



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

722 B

FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
August 28, 2012

SUBJECT: Cathedral Canyon Channel East, Parcel 6010-3B; Resolution No. F2012-06 – Declaration of Exempt Surplus Real Property and Authorization to Convey a Fee Simple Interest in Real Property located in Cathedral City, County of Riverside District Four / District Four

RECOMMENDED MOTION: That the Board of Supervisors:
1. Adopt Resolution No. F2012-06, Declaration of Exempt Surplus Real Property and Authorization to Convey a Fee Simple Interest in Real Property located in Cathedral City via Quitclaim Deed, described as RCFC Parcel 6010-3B, with Assessor's Parcel Number 687-500-014, to the City of Cathedral City.
2. Authorize the Chairman of the Board to execute the Quitclaim Deed to the City of Cathedral City.

BACKGROUND:
See Page 2

AU:rlp

WARREN D. WILLIAMS
General Manager-Chief Engineer

FINANCIAL DATA	Current F.Y. District Cost:	\$0	In Current Year Budget:
	Current F.Y. County Cost:	\$	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 checked="" type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

BY:
Alex Gann

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.

Ayes: Buster, Tavaglione, Benoit and Ashley
Nays: None
Absent: Stone
Date: August 28, 2012
xc: Flood, Post

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

Prev. Agn. Ref.: District: 4th / 4th **Agenda Number:** 11.5

FORM APPROVED COUNTY COUNSEL
BY: Cynthia M. Gunzel 8-16-17
DATE: SYNTHIA M. GUNZEL

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

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

SUBJECT: Cathedral Canyon Channel East, Parcel 6010-3B; Resolution No. F2012-06 – Declaration of Exempt Surplus Real Property and Authorization to Convey a Fee Simple Interest in Real Property located in Cathedral City, County of Riverside
District Four / District Four

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BACKGROUND:

The District acquired Parcel 6010-3B on March 18, 1947, in Book 826, Page 140 as a maintenance and storage yard for Cathedral Canyon Channel East (Facility). In the 1980's, the District converted its use of the property as the primary access into Cathedral Canyon Channel East's north bank because the previous access at East Palm Canyon Drive became too dangerous for use by the District's maintenance vehicles.

In 2009, the City of Cathedral City (City) contacted the District while conditioning development on real property located adjacent to the District's Facility, referenced as Parcel Map 32932. This development would leave the District-owned parcel as a landlocked, uneconomic remnant upon the development of the adjacent real property. The City offered to provide a permanent access easement, referenced as Parcel 6010-3C within Assessor's Parcel Numbers 687-500-003 and 687-500-018, in order to give the District a safer alternate access to the District's Facility, in exchange for the District conveying the fee simple interest in real property, referenced as Parcel 6010-3B, to the City. The City has provided for the conveyance of Parcel 6010-3C in favor of the District for the agreed alternate access and built the improvements which were reviewed and approved of by the District.

Pursuant to the California Water Code Appendix §48-13, the Board of Supervisors for the District has the power to hold, use, acquire, manage, occupy and possess any real property and may determine, by resolution duly entered in its minutes that any real property, held by the District is no longer necessary to be retained for the uses and purposes thereof, and may thereafter sell or otherwise dispose of said real property. Surplus real property that is less than 5,000 square feet in size is exempt from the requirement to provide a written offer to other public agencies prior to disposition under the California Surplus Lands Act (Government Code Section 54220 et seq.). This District-owned real property, Parcel 6010-3B, consists of approximately 2,317 square feet and has been landlocked by the development on the adjacent real property.

This real property is no longer necessary to be retained by the District to serve as access for the Cathedral Canyon Channel East or for District purposes; therefore, staff is recommending the adoption of Resolution No. F2012-06 to declare this exempt surplus property and authorize conveyance of the real property of Parcel 6010-3B to the City of Cathedral City.

Resolution No. F2012-06 has been approved as to form by County Counsel.

FINANCIAL:

All costs shall be borne by Cathedral City

BOARD OF SUPERVISORS

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

RESOLUTION NO. F2012-06

DECLARATION OF EXEMPT SURPLUS REAL PROPERTY AND
AUTHORIZATION TO CONVEY A FEE SIMPLE INTEREST IN REAL PROPERTY,
PARCEL 6010-3B WITH ASSESSOR'S PARCEL NUMBER 687-500-014,
LOCATED IN CATHEDRAL CITY, COUNTY OF RIVERSIDE,
TO THE CITY OF CATHEDRAL CITY BY QUITCLAIM DEED

WHEREAS, the Riverside County Flood Control and Water Conservation District (District), was granted and is the owner of certain real property, consisting of approximately 2317 square feet, referenced as RCFC Parcel No. 6010-3B, as recorded in Book 1059, Pages 187 through 189 on March 15, 1949, in the Official Records, Riverside County, California, with Assessor's Parcel Number 687-500-014, located in the City of Cathedral City, County of Riverside, State of California (Exempt Property); and,

WHEREAS, pursuant to the California Water Code Appendix §48-13, the Board of Supervisors for the District has the power to hold, use, acquire, manage, occupy and possess any real property and may determine, by resolution duly entered in its minutes that any real property, held by the District is no longer necessary to be retained for the uses and purposes thereof, and may thereafter sell or otherwise dispose of said real property; and,

WHEREAS, the Exempt Property is no longer necessary to be retained by the District to serve as access for the Cathedral Canyon Channel East nor will it be needed in the future for District purposes; and,

WHEREAS, the District may proceed with the conveyance of this Exempt Property because surplus real property that is less than 5,000 square feet in size is exempt from the requirement to provide a written offer to other public agencies prior to disposition under the California Surplus Lands Act (Government Code Section 54220 et seq.); and,

WHEREAS, the District further finds the relinquishment of this Exempt Property reduces the District's real property maintenance responsibilities; and,

FORM APPROVED COUNTY COUNSEL
BY: *Synthia M. Gunzel* 8/14/12
SYNTHIA M. GUNZEL DATE

1 WHEREAS, the City of Cathedral City has conveyed to the District an Access Easement
2 recorded as Instrument No. 2012-0167267, recorded on April 12, 2012, in the Official Records,
3 Riverside County, California for the purpose of access to Cathedral Canyon Channel in exchange
4 for Parcel No. 6010-3B; now, therefore,

5 BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of
6 Supervisors of the District declares that the Exempt Property is no longer necessary to be
7 retained by the District for public purposes.

8 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED by the Board of
9 Supervisors of the District, in regular session assembled on August 28, 2012, at 11:30 am., in its
10 meeting room located on the 1st floor of the County Administrative Center, 4080 Lemon Street,
11 Riverside, California, with at least four-fifths of all members concurring, authorizes the
12 conveyance to the City of Cathedral City, the following described real property: Certain real
13 property with the Riverside County Assessor's Parcel Number 687-500-014, located in Cathedral
14 City, County of Riverside, State of California, described as Parcel 6010-3B, more particularly
15 described in Exhibit "A" Legal Description, attached hereto and by this reference incorporated
16 herein.

17 BE IT FURTHER RESOLVED and DETERMINED that the Chairman of the Board of
18 Supervisors of the District is authorized to execute the Quitclaim Deed and any associated
19 documents to complete the conveyance of real property to the City and this transaction.

20 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Clerk of the
21 Board is directed to cause a copy of this resolution to be posted in at least three public places
22 within the County of Riverside for no less than fifteen (15) days.

23
24 AU:rlp

25 ROLL CALL:

26 Ayes: Buster, Tavaglione, Benoit, and Ashley
27 Nays: None
28 Absent: Stone

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

KECIA HARPER-IHEM Clerk of said Board

By _____ Deputy

Recorded at request of, and return to:
CURC
c/o City Clerk
City of Cathedral City
68700 Avenida Lalo Guerrero
Cathedral City CA 92234

Copy to:
Riverside County Flood Control and
Water Conservation District
1995 Market Street
Riverside, California 92501-1770

NO FEE (GOV. CODE 6103)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

RCFC Parcel No. 6010-3B

The undersigned grantor(s) declare(s)
DOCUMENTARY TRANSFER TAX \$ NONE

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT,
does hereby remise, release, and forever quitclaim all right title and interest to
CITY URBAN REVITALIZATION CORPORATION, a California Nonprofit Public Benefit Corporation,
granted by that Grant Deed recorded on March 15, 1949, Recorded in Official Records as Book 1059 Page
187 within the Recorder's Office, Riverside County, State of California, described as follows:

That portion of Lot 214 and that portion of the Easterly 120.03 feet of Lot 213 of Cathedral City, as shown
by map on file in Book 13 pages 24, 25 and 26, Riverside County Records, lying Northerly of the Northerly
line of the Cathedral Canyon Flood Control Channel, as conveyed to the County of Riverside by deed
recorded in Book 826 page 140 of Official Records in the office of the County Recorder of the County of
Riverside, State of California.

Assessor Parcel Number: 687-500-014

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT:

Date August 28, 2012

By: Marion Ashley
Chairman Marion Ashley
Board of Supervisors

ATTESTS:

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

By: Kecia Harper-Ihem
Deputy

AUG 28 2012 11.5

STATE OF CALIFORNIA)

)ss

COUNTY OF RIVERSIDE)

On August 28, 2012, before me, Karen Barton, Board Assistant, personally appeared Marion Ashley, Chairman of the Board of Supervisors of the Riverside County Flood Control and Water Conservation District, State of California, who provided to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument; and that a copy of this paper, document or instrument has been delivered to the chairperson.

I certify under the penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct

WITNESS my hand and official seal

KECIA HARPER-IHEM

Clerk of the Board of Supervisors

By: Karen Barton

Deputy

(Seal)