

**SUBMITTAL TO THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

209B



FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
March 27, 2012

SUBJECT: Notice of Intent to Sell Fee Interests in Real Property
Arizona Channel Laterals C-1 & C-2, Project No. 1-0-00171
District 1/District 1

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. F2012-05, Notice of Intent to Sell Fee Interests in Real Property, Arizona Channel Laterals C-1 & C-2, RCFC Parcel Nos. 1171-3D1, -3E1, -3J1, -6 and -7, property within a portion of Assessor's Parcel Number 138-170-008, by Grant Deed to Forestar Riverside, L.L.C., and
2. Authorize the Clerk of the Board to advertise pursuant to section 6061 of the Government Code.

BACKGROUND: Continued on page 2

WARREN D. WILLIAMS
General Manager-Chief Engineer

| | | | |
|-----------------------|-----------------------------|-----|-------------------------|
| FINANCIAL DATA | Current F.Y. District Cost: | \$0 | In Current Year Budget: |
| | Current F.Y. County Cost: | \$0 | Budget Adjustment: |
| | Annual Net District Cost: | \$0 | For Fiscal Year: |

| | | |
|-------------------------|----------------------------------|--------------------------|
| SOURCE OF FUNDS: | Positions To Be Deleted Per A-30 | <input type="checkbox"/> |
| | Requires 4/5 Vote | <input type="checkbox"/> |

C.E.O. RECOMMENDATION: APPROVE

BY:
Michael R. Shetter

County Executive Office Signature

MINUTES OF THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT

On motion of Supervisor Tavaglione, seconded by Supervisor Buster and duly carried, IT WAS ORDERED that the above matter is approved as recommended and is set for public hearing on Tuesday April 24, 2012 at 1:30 p.m.

Ayes: Buster, Tavaglione, Benoit and Ashley
Nays: None
Absent: Stone
Date: March 27, 2012
xc: Flood, COB

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

Prev. Agn. Ref.:

District: 1/1

Agenda Number:

11.3

FORM APPROVED COUNTY COUNSEL
BY:
SYNTHIA M. GUNZEL
DATE: 3-14-12

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

**FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD SUBMITTAL
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

SUBJECT: Notice of Intent to Sell Fee Interests in Real Property
Arizona Channel Laterals C-1 & C-2, Project No. 1-0-00171
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Page 2

The fee interests described as RCFC Parcel Nos. 1171-3D, 1171-3E, 1171-3J, 1171-6 and 1171-7 were originally granted to the District in November of 1987 for the construction of Arizona Channel Laterals C-1 and C-2, within the City of Riverside. The construction of these open concrete channel facilities was completed in 1988.

Forestar Riverside, LLC. (Forestar) is the adjacent property owner to the District's facilities. While planning its development of Parcel Map 32772, Forestar approached the District to reconstruct portions of and place the District's facilities underground, allowing additional access through and to its subdivision as required by the City of Riverside. The District has reviewed the engineering plans provided by Forestar and has approved the design. The undergrounding of these facilities will reduce District maintenance costs and as a result the surface rights are no longer needed by the District. The property that is being covered and converted to underground facilities contains approximately 16,453 square feet of land being a portion of Assessor's Parcel Number 138-170-008, and is shown on Exhibits "A" and "B", attached hereto.

Therefore the District recommends that the fee simple title be declared surplus to the District's needs and be sold at the approved fair market value of \$27,066, with the District reserving an easement to operate and maintain the newly constructed facility.

FINANCIAL:

All costs shall be borne by the purchaser.

Attachments:

Resolution F2012-05
Exhibit A
Exhibit B

BOARD OF SUPERVISORS

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

RESOLUTION NO. F2012-05

**NOTICE OF INTENT TO SELL
FEE INTERESTS IN REAL PROPERTY
ARIZONA CHANNEL LATERALS C-1 & C-2
PROJECT NO. 1-0-00171**

BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of the Riverside County Flood Control and Water Conservation District in regular session assembled on March 27, 2012, notice is hereby given, pursuant to California Water Code – Appendix, Chapter 48, Section 48-9, Paragraph 5, that it intends to declare property surplus and to convey the fee title interest in a portion of the RCFC Parcel Nos. 1171-3D, 1171-3E, 1171-3J, 1171-6 and 1171-7, hereinafter referred to as RCFC Parcel Nos. 1171-3D1, 1171-3E1, 1171-3J1, 1171-6 and 1171-7, (“Subject Property”) by conveying at or after 1:30 p.m. on April 24, 2012 to Forestar Riverside, L.L.C., certain real property in the city of Riverside, County of Riverside, State of California, a portion of Assessor's Parcel Number 138-170-008, being approximately 16,453 square feet, as described in Exhibit "A" and shown on Exhibit "B", attached hereto and made a part hereof.

BE IT FURTHER RESOLVED AND DETERMINED that this Board finds and determines that it is no longer necessary for the District to retain fee simple title to the Subject Property for the uses and purposes of the District.

BE IT FURTHER RESOLVED AND DETERMINED that real property being conveyed is in excess to the District's needs as the drainage facilities will now be underground and the District shall retain an easement interest and sub-surface rights for the operation and maintenance of Arizona Channel Laterals C-1 & C-2.

FORM APPROVED COUNTY COUNSEL
BY: Synthia M. Gunzel 3-14-12
DATE
SYNTHIA M. GUNZEL

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

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: _____
Deputy

Exhibit A

In the City of Riverside, County of Riverside, State of California;

Parcel 1171-7

Parcel 1171-7 conveyed to the Riverside County Flood Control and Water Conservation District per document recorded November 30, 1987 as Instrument No. 338827 of Official Records.

Containing less than one square foot.

Parcel 1171-3D1

That portion of Parcel 1171-3D conveyed to Riverside County Flood Control and Water Conservation District per document recorded November 25, 1987 as Instrument No. 337161 of Official Records described as follows:

Beginning at the most southerly corner of said Parcel 1171-3D as shown on Record of Survey recorded in Book 80, pages 72 through 77, inclusive of Records of Surveys, records of said Riverside County;

Thence North $56^{\circ}20'49''$ East along the southeasterly line thereof, a distance of 43.69 feet to an angle point therein;

Thence North $24^{\circ}24'49''$ East continuing along the southeasterly line, a distance of 1.54 feet to the northeasterly line of said Parcel 1171-3D;

Thence North $33^{\circ}39'12''$ West along said northeasterly line, a distance of 188.80 feet;

Thence perpendicular to said northeasterly line, South $56^{\circ}20'48''$ West, a distance of 45.00 feet to the southwesterly line of said Parcel 1171-3D;

Thence South $33^{\circ}39'12''$ East along said southwesterly line, a distance of 189.62 feet to the Point of Beginning.

Containing 8532 square feet, more or less.

Parcel 1171-6

Parcel 1171-6 conveyed to Riverside County Flood Control and Water Conservation District per document recorded November 25, 1987 as Instrument No. 337167 of Official Records.

Containing 221 square feet, more or less.

Parcel 1171-3E1

That portion of Parcel 1171-3E conveyed to Riverside County Flood Control and Water Conservation District per document recorded November 25, 1987 as Instrument No. 337162 of Official Records described as follows:

Beginning at the southeasterly corner of said Parcel 1171-3E, said corner being a point in a curve, concave southerly and having a radius of 483.00 feet, a radial line to said point bears North 6°55'37" West;

Thence westerly along the arc of said curve through a central angle of 1°39'19", an arc length of 13.95 feet;

Thence tangent to last said curve, South 81°25'04" West along the southerly line of said Parcel 1171-3E, a distance of 145.47 feet;

Thence North 8°34'56" West, a distance of 34.50 feet to the northerly line of said Parcel;

Thence North 81°25'04" East along said northerly line, a distance 147.13 feet to the northeasterly line of said Parcel;

Thence South 53°27'30" East, a distance of 15.26 feet to an angle point therein;

Thence South 12°15'11" East along the easterly line of said Parcel, a distance of 23.94 feet to the Point of Beginning.

Containing 5408 square feet, more or less.

Parcel 1171-3J1

That portion of Parcel 1171-3J conveyed to Riverside County Flood Control and Water Conservation District per document recorded November 25, 1987 as Instrument No. 337166 of Official Records described as follows:

Beginning at the most northerly corner of said Parcel 1171-3J as shown on Record of Survey recorded in Book 80, pages 72 through 77, inclusive of Records of Surveys, records of said Riverside County;

Thence South 81°25'04" West along the northerly line thereof, a distance of 130.70 feet;

Thence perpendicular to said northerly line, South 8°34'56" East, a distance of 16.50 feet to the southerly line of said Parcel 1171-3J;

Thence North 81°25'04" East along said southerly line, a distance of 147.13 feet to the northeasterly line thereof;

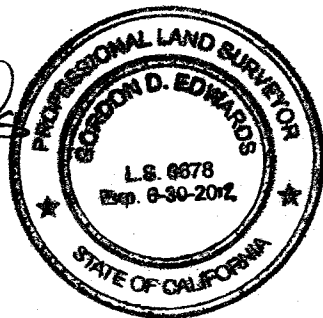
Thence North 53°27'30" West along said northeasterly line, a distance of 23.28 feet to the Point of Beginning.

Containing 2292 square feet, more or less.

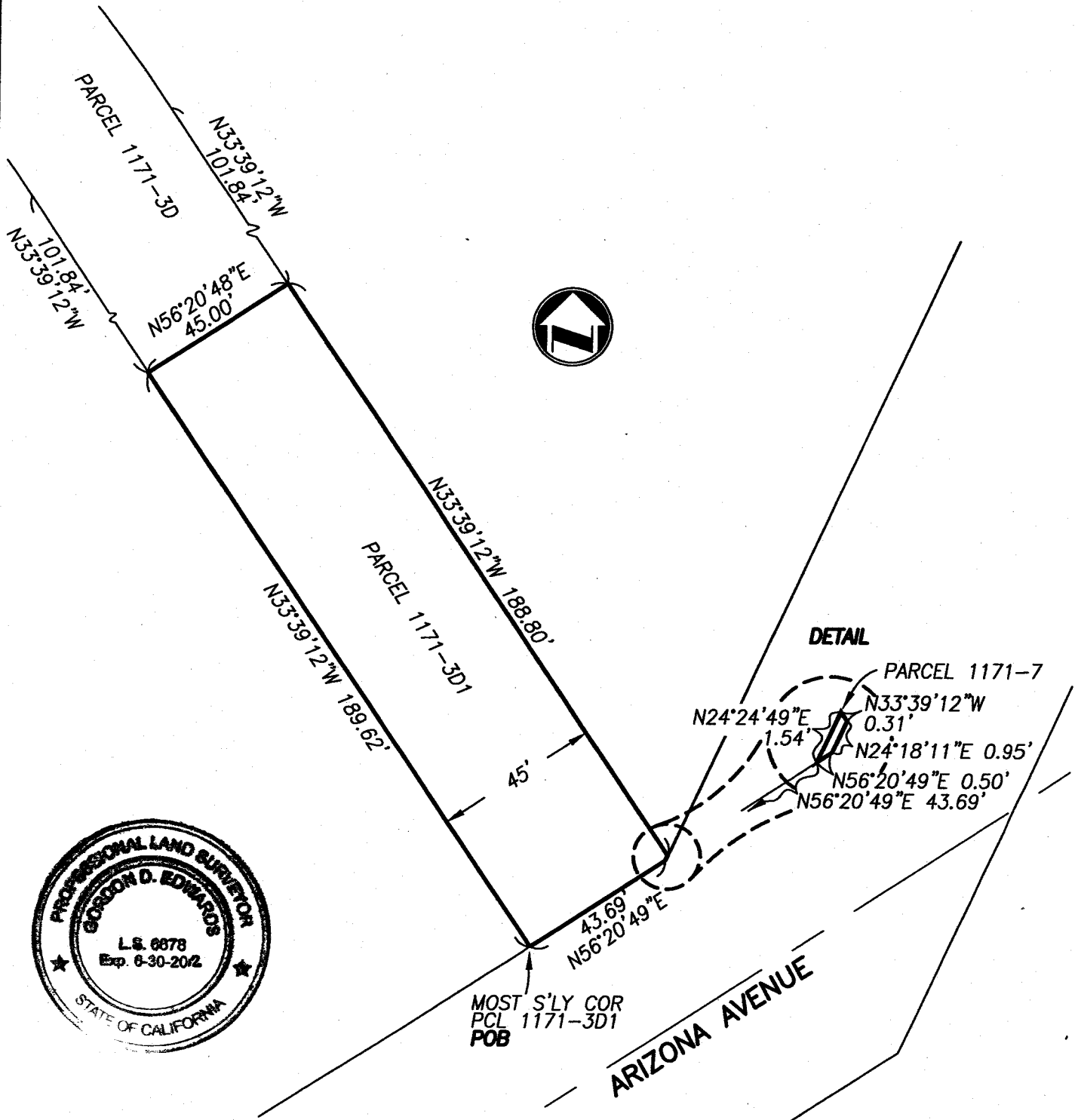
Prepared by me or under my direction



Gordon D Edwards, PLS 6678
Expiration 6-30-2012



"EXHIBIT B"



adkan
ENGINEERS
 Civil Engineering · Surveying · Planning
 6820 Airport Drive, Riverside, CA 92504
 Tel: (951) 688-0241 · Fax: (951) 688-0599

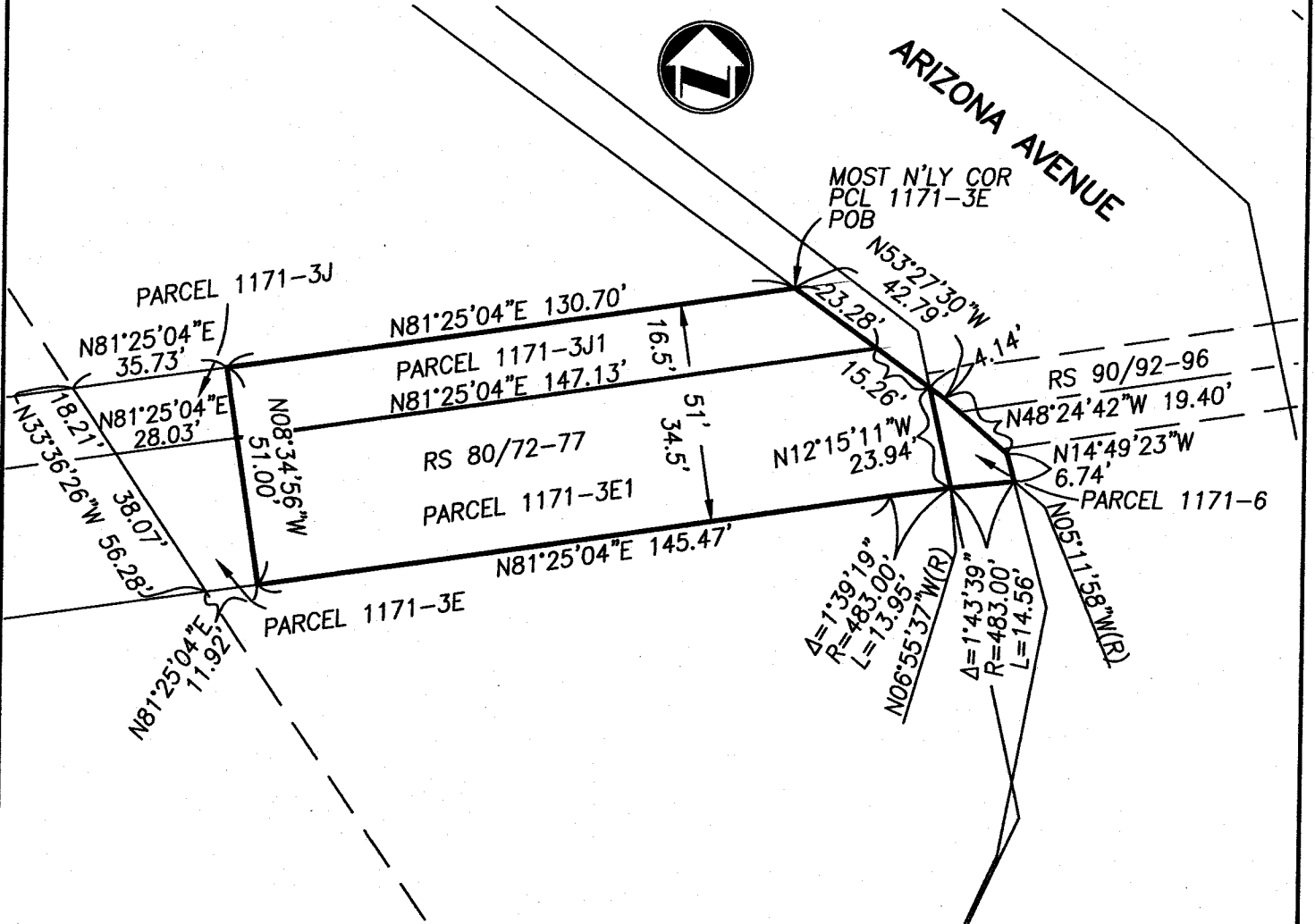
SCALE: 1"=40' JN 7874 DATE: 3-5-2012 CLIENT: FOREMOST HOMES

APPROVED BY:

 GORDON D EDWARDS, PLS 6678

ACQUISITION FOR
 FOREMOST HOMES

"EXHIBIT B"



adkan
ENGINEERS
Civil Engineering · Surveying · Planning
6820 Airport Drive, Riverside, CA 92504
Tel:(951) 688-0241 · Fax:(951) 688-0599

SCALE: 1"=40'

JN 7874

DATE: 3-5-2012

CLIENT: FOREMOST HOMES

ACQUISITION FOR FOREMOST HOMES