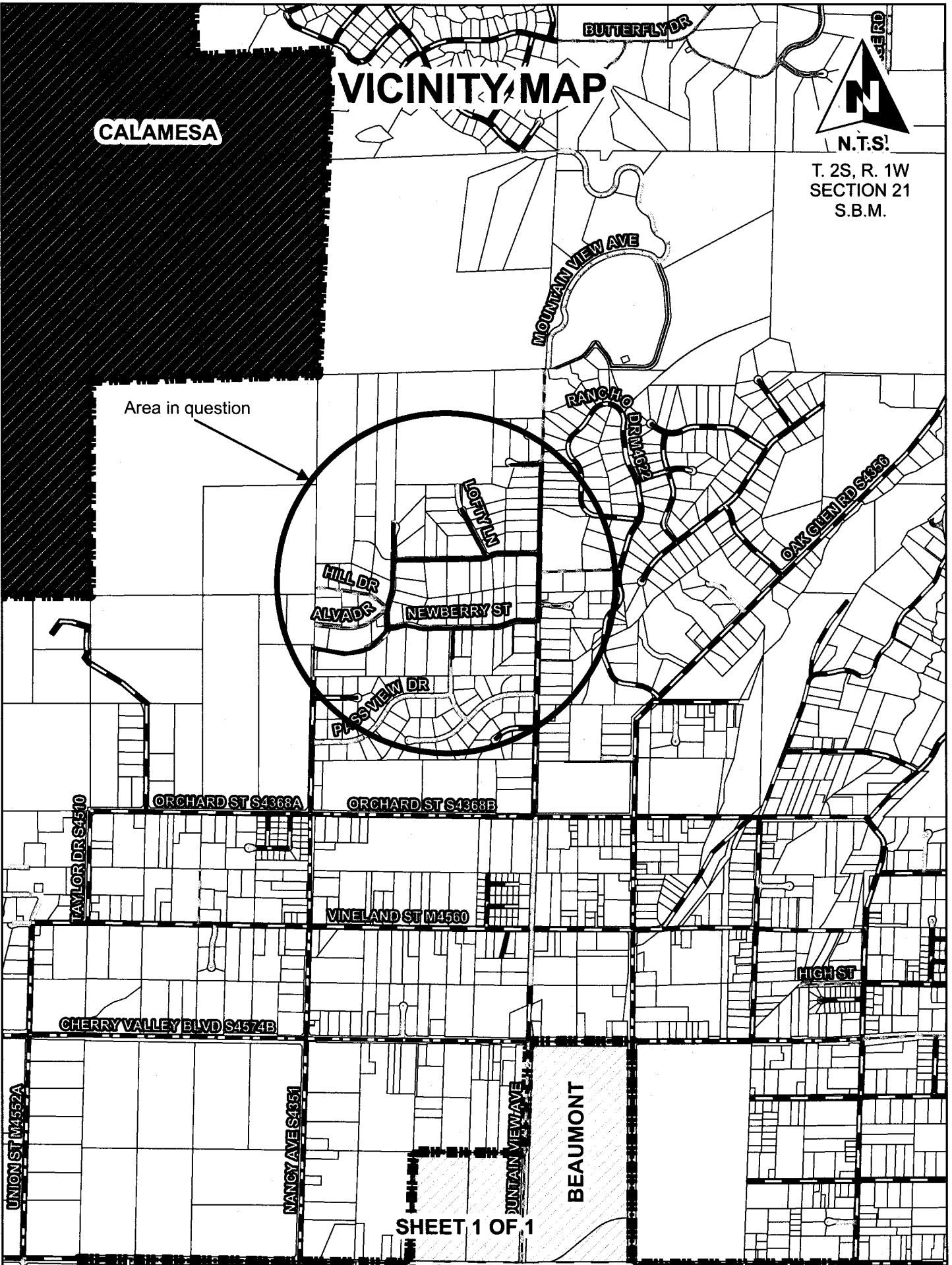
On motion of Supervisor Stone, seconded by Supervisor Ashley and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Stone, Benoit and Ashley
Nays: None
Absent: Tavaglione
Date: March 20, 2012
xc: Transp., Recorder

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

Prev. Agn. Ref. Item 2.13, 5/12/09 | District: 5/5 | Agenda Number:

2.8



To be removed before recording

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

DOC # 2012-0131438

03/21/2012 04:04P Fee:NC

Page 1 of 6

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder

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

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RESOLUTION NO. 2012-017

Title of Document



RECINDING THE ADOPTION OF RESOLUTION NO. 2009-039

(FIFTH SUPERVISORIAL DISTRICT)

(Transportation Department ~ Item 2.8 of 03/20/12)

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE
FOR RECORDING INFORMATION

2012-4-112329

2
3 **RESOLUTION NO 2012-017**

4
5 **RESCINDING THE ADOPTION OF RESOLUTION NO. 2009-039**
6 **(Fifth Supervisorial District)**

7
8 **WHEREAS**, in 2009 the former President of the Board of Directors of the Cherry
9 Valley Water Company improperly requested that the County accept various street
10 dedications in the Cherry Valley area for public use; and,

11
12 **WHEREAS**, Resolution no. 2009-039, Recorded May 13, 2009 concerning the
13 hereinafter described roads was erroneously put forth and adopted by the Board; and,

14
15 **WHEREAS**, This 2009 Resolution mistakenly included the acceptance of a portion of
16 Lofty Lane that had already been accepted on Parcel Map 22368; and,

17
18 **WHEREAS**, The adoption of Resolution No 2012-017 is excepting therefrom and shall
19 not affect the status or acceptance of the hereinafter described portion of Lofty that was
20 accepted on Parcel Map 22368; and,

21
22 **WHEREAS**, The Board of Directors of the Cherry Valley Water Company and the
23 current shareholders/property owners request that Resolution No. 2009-039 be rescinded
24 and reverse all actions concerning the roads described below:

FORM APPROVED COUNTY COUNSEL
BY: *Syntha M. Guinzel* 3-7-12
DATE
SYNTHA M-GUINZEL



1 **Resolution No. 2012-017**

2
3 **Byham Lane** (See attached Resolution No. 2009-039)

4 That portion of Byham Lane (60.00 feet wide) designated as lot "B", as shown on Tract
5 Map No. 3898 filed in book 66, pages 13 thru 16 inclusive of Maps, Records of Riverside
6 County, California; and that portion described in the Declaration of Dedication by Instrument
7 No. 130793, dated October 10, 1974, Official Records of Riverside County, California.

8
9
10 **Cherrystone Avenue** (See attached Resolution No. 2009-039)

11 That portion of Cherrystone Avenue (60.00 feet wide) designated as lot "D", as shown
12 on Tract Map No. 3898 filed in book 66, pages 13 thru 16 inclusive of Maps, Records of
13 Riverside County, California.

14
15 **Pine Drive** (See attached Resolution No. 2009-039)

16 That portion of Pine Drive (60.00 feet wide) designated as lot "B", as shown on Tract
17 Map No. 3898 filed in book 66, pages 13 thru 16 inclusive of Maps, Records of Riverside
18 County, California; and that portion (30.00 feet wide) described in the Declaration of
19 Dedication by Instrument No. 23309 dated February 23, 1972, Official Records of Riverside
20 County, California

21
22 **Newberry Street** (See attached Resolution No. 2009-039) That portion of Newberry Street
23 (60.00 feet wide) designated as lot "A", as shown on Tract Map No. 3898 filed in book 66,
24 pages 13 thru 16 inclusive of Maps, Records of Riverside County, California.



1 **Resolution No. 2012-017**

2
3 **Slope Drive** (See attached Resolution No. 2009-039)

4 That portion of Slope Drive (30.00 feet wide) designated as lot "B" as shown on Parcel
5 Map No. 12061 filed in book 60, pages 47 and 48 of Parcel Maps, Records of Riverside
6 County, California.

7
8 **A portion of Mountain View Avenue**(See attached Resolution No. 2009-039)

9 That portion of Mountain View Avenue (50.00 feet wide) designated as lot "C", as
10 shown on Tract Map 3898 filed in book 66, pages 13 thru 16 inclusive of Maps, Records of
11 Riverside County, California.

12
13 **Pernell Place** (See attached Resolution No. 2009-039)

14 That portion of Pernell Place (50.00 feet wide) designated as lots "C", "D" and "E" as
15 shown on Parcel Map No. 11303 filed in book 77, page 66 of Parcel Maps, Records of
16 Riverside County, California.

17
18 **Lofty Lane** (See attached Resolution No. 2009-039) That portion of Lofty Lane (60.00 feet
19 wide) designated as lot "E", as shown on Tract Map No. 3898 filed in book 66, pages 13 thru
20 16 inclusive of Maps, Records of Riverside County, California;

21 Excepting therefrom that portion of Lofty Lane (60.00 feet wide) designated as lots "A" and
22 "B" as shown on Parcel Map No. 22368 filed in book 181, page 57 and 58, of Parcel Maps,
23 Records of Riverside County, California.



1 **Resolution No. 2012-017**

2
3 **NOW THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** by the
4 Board of Supervisors of the County of Riverside, State of California, in regular session
5 assembled on March 20 , 2012, that this Board rescinds Resolution No. 2009-039,
6 excepting said portion of Lofty Lane.

7
8 **BE IT FURTHER RESOLVED** that the Clerk of the Board shall cause a certified copy of this
9 resolution to be recorded in the Office of the County Recorder of Riverside County, California.

10 ROLL CALL:

11 Ayes: Buster, Stone, Benoit, and Ashley
12 Nays: None
13 Absent: Tavaglione

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

16 KECIA HARPER-IHEM, Clerk of said Board

17 By: 
18 Deputy

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WJH

W.O. No. SUR 11062

Attached: F-11and Resolution No. 2009-039

Page 4 of 4



2012-0131438
03/21/2012 04:04P
5 of 6

2.8 03/20/12



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

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

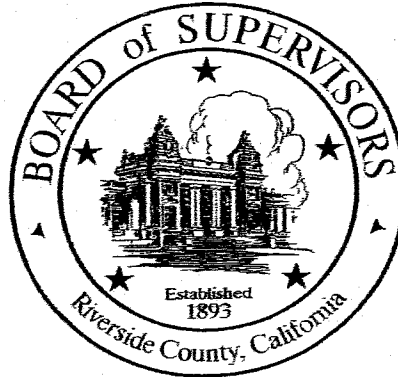
<http://riverside.asrclrec.com>

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: 3/20/12

Signature: April Eckles

Print Name: April Eckles, Board Assistant, Riverside County Clerk of the Board



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

607B



FROM: TLMA - Transportation Department

SUBMITTAL DATE:
April 27, 2009

SUBJECT: Acceptance of, Byham Lane, Cherrystone Avenue, Pine Drive, Lofty Lane, Newberry Street, Pernell Place, Slope Drive, and portions of Mountain View Avenue for public road and utility purposes, in the Cherry Valley area, Fifth Supervisorial district

RECOMMENDED MOTION: Adopt Resolution No. 2009-039, acceptance of Byham Lane, Cherrystone Avenue, Pine Drive, Lofty Lane, Newberry Street, Pernell Place, Slope Drive, and portions of Mountain View Avenue, for public road and utility purposes.

BACKGROUND: Beaumont Cherry Valley Water District has requested the acceptance of previously made dedications for the above listed roads prior to annexation into their service boundaries.

REVIEWED BY EXECUTIVE OFFICE

DATE 5/4/09
Tina Grande
Departmental Concurrence

FORM APPROVED COUNTY COUNSEL
BY: Synthia M. Gunzel
DATE 4/29/09
SYNTHIA M. GUNZEL

Juan C. Perez
Director of Transportation

WJH
Attachments: Resolution No. 2009-039
Exhibit "A"

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Buster, Stone, Wilson and Ashley
Nays: None
Absent: Tavaglione
Date: May 12, 2009
XG: bn 3/1 Transp., Recorder

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

Prev. Agn. Ref.

District: 5

Agenda Number:

ATTACHMENTS FILED WITH
THE CLERK OF THE BOARD

2.13

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

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RIVERSIDE COUNTY CLERK OF THE BOARD

P. O. BOX 1147 - RIVERSIDE, CA 92502

DOC # 2009-0239419
05/13/2009

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with the recorded document

Larry W Ward

County of Riverside
Assessor, County Clerk & Recorder

THIS SPACE FOR RECORDERS USE ONLY

RESOLUTION NO. 2009-039

ACCEPTING VARIOUS ROADS IN THE CHERRY VALLEY AREA,
FOR PUBLIC USE

(FIFTH SUPERVISORIAL DISTRICT)

(Transportation Department ~ Item 2.13 of 05/12/09)

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE
FOR RECORDING INFORMATION

COPY

2
3 **RESOLUTION NO 2009-039**

4
5 **ACCEPTING VARIOUS ROADS IN THE CHERRY VALLEY AREA,**
6 **FOR PUBLIC USE.**
7 **(Fifth Supervisorial District)**

8
9 **WHEREAS,** the hereinafter described roads were offered for dedication for public road
10 and public utility purposes by the maps hereinafter-referred to, which offers of dedication
11 have not been previously accepted for public use by the County of Riverside, now, therefore;

12
13 **BE IT RESOLVED, DETERMINED AND ORDERED** by the Board of Supervisors of
14 the County of Riverside, State of California, in regular session assembled on 05/12/09
15 2008, that this Board accepts the offers of dedication and recognizes that said roads are
16 public roads open for use by the general public;

17
18 **BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED** that this acceptance
19 is for the purpose of vesting title in the County of Riverside on behalf of the public for public
20 roads and utility uses, and is not an acceptance of the roads into the County Maintained
21 Road System pursuant to Section 941 of the Streets and Highways Code and that said roads
22 will not become part of the County Maintained Road System unless subsequently accepted
23 into said Maintained Road System by a resolution adopted by this Board;

FORWARDED BY: Synthia M. Gunzel DATE: 4-29-09
BY: Synthia M. Gunzel

1 **Resolution No. 2009-039**

2
3 Said roads are in the County of Riverside, State of California, and are described as follows:
4

5 **Byham Lane** (See Exhibit "A")

6 That portion of Byham Lane (60.00 feet wide) designated as lot "B", as shown on Tract
7 Map No. 3898 filed in book 66, pages 13 thru 16 inclusive of Maps, Records of Riverside
8 County, California; and that portion described in the Declaration of Dedication by Instrument
9 No. 130793, dated October 10, 1974, Official Records of Riverside County, California.
10

11 **Cherrystone Avenue** (See Exhibit "A")

12 That portion of Cherrystone Avenue (60.00 feet wide) designated as lot "D", as shown
13 on Tract Map No. 3898 filed in book 66, pages 13 thru 16 inclusive of Maps, Records of
14 Riverside County, California.
15

16 **Pine Drive** (See Exhibit "A")

17 That portion of Pine Drive (60.00 feet wide) designated as lot "B", as shown on Tract
18 Map No. 3898 filed in book 66, pages 13 thru 16 inclusive of Maps, Records of Riverside
19 County, California; and that portion (30.00 feet wide) described in the Declaration of
20 Dedication by Instrument No. 23309 dated February 23, 1972, Official Records of Riverside
21 County, California
22
23
24
25
26

1 **Resolution No. 2009-039**

2
3 **Lofty Lane** (See Exhibit "A")

4 That portion of Lofty Lane (60.00 feet wide) designated as lot "E", as shown on Tract
5 Map No. 3898 filed in book 66, pages 13 thru 16 inclusive of Maps, Records of Riverside
6 County, California; and that portion of Lofty Lane (60.00 feet wide) designated as lots "A" and
7 "B" as shown on Parcel Map No. 22368 filed in book 181, page 57 and 58, of Parcel Maps,
8 Records of Riverside County, California.

9
10 **BE IT FURTHER RESOLVED** that the Clerk of the Board shall cause a certified copy of this
11 resolution to be recorded in the Office of the County Recorder of Riverside County, California.

12 **ROLL CALL:**

13 **Ayes:** Buster, Stone, Wilson and Ashley
14 **Nays:** None
Absent: Tavaglione

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

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

18 By: *James Schumard*
19 Deputy

20
21
22
23
24 **WJH**

25 **W.O. No. SU1020**

Exhibit "A"

Acceptance of Hill Street, and a portion of Byham Lane



N.T.S
Section 21
T2S, R1W
S.B.M.

Hill Drive

Alva Drive

Pine Drive

Lot "B"

30.00 ft.

60.00 ft.

Per MB 66/13-16

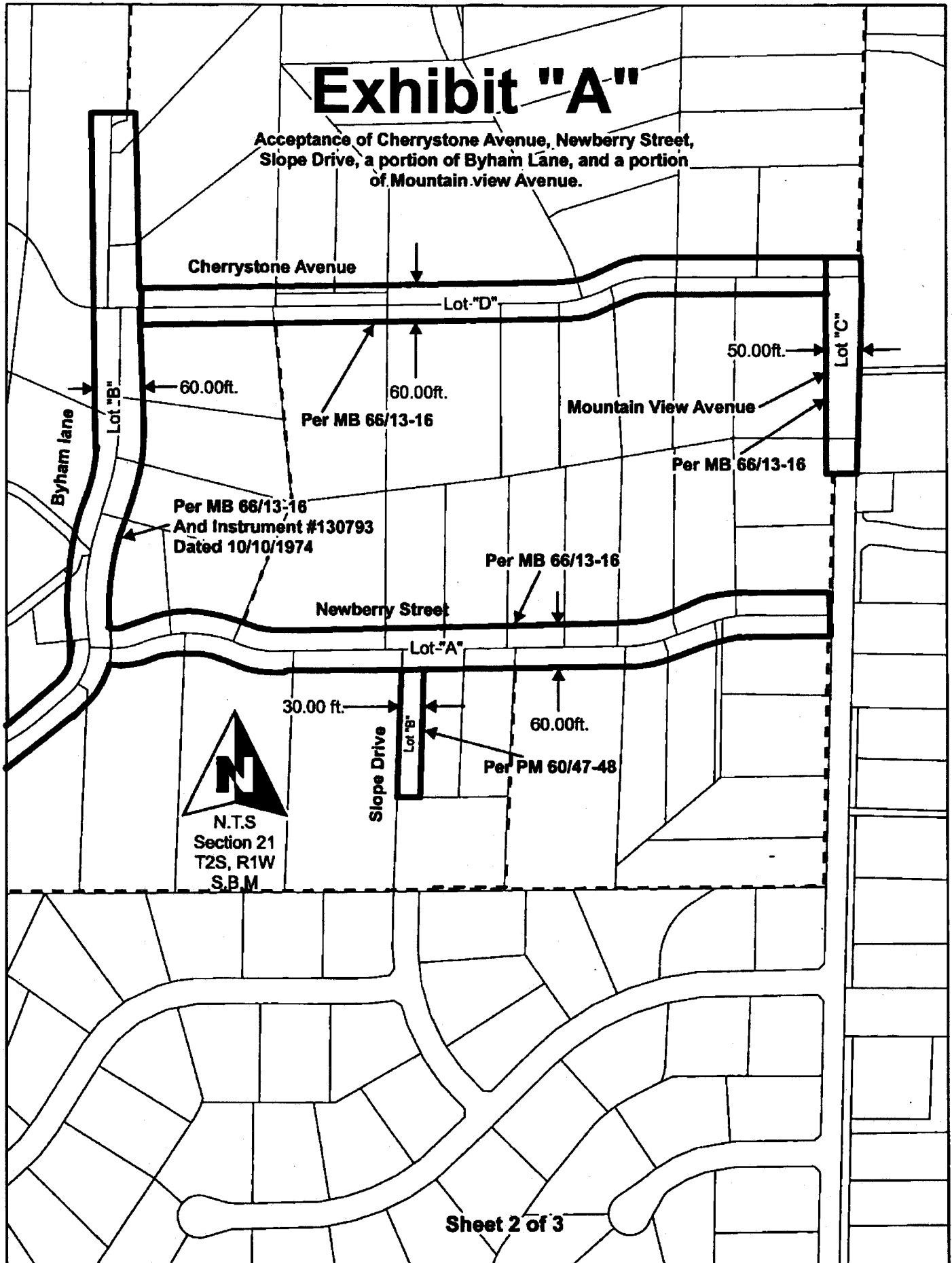
Per Instrument #23309
dated 2/23/1972

MB 66/13-16
Lot 9

Sheet 1 of 3

Exhibit "A"

Acceptance of Cherrystone Avenue, Newberry Street,
Slope Drive, a portion of Byham Lane, and a portion
of Mountain View Avenue.



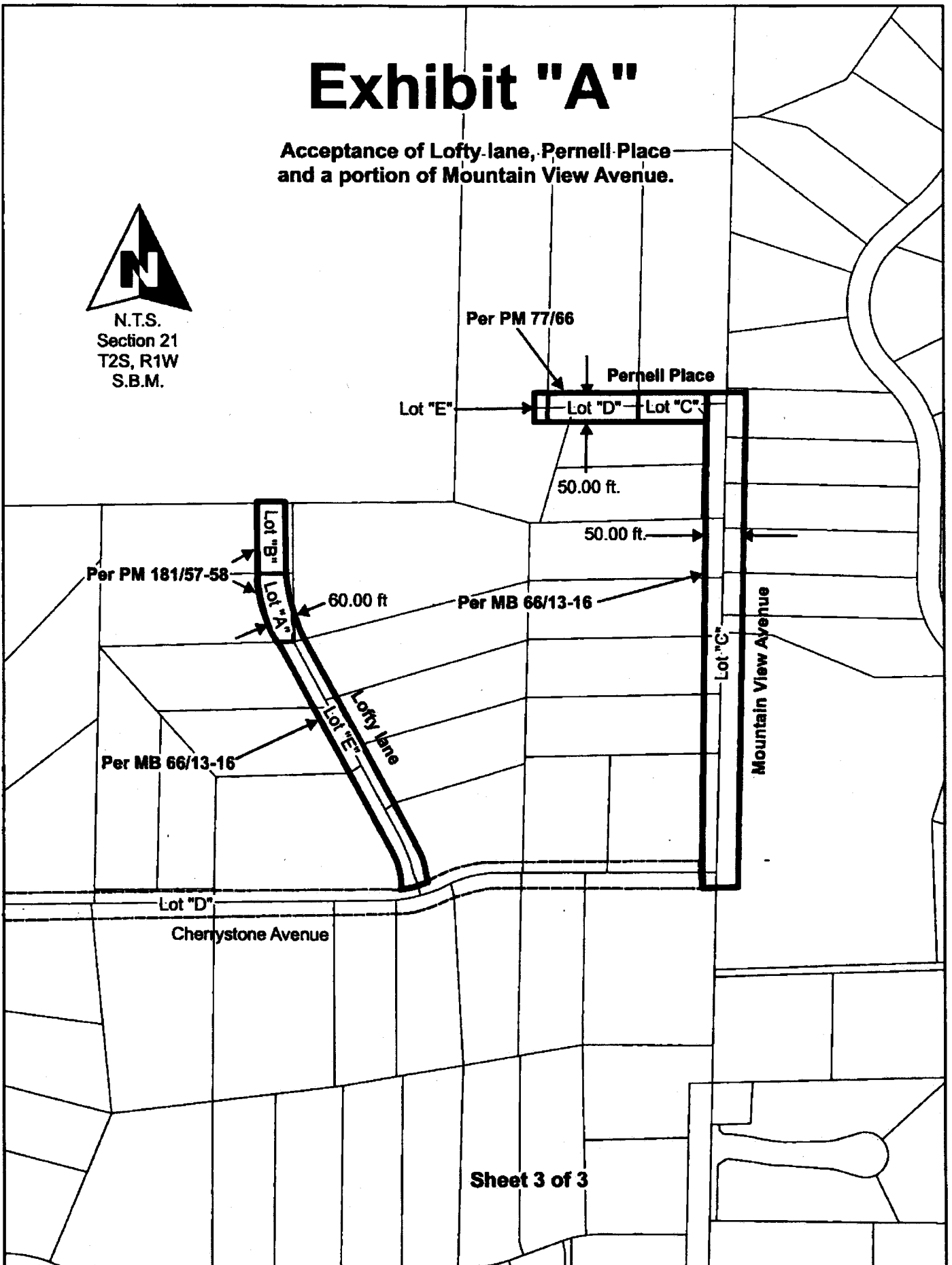
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N.T.S
Section 21
T2S, R1W
S.B.M

Exhibit "A"

Acceptance of Lofty lane, Pernell Place
and a portion of Mountain View Avenue.



N.T.S.
Section 21
T2S, R1W
S.B.M.





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

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

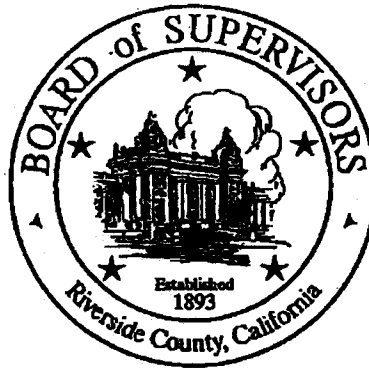
<http://riverside.asrclkrec.com>

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:

May 12, 2009

Signature:

Sandi Schlemmer

Print Name:

Sandi Schlemmer, Deputy Clerk - Riverside County Clerk of the Board

CHERRY VALLEY WATER COMPANY
P.O. BOX 3166
Beaumont, California 92223

April 3, 2011

Juan C Perez
County of Riverside
Transportation Department
4080 Lemon Street 8th Floor
Riverside, Ca 92501

Dear Mr. Perez:

RE: Property easement for Cherry Valley;

This correspondence is the request to reinstitute the property lines for all properties within our area as designated on the supporting documentation that is enclosed. I am submitting this request on behalf of the Cherry Valley Water Company its board of directors and the Shareholders of said company.

The Shareholders were very upset when receiving their tax bills they noticed that their property had decreased in size. They were not informed of this prior to it being done. The previous board of directors took it upon themselves to proceed with out a vote of the shareholders needless to say 79 homeowners were justifiability upset some or most to the point of outrage. Not only did they proceed without the necessary vote of the shareholders, the correspondence to request this change was signed by an employee (not a shareholder in the Company) of the company not the president or one of the board members. I have enclosed a copy of my own tax bill that shows the decreased in the size of the acreage which in turn will decreased the amount of property a person can list when selling. Along with that I have enclosed a copy of my original water company certificate that shows there was already an easement allotted for utilities. This has never been a problem for any other utility such as gas, electric or Verizon.

This request is being submitted with the approval of the current board of directors And will defiantly make 79 homeowner very grateful to have there property boundaries reinstated.

CHERRY VALLEY WATER COMPANY
P. O. BOX 3166
Beaumont, California 92223

Thank you for taking the time to meet with myself and Dr. Jerilynn Kaibel, and for all your efforts in this matter. If you need any further information do not hesitate to contact me. Please notify me as to the status of this situation my contact information is listed below.

Respectfully



Yvonne Beeman
President Cherry Valley Water Company
38865 Newberry Street
Cherry Valley, Ca 92223
Phone 951-845-9270
Cherryvonne@ Verizon.net

cc: Kenneth D Teich
Jamie Hurtado