

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

425



SUBMITTAL DATE:
October 25, 2012

FROM: Economic Development Agency / Facilities Management

SUBJECT: Resolution No. 2012-218, Notice of Intention to Convey Fee Simple Interest in Real Property - Banning

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2012-218, Notice of Intention to Convey Fee Simple Interest in Real Property located in the City of Banning, County of Riverside, California, known as Gilman Ranch; identified by Assessor Parcel Numbers 535-060-008, 535-070-023 and 535-070-038 by Quitclaim Deed to the Riverside County Regional Park & Open Space District; and
2. Direct the Clerk of the Board to give notice pursuant to Government Code Section 5061.

BACKGROUND: (Commences on Page 2)

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:	2012/13

COMPANION ITEM ON BOARD AGENDA: No

SOURCE OF FUNDS: N/A

Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	<input checked="" type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

BY:
Jennifer V. Sargent

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Ashley, seconded by Supervisor Benoit and duly carried by unanimous vote. **IT WAS ORDERED** that the above matter is approved as recommended, and is set for Tuesday, November 20, 2012, at 9:00 a.m.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: November 6, 2012
xc: EDA, E.O., COB

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

Prev. Agn. Ref.:

District: 5/5

Agenda Number: 3.37

FORM APPROVED COUNTY COUNSEL
BY: PATRICIA MUNROE
8/15/12
DATE
Department of Concurrence

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

BACKGROUND:

In 1977 the County of Riverside (County) acquired the subject parcels for use as open space and a park, and assigned control to its Parks Department. In 1990, the Riverside County Regional Park & Open Space District (District) was formed. The District has initiated a request to convey the subject parcels from County to District. Contiguous Assessor Parcel Number 535-070-018 is already owned by the District, having been conveyed from County by quitclaim recorded October 5, 1998.

Pursuant to Government Code Section 25365, the County may transfer interests in real property or interest therein, belonging to the County to another public agency, upon the terms and conditions as 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. Finding that the fee simple interest is no longer necessary for use by the County, the County intends to transfer its fee simple interest in real property, located in the City of Banning, consisting of 124.51 acres, identified by Assessor Parcel Numbers 535-060-008, 535-070-023 and 535-070-038, as more particularly described in Exhibit A, attached to Resolution No. 2012-018, by Quitclaim Deed to the Riverside County Regional Park & Open Space District.

The Resolution has been reviewed and approved by County Counsel as to legal form.

2 **RESOLUTION NO. 2012-218**

3 **NOTICE OF INTENTION TO CONVEY FEE SIMPLE INTEREST**

4 **IN REAL PROPERTY TO THE**

5 **RIVERSIDE COUNTY REGIONAL PARK & OPEN SPACE DISTRICT**

6
7 WHEREAS, the County of Riverside (County) acquired fee simple interests in Assessor
8 Parcel Numbers 535-060-008, 535-070-023 and 535-070-038 for Gilman Ranch; now,
9 therefore,

10 BE IT RESOLVED AND DETERMINED that the Board of Supervisors of the County of
11 Riverside, in regular session assembled on November 6, 2012, hereby directs the Clerk of the
12 Board of Supervisors to give notice pursuant to Government Code Section 6061, of the
13 following:

14 NOTICE IS HEREBY GIVEN by the Board of Supervisors of the County of Riverside
15 intends to convey to the Riverside County Regional Park & Open Space District, the following
16 described real property: Fee Simple interest located in the City of Banning, County of
17 Riverside, California, identified as Assessor Parcel Numbers 535-060-008, 535-070-023 and
18 535-070-038, consisting of 124.51 acres of land, as described on Exhibit A, attached hereto.
19 The terms and conditions of the proposed conveyance are as follows: None.

20 The Board of Supervisors intends to meet to conclude the proposed transaction on or
21 after Nov. 20, 2012, at 9:00 am at the meeting room of the Board of Supervisors located
22 on the 1st floor of the County Administrative Center, 4080 Lemon Street, Riverside, California.

23 ROLL CALL:

24 Ayes: Buster, Tavaglione, Stone, Benoit, and Ashley
25 Nays: None
26 Absent: None

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

KECIA HARPER-IHEM, Clerk of said Board

By: _____
Deputy

FORM APPROVED COUNTY COUNSEL
BY: PATRICIA MUNROE
DATE 10/15/12

EXHIBIT "A"

All that certain real property situated in the County of Riverside, State of California, described as follows:

That portion of the South Half of the Northeast Quarter and of the Southeast Quarter of Section 5, Township 3 South, Range 1 East, San Bernardino Base and Meridian, according to private survey, described as follows:

BEGINNING at the Southeast corner of said Section 5; thence North along the East line of said Section 5, 718.70 feet to the Southerly corner of parcel conveyed to J. E. Walker by deed recorded in Book 542, Page 316 of Official Records, Riverside County Records; thence following the Westerly line of said deed, North 31 degrees, 05 minutes West, 1290.00 feet; North 1 degrees, 25 minutes West, 329.10 feet; North 19 degrees, 31 minutes West, 1143 feet; North 13 degrees, 21 minutes West, 333 feet; North 34 degrees, 56 minutes West, 198 feet; North 21 degrees, 21 minutes West, 266.25 feet to the North line of said South Half of the Northeast quarter and the South line of parcel conveyed to J. E. Walker by Deed of Trust recorded in Book 622, Page 505 of Official Records of said County; thence North 89 degrees, 59 minutes, 50 seconds West along said North line of South half of the Northeast Quarter and the Southerly line of said deed 1330.30 feet to the Northwest corner of said South Half of Northeast Quarter of Section 5, 1320.06 feet to a point distant North 0 degrees, 11 minutes, 30 seconds West, 2640.00 feet from the Southwest corner of said Southeast Quarter; thence South 46 degrees, 59 minutes, 30 seconds East, 1595.58 feet to a point in the Westerly line of the East Quarter of the East Half of the West Half of said Southeast Quarter; thence South 0 degrees, 06 minutes, 28 seconds East along said Westerly line 1549.62 feet to the Southwest corner of said East Quarter of the East Half of the West Half of the Southeast Quarter; thence North 89 degrees, 54 minutes East along the South line of said Section 5, 1492.54 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM that portion conveyed to the City of Banning by deed recorded December 19, 1963, as Instrument No. 134174 of Official Records of Riverside County.

FURTHER EXCEPTING THEREFROM that portion conveyed to the County of Riverside by deed recorded July 7, 1977, as Instrument No. 127432 of Official Records. (Tax Assessor's No. 535-070-018-3)

AND FURTHER EXCEPTING THEREFROM that portion conveyed to Frank J. Burgess and Lorna D. Burgess, Trustee of the Burgess Family Trust, dated December 5, 1989, as Instrument No. 433558 of Official Records. (Tax Assessor's Number: 535-070-022-6)

TAX ASSESSOR'S NUMBER: 535-060-008-3 / 535-070-023-7 / 535-070-038-1