

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

332



FROM: Economic Development Agency / Facilities Management

SUBMITTAL DATE:
March 29, 2012

SUBJECT: Resolution No. 2012-016, Authorization to Convey Fee Simple Interest in Real Property Parcels located in Temecula to the State of California Department of Transportation

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2012-016, Authorization to Convey Fee Simple Interests in real property located in Temecula, County of Riverside, referenced as Parcels 1-9606, 2-9609 and 3-9610 by Grant Deed to the State of California Department of Transportation;
2. Authorize the Chairman of the Board of Supervisors to execute the Grant Deed to complete the conveyance of interest in real property and this transaction; and

RECOMMENDED MOTION: (Continued)

Robert Field
Assistant County Executive Officer/EDA

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	<input type="checkbox"/>
Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

BY:
Jennifer L. Sargent

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: April 10, 2012
xc: EDA

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

Prev. Agn. Ref.:

District: 3/3

Agenda Number: **3.18**

FORM APPROVED COUNTY COUNSEL
BY:
DATE: 3-20-12
CYNTHIA M. GUNZEL
Departmental Concurrence

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

RECOMMENDED MOTION: (Continued)

3. Authorize the Assistant County Executive Officer/EDA, or his designee, to execute any other documents and administer all actions to complete this transaction.

BACKGROUND:

The County of Riverside, State of California Department of Transportation and City of Temecula entered into that certain Construction Cooperative Agreement, dated September 26, 1995, whereby the County was to construct certain interim improvements at the I-215 and SR 79 Interchange. Upon completion of those interim improvements, the County was to convey property interests to the State of California Department of Transportation, more specifically Parcel 1-9606, 2-9609 and 3-9610. These interests in real property were granted to the County by the property owners of the Assessor Parcel Numbers formerly known as 922-170-006, 922-170-007 and 922-170-010.

Although Parcels 1-9606, 2-9609 and 3-9610 were obtained for the State Route 79 South AD #159 Project, the County was not required to grant its interest to the State at that time. The County now wishes to do so which will allow the State Route 79 Project to move forward.

When the improvements are completed it will improve existing operational deficiencies at the interchange and accommodate future traffic increases generated by commercial and residential development, the Pechanga Indian Reservation, and the Pechanga Resort and Casino. The project will also reduce queuing (back-up onto the freeway), improve merge/diverge (ability to enter/exit the freeway) levels of service, and eliminate non-standard intersection spacing. The project provides improved connectivity of the local and regional network, ensures efficient and safe freeway access, and supports future development and economic growth.

Pursuant to Government Code Section 25365, the County may transfer interests in real property or interest therein, belonging to the County to the State, 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 Real Property located in Temecula, County of Riverside by Grant Deed to State of California Department of Transportation to comply with the terms of the Cooperative Agreement.

Notice of Intent to Convey was published pursuant to Section 6061 of the Government Code.

This resolution has been reviewed and approved by County Counsel as to legal form.

1 BOARD OF SUPERVISORS

COUNTY OF RIVERSIDE

2 RESOLUTION NO. 2012-016

3 AUTHORIZATION TO CONVEY REAL PROPERTY

4 TO THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

5 PARCEL NUMBERS 1-9606, 2-9609 AND 3-9610

6
7 **WHEREAS**, the County of Riverside (County) acquired APN's 1-9606, 2-9609
8 and 3-9610 consisting of 39,153 square feet located at 1-215 and State Route 79 for
9 improvements to State Highways in the City of Temecula; and

10 **WHEREAS**, this conveyance will fulfill the County's obligation under that certain
11 Construction Cooperative Agreement dated September 26, 1995, to assist the City of
12 Temecula and the State of California Department of Transportation, (CalTrans), with
13 State Highway improvement projects;

14 **NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** by
15 the Board of Supervisors of the County of Riverside, California, in regular session
16 assembled on April 10, 2012, at 9:00 a.m., in the meeting room of the Board of
17 Supervisors located on the 1st floor of the County Administrative Center, 4080 Lemon
18 Street, Riverside, California, authorizes the conveyance to the State of California
19 Department of Transportation rights on parcels 1-9606, 2-9609 and 3-9610 and more
20 particularly described in Exhibit "A" and "B" attached hereto and thereby made a part
21 thereof, by Grant Deed consisting of thirty nine thousand one hundred fifty two square
22 feet of land.

23 **BE IT FURTHER RESOLVED and DETERMINED** that the Chairman of the
24 Board of Supervisors of the County of Riverside is authorized to execute the
25 documents to complete the conveyance of real property and this transaction.

26 ///

27 ///

28 ///

FORM APPROVED COUNTY COUNSEL

BY: Cynthia M. Gunzel 3-20-12

DATE: 4/10/12
CYNTHIA M. GUNZEL

1 **BE IT FURTHER RESOLVED and DETERMINED** that the Assistant County
2 Executive Officer/EDA or his designee, is authorized to execute any other documents
3 to complete this transaction.

4 **BE IT FURTHER RESOLVED and DETERMINED** that Notice has been given
5 hereof as provided in Section 6061 of the Government Code.

6 ///
7 ROLL CALL:
8 /// Ayes: Buster, Tavaglione, Stone, Benoit, and Ashley
9 /// Nays: None
10 /// Absent: None

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

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27 YK:ra/030112/14.399 S:\Real Property\TYPING\Docs-14.000 to 14.499\14.399.doc
28

EXHIBIT "A"
LEGAL DESCRIPTION

BEING A PORTION OF LOT 11 OF TRACT NO. 3552 WITHIN THE CITY OF TEMECULA, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS FILED IN BOOK 56 AT PAGES 63 THROUGH 66 INCLUSIVE, OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID LOT 11;

THENCE ALONG THE SOUTHWESTERLY LINE OF SAID LOT 11 NORTH $41^{\circ}12'34''$ WEST, 87.86 FEET;

THENCE CONTINUING ALONG SAID LINE, NORTH $28^{\circ}43'11''$ WEST, 83.06 FEET;

THENCE LEAVING SAID SOUTHWESTERLY LINE, SOUTH $57^{\circ}44'27''$ EAST, 177.96 FEET TO THE SOUTHEASTERLY LINE OF SAID LOT 11;

THENCE ALONG SAID SOUTHEASTERLY LINE, SOUTH $50^{\circ}09'51''$ WEST, 68.62 FEET TO THE POINT OF BEGINNING.

CONTAINING 6,599 SQUARE FEET OR 0.152 ACRES, MORE OR LESS.

THE OWNER OF SAID LOT 11 OF TRACT NO. 3552 ABUTTING STATE HIGHWAY 79 AND DURING SUCH TIME WILL HAVE NO RIGHTS OF ACCESS EXCEPT THE GENERAL EASEMENT OF TRAVEL. ANY CHANGE OF ALIGNMENT OR WIDTH THAT RESULTS IN THE VACATION THEREOF SHALL TERMINATE THIS CONDITION OF ACCESS RIGHTS AS TO THE PART VACATED.

SEE EXHIBIT "B" ATTACHED

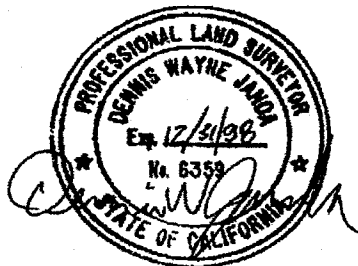
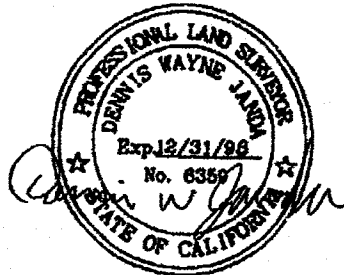
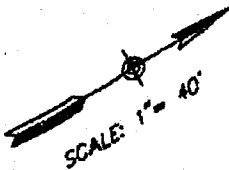


EXHIBIT "B"



LOT 11
TRACT NO. 3552
M.B. 56/63-66

APN 022-170-010

P.O.B.
MOST SLY COR.
LOT 11 MB 56/63-66

LOT 1
TRACT NO. 3750
M.B. 50/100

() DENOTES RECORD DATA
PER MB 56/63-66

SEC. 13, T8S, R3W (PROJ.)

Trans-Pacific Consultants
27447 Enterprise Circle West, Temeculo, CA., 92590

CIVIL ENGINEERS
LAND SURVEYORS, PLANNERS

THIS PLAN IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE
ATTACHED DOCUMENT. IT IS NOT PART OF THE WRITTEN DESCRIPTION THEREIN.

SHEET 1 OF 1

V.O. #
130-30

SCALE: 1" = 40'

DRAWN BY TB DATE 9/21/94

RIGHT-OF-WAY EXHIBIT

PCL1.DWG

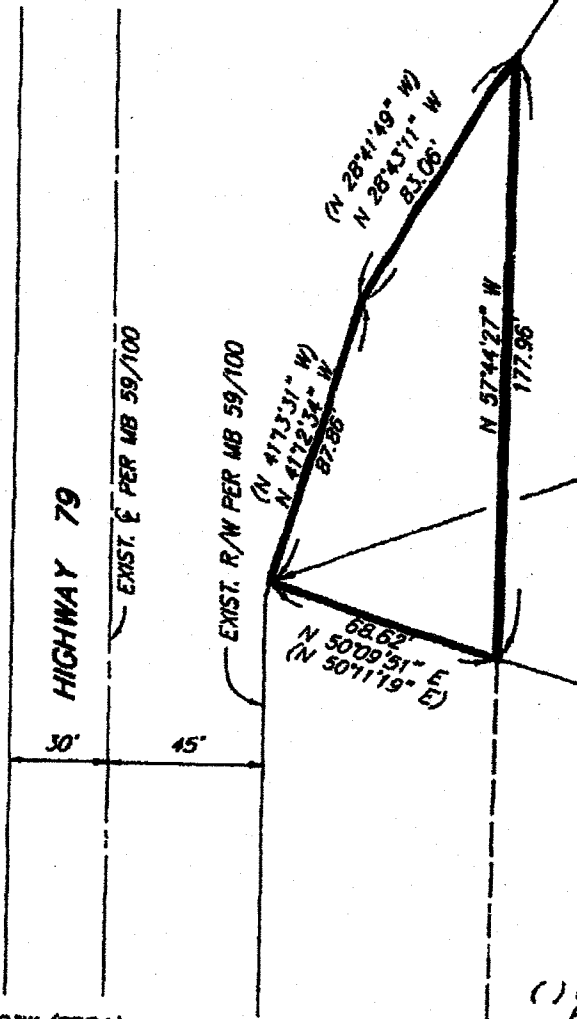


EXHIBIT "A"
LEGAL DESCRIPTION

2-9609

BEING A PORTION OF LOT 1 OF TRACT NO. 3750 WITHIN THE CITY OF TEMECULA, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS FILED IN BOOK 59 AT PAGE 100 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID LOT 1 BEING ALSO ON THE NORTHEASTERLY LINE OF HIGHWAY 79 AS SHOWN ON SAID MAP;

THENCE ALONG THE SOUTHWESTERLY LINE OF SAID LOT 1 AND SAID NORTHEASTERLY LINE OF HIGHWAY 79 NORTH $58^{\circ}08'34''$ WEST, 269.23 FEET;

THENCE CONTINUING ALONG SAID LINE NORTH $41^{\circ}12'34''$ WEST, 4.44 FEET TO THE MOST WESTERLY CORNER OF SAID LOT 1;

THENCE ALONG THE NORTHWESTERLY LINE OF SAID LOT 1 NORTH $50^{\circ}09'51''$ EAST, 68.62 FEET;

THENCE LEAVING SAID NORTHWESTERLY LINE SOUTH $57^{\circ}44'27''$ EAST, 111.45 FEET;

THENCE SOUTH $56^{\circ}07'23''$ EAST, 160.43 FEET TO THE SOUTHEASTERLY LINE OF SAID LOT 1;

THENCE SOUTH $50^{\circ}09'51''$ WEST ALONG SAID SOUTHEASTERLY LINE, 63.20 FEET TO THE POINT OF BEGINNING.

CONTAINING 17,566 SQUARE FEET OR 0.403 ACRES, MORE OR LESS.

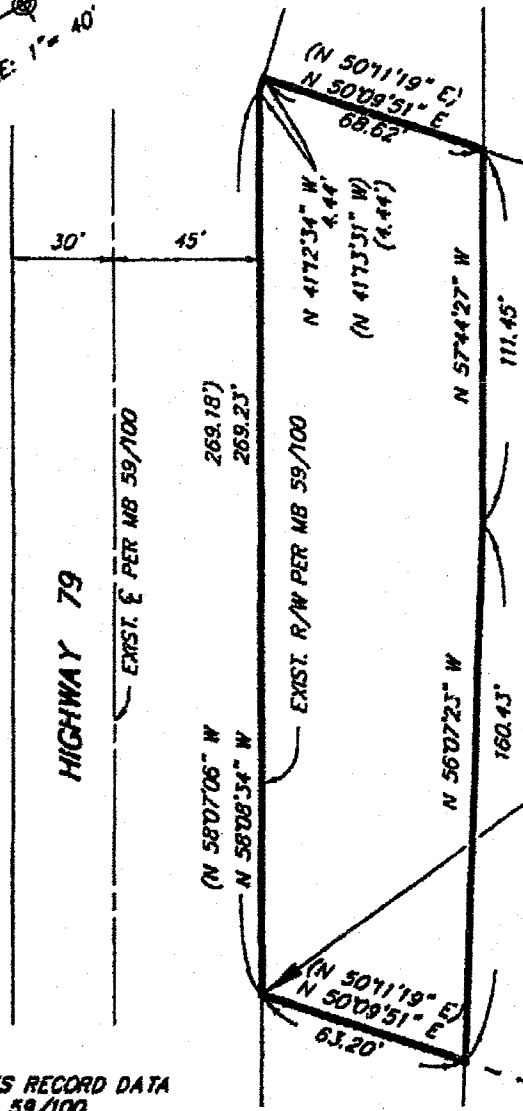
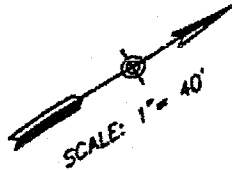
THE OWNER OF SAID LOT 1 OF TRACT NO. 3750 ABUTTING STATE HIGHWAY 79 AND DURING SUCH TIME WILL HAVE NO RIGHTS OF ACCESS EXCEPT THE GENERAL EASEMENT OF TRAVEL. ANY CHANGE OF ALIGNMENT OR WIDTH THAT RESULTS IN THE VACATION THEREOF SHALL TERMINATE THIS CONDITION OF ACCESS RIGHTS AS TO THE PART VACATED.

SEE EXHIBIT "B" ATTACHED



EXHIBIT "B"

2-9609



LOT 11
TRACT NO. 3552
M.B. 66/63-66

LOT 1
TRACT NO. 3750
M.B. 69/100

APN 822-170-006

P.O.B.
MOST SLY COR.
LOT 1 MB 59/100



() DENOTES RECORD DATA
PER MB 59/100

SEC. 13, T8S, R3W (PROJ.)

Trans-Pacific Consultants
27447 Enterprise Circle West, Temecula, CA., 92590

CIVIL ENGINEERS
LAND SURVEYORS, PLANNERS

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ATTACHED DOCUMENT. IT IS NOT PART OF THE WRITTEN DESCRIPTION THEREIN.

SHEET 1 OF 1

W.D. #
130-30

SCALE: 1" = 40' DRAWN BY TB DATE 9/21/94

RIGHT-OF-WAY EXHIBIT

EXHIBIT "A"
LEGAL DESCRIPTION

BEING A PORTION OF LOT 2 OF TRACT NO. 3750 WITHIN THE CITY OF TEMECULA, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS FILED IN BOOK 59 AT PAGE 100 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID LOT 2 BEING ALSO ON THE NORTHEASTERLY LINE OF HIGHWAY 79 AS SHOWN ON SAID MAP;

THENCE ALONG THE SOUTHWESTERLY LINE OF SAID LOT 2 AND SAID NORTHEASTERLY LINE OF HIGHWAY 79 NORTH 58°08'34" WEST, 273.91 FEET TO THE MOST WESTERLY CORNER OF SAID LOT 2;

THENCE ALONG THE NORTHWESTERLY LINE OF SAID LOT 2 NORTH 50°09'51" EAST, 63.20 FEET;

THENCE LEAVING SAID NORTHWESTERLY LINE SOUTH 56°07'23" EAST, 140.38 FEET;

THENCE SOUTH 55°10'28" EAST, 129.93 FEET TO THE SOUTHEASTERLY LINE OF SAID LOT 2;

THENCE ALONG SAID SOUTHEASTERLY LINE, SOUTH 50°09'51" WEST, 50.91 FEET TO THE POINT OF BEGINNING.

CONTAINING 14,987 SQUARE FEET OR 0.344 ACRES, MORE OR LESS.

THE OWNER OF SAID LOT 2 OF TRACT NO. 3750 ABUTTING STATE HIGHWAY 79 AND DURING SUCH TIME WILL HAVE NO RIGHTS OF ACCESS EXCEPT THE GENERAL EASEMENT OF TRAVEL. ANY CHANGE OF ALIGNMENT OR WIDTH THAT RESULTS IN THE VACATION THEREOF SHALL TERMINATE THIS CONDITION OF ACCESS RIGHTS AS TO THE PART VACATED.

SEE EXHIBIT "B" ATTACHED

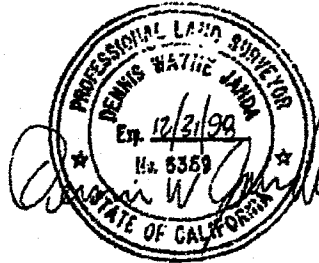
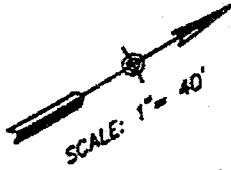


EXHIBIT "B"

3-9610

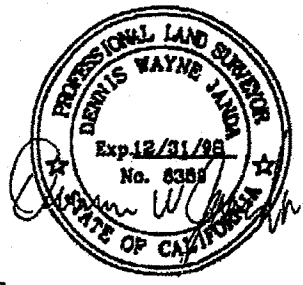


LOT 1

LOT 2
TRACT NO. 3750
M.B. 59/100

APN 022-170-007

P.O.B.
MOST SLY COR.
LOT 2 MB 59/100



() DENOTES RECORD DATA
PER MB 59/100

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V.O. 4
130-30

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DRAWN BY TB DATE 2/21/94

RIGHT-OF-WAY EXHIBIT