

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

leole B



FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
July 31, 2012

SUBJECT: Oak Street Channel, Project No. 2-0-00070, Resolution No. F2012-23,
APN 118-201-011
District Two/District Two

RECOMMENDED MOTION:

Adopt Resolution No. F2012-23, Declaration of Exempt Surplus Real Property and Notice of Intent to Sell District Owned Real Property located in the City of Corona, County of Riverside, with Assessor's Parcel Number 118-201-011.

BACKGROUND:

See Page 2

GSW:rlp

WARREN D. WILLIAMS
General Manager-Chief Engineer

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

| | | |
|-------------------------|----------------------------------|--------------------------|
| 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. Shetler*
Michael R. Shetler

County Executive Office Signature

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

MINUTES OF THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT

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: July 31, 2012
xc: Flood

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

Prev. Agn. Ref.: _____ District: 2/2 Agenda Number: _____

11.4
(Master P8\83282)

FOR APPROVED COUNTY COUNSEL
BY: *Synthia M. Gunzel 7-18-12* DATE
SYNTHIA M. GUNZEL

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

SUBJECT: Oak Street Channel, Project No. 2-0-00070, Resolution No. 2012-23
APN 118-201-011
District Two/District Two

SUBMITTAL DATE: July 31, 2012
Page 2

BACKGROUND:

Real property interests were acquired for the Oak Street Channel project which consisted of the construction and subsequent operation and maintenance of a concrete rectangular channel and reinforced concrete boxes. The facility was originally constructed in 1993. These properties are located at the end of E Street in the City of Corona and adjacent to the Oak Street Channel. Now, certain portions of these real property interests acquired for the Oak Street Channel are no longer needed for this purpose and the District desires to declare as surplus and dispose of the surplus land.

Pursuant to California Surplus Lands Act (Government Code Section 54220 et seq) and prior to disposing of any real property declared as surplus, a local agency shall send written offers to sell the property to other public agencies who may be interested in acquiring such surplus real property unless it is deemed exempt from this requirement. Surplus property that is less than 5,000 square feet in size is exempt from this requirement and may be disposed of without sending out any written offers to sell to other public agencies. This District-owned parcel (Assessor's Parcel No. 118-201-011) consists of approximately 3,790 square feet of land (Exempt Property), is irregular in shape, has no legal access for ingress or egress, is zoned multiple family residential and has been encroached upon by the adjacent apartment complex. As a result, the District is not required to send written offers to other public agencies and may proceed with disposing of this property. The District may dispose of real property of every kind within or without the District necessary and convenient to the full exercise of its powers after adoption of a resolution declaring that a real property interest is no longer necessary to be retained for District uses or purposes pursuant to California Water Code Appendix Sections 48-9 and 48-13. This Exempt Property is no longer necessary to be retained for the Oak Street Channel or any District uses or purposes; therefore, staff is recommending the adoption of Resolution No. F2012-23 to declare this property surplus and dispose of the Exempt Property.

Resolution No. F2012-23 has been approved as to form by County Counsel.

FINANCIAL:

The appraised value of the property is \$22,740. Based upon this appraisal, less \$8,200 in costs, the sale is expected to generate approximately \$14,540 which will be deposited in the District's Zone 2 fund. The sale will also relieve the District of any future maintenance responsibilities.

BOARD OF SUPERVISORS

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

RESOLUTION NO. F2012-23

**DECLARATION OF EXEMPT SURPLUS REAL PROPERTY AND
NOTICE OF INTENT TO SELL A PORTION OF DISTRICT OWNED REAL PROPERTY**

WHEREAS, the Riverside County Flood Control and Water Conservation District (District) is the owner of certain real property, consisting of approximately 3,790 square feet of land, located at the end of E Street in the City of Corona, County of Riverside, Assessor's Parcel Number 118-201-011 (Exempt Property); and

WHEREAS, pursuant to the California Surplus Lands Act (the "Act", Government Code Section 54220, et seq.) any real property that is less than 5,000 square feet of land is deemed exempt under the Act and the requirements provided in Section 54222 do not apply; and

WHEREAS, the District may proceed with the sale of this Exempt Property without first providing written offers to sell to other public agencies or housing sponsors; and

WHEREAS, the District may dispose of real property of every kind within or without the District necessary and convenient to the full exercise of its powers after adoption of a resolution declaring that a real property interest is no longer necessary to be retained for District uses or purposes; and

WHEREAS, the District further finds that the sale of this Exempt Property offers the best economic return and reduces the District's real property maintenance responsibilities.

NOW, THEREFORE, 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 July 31, 2012, that the Exempt Property with Riverside County Assessor's Parcel Number 118-201-011, located in the City of Corona, County of Riverside, State of California, described in Exhibit "A" and shown on Exhibit "B", attached hereto and made a part hereof, is no longer necessary to be retained by District for public purposes.

FORM APPROVED COUNTY COUNSEL
BY: *Synthia M. Gunzel* 7-18-12
DATE
SYNTHIA M. GUNZEL

1 NOTICE IS HEREBY GIVEN that it is the intention of the Board to sell the Exempt
2 Property as provided in California Water Code Appendix Sections 48-9 and 48-13, upon the
3 following terms and conditions:

- 4 1. The nature and condition of the Exempt Property to be sold is a parcel of
5 unimproved land, in its "as-is" condition, consisting of approximately 3,790 square
6 feet located at the end of E Street in the City of Corona, County of Riverside, State
7 of California.
- 8 2. The purchase price will be the negotiated amount between the District and a buyer
9 representing fair market value.
- 10 3. The District will not pay a broker's or agent's commission. All amounts specified
11 herein shall be exclusive of any commission the bidder may elect to pay a broker.
- 12 4. The District will convey, remit and release all right, title and interest which it owns
13 in the Exempt Property and title conveyed shall be subject to all liens and
14 encumbrances, easements, rights of way, taxes and assessments, if any, and deed
15 and tract covenants, conditions and restrictions, whether recorded or not.
- 16 5. It is the responsibility of a buyer to perform its own due diligence concerning the
17 Exempt Property.

18
19
20 BE IT FURTHER RESOLVED that notice of this intent to sell shall be given by posting
21 copies of this Resolution signed by the Chairman of the Board of the Riverside County Flood
22 Control and Water Conservation District in three (3) public places in the County, for no less than
23 fifteen (15) days.

24
25 GSW:rlp

26 ROLL CALL:
27 Ayes: Buster, Tavaglione, Stone, Benoit, and Ashley
28 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"

**Oak Street Channel
Parcel 2070-115B**

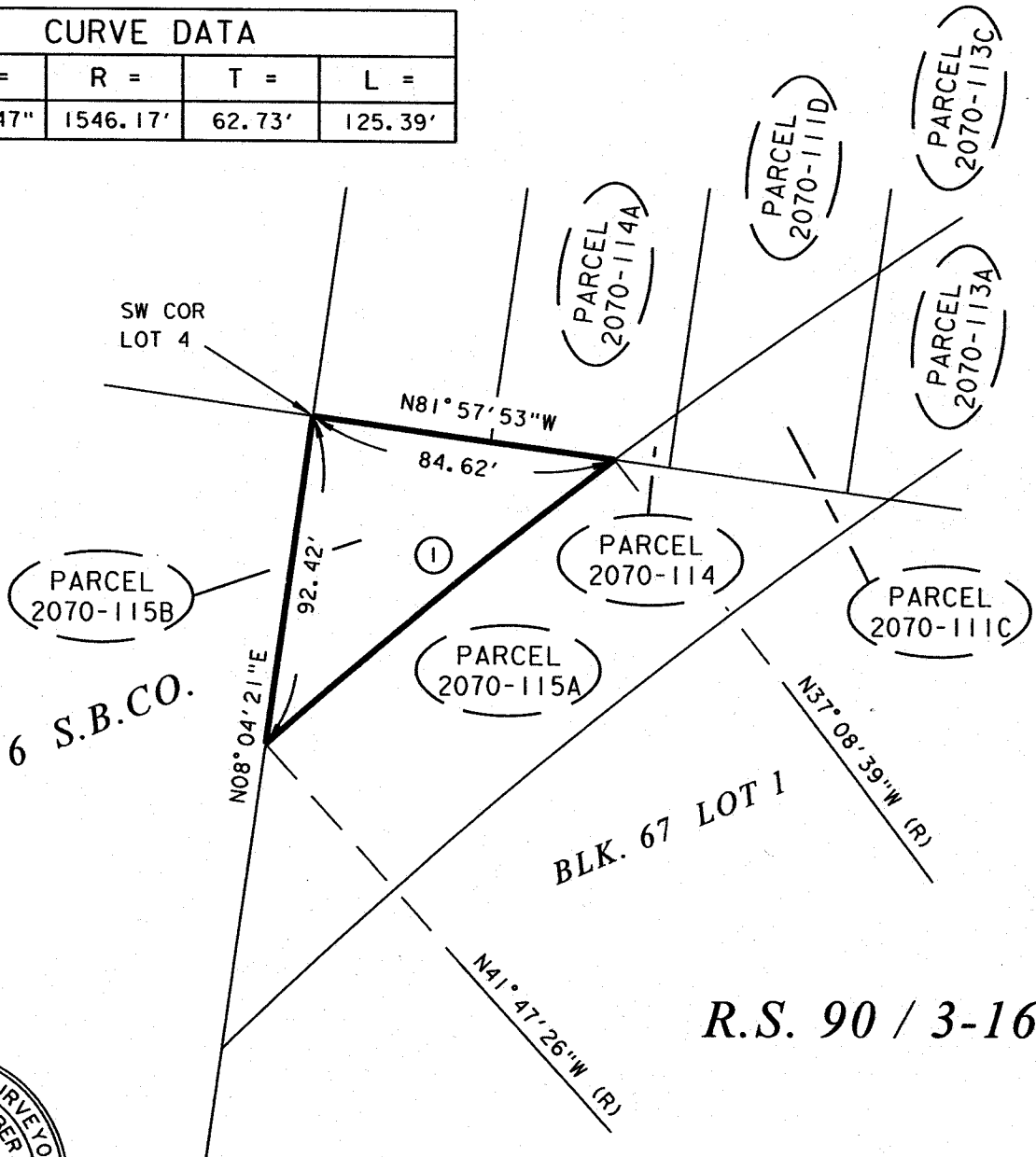
All of Parcel 2070-115B as shown on Record of Survey Book 90, Pages 3 through 16, inclusive, records of Riverside County, State of California, located within the city of Corona, County of Riverside, State of California.

Containing 3804 Square Feet, more or less.

Exhibit "B"

ALL THAT PORTION OF PARCEL 2070-115B AS SHOWN ON RECORD OF SURVEY BOOK 90, PAGES 3 THROUGH 16, INCLUSIVE, RECORDS OF RIVERSIDE COUNTY, STATE OF CALIFORNIA, WITHIN THE CITY OF CORONA, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

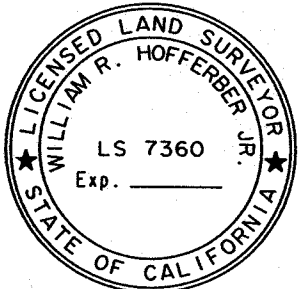
| CURVE DATA | | | | |
|------------|-------------|----------|--------|---------|
| ⊙ | △ = | R = | T = | L = |
| 1 | 04° 38' 47" | 1546.17' | 62.73' | 125.39' |



M.B. 9 / 6 S.B.CO.

BLK. 67 LOT 1

R.S. 90 / 3-16



DATE: _____

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

1995 MARKET ST. RIVERSIDE, CA. 92501

| | | | |
|---|---|---------------------------|----------------------------|
| PROJECT NAME: OAK STREET CHANNEL | | | |
| THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN. | RFCF PARCEL NUMBER(S): PARCEL 2070-115B | SCALE: NO SCALE | PREPARED BY: CJC |
| | | JUL-18-2012 | SHEET NO. 1 OF 2 |

PRELIMINARY SUBJECT TO REVISION

DATE: 07/18/12

RIVERSIDE COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT PARCEL SUMMARY SHEET

| | | | | |
|--|----------------|---------------------------|--------------------------------|--|
| PROJECT NAME: Oak Street Channel | | PROJECT NO.: 2-0-00070 | DATE: 18-Jul-12 | |
| <input checked="checked" type="checkbox"/> LEGAL PLAT <input type="checkbox"/> RECORD OF SURVEY | DATE RECORDED: | DRAWING NO.: 2-279 | CITY: City of Corona | |
| | BOOK/PAGE(S) | GIS GEOMETRY: N/A | REF NOTES: Surplus Property | |

| PARCEL NO. | TFE | ESMT. | T. C. F. | EX. ESM. | AREA | | ASSESSOR'S PARCEL NO. | OWNER | PLSS | | |
|------------|-----|-------|----------|----------|---------|-------|--------------------------|-------------------|------|-----|-----|
| | | | | | SQ. FT. | ACRES | | | TWP | RNG | SEC |
| 2070-115B | 1 | | | | 3,804 | 0.09 | 118-201-011 | R.C.F.C. & W.C.D. | 3S | 7W | 26 |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |