

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

465 B



SUBMITTAL DATE:  
August 8, 2013

FROM: TLMA - Transportation Department

SUBJECT: Resolution No. 2013-105, summarily vacating a portion of a slope easement and a portion of a riparian easement, in the Murrieta Hot Springs area, Third Supervisorial District/ Third Supervisorial District.

RECOMMENDED MOTION: That the Board of Supervisors adopt Resolution No. 2013-105, summarily vacating a portion of a slope easement and a portion of a riparian easement.

BACKGROUND: The applicant, K. Hovnanian Homes of the Four Seasons Development, is requesting the vacation of a portion of a slope easement and a portion of a riparian easement in order to satisfy the requirements of the Army Corps of Engineers' 404 permit, which they are seeking. Said 404 permit requires the area subject to said Deed of Restricted Covenants, currently encumbered by said slope easement and said riparian easement, to be free and clear of any existing encumbrances. These existing encumbrances prevent the Army Corp of Engineers from being able to accept the required Deed of Restrictive Covenants. The Transportation Department finds that the use of these easements for their stated purposes is no longer needed and is excess right of way. The Riverside County Flood Control Department has reviewed this project and has no objections.

Juan C. Perez  
Director of Transportation and Land Management

WJH  
Attachments: Resolution No. 2013-105  
Exhibits "A" and "B"

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley  
Nays: None  
Absent: None  
Date: August 20, 2013  
xc: Transp., Recorder

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

Prev. Agn. Ref.

District: 3/3

Agenda Number:

2-21

REVIEWED BY EXECUTIVE OFFICE

DATE 7/29/13 Tmg  
Tina Grande

FORM APPROVED COUNTY COUNSEL  
BY:   
DATE: 8-24-13  
SYNTHIA M. GUNZEL  
Departmental Concurrence

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

# VICINITY MAP



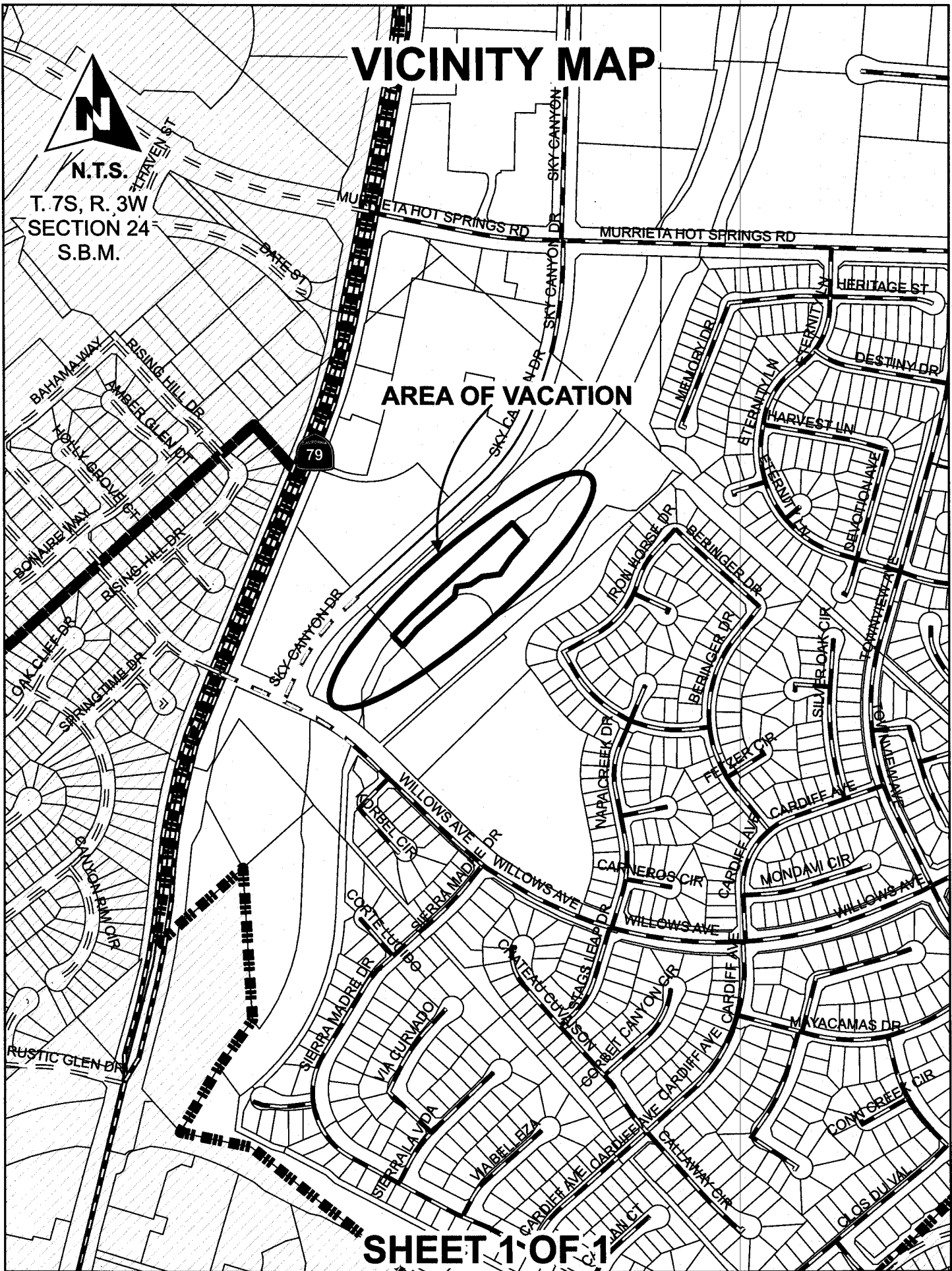
N.T.S.  
T. 7S, R. 3W  
SECTION 24  
S.B.M.

AREA OF VACATION

79

SHEET 1 OF 1

TO BE REMOVED BEFORE RECORDING



PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

KECIA HARPER-IHEM, CLERK OF THE BOARD  
RIVERSIDE CO. CLERK OF THE BOARD  
4080 LEMON STREET, 1<sup>ST</sup> FLOOR CAC  
P O BOX 1147 - RIVERSIDE, CA 92502

**MAIL STOP # 1010**

AND WHEN RECORDED MAIL TO:

**RETURN TO: STOP #1010**  
RIVERSIDE COUNTY CLERK OF THE BOARD  
P. O. BOX 1147 - RIVERSIDE, CA 92502

**DOC # 2013-0412113**  
08/22/2013

**Customer Copy Label**  
The paper to which this label is  
affixed has not been compared  
with the filed/recorded document

**Larry W Ward**  
County of Riverside  
Assessor, County Clerk & Recorder

THIS SPACE FOR RECORDERS USE ONLY

**RESOLUTION NO. 2013-105**

Title of Document

**SUMMARILY VACATING A PORTION OF A SLOPE EASEMENT  
AND A PORTION OF A RIPARIAN EASEMENT  
IN THE MURRIETA HOT SPRINGS AREA  
(AB 12014)**

(THIRD SUPERVISORIAL DISTRICT)

(Transportation Department ~ Item 2-21 of 08/20/13)

2  
3 **RESOLUTION NO. 2013-105**

4  
5 **SUMMARILY VACATING A PORTION OF A SLOPE EASEMENT**  
6 **AND A PORTION OF A RIPARIAN EASEMENT**  
7 **IN THE MURRIETA HOT SPRINGS AREA**

8  
9 (AB 12014)

10  
11 (Third Supervisorial District)

12  
13 **WHEREAS**, the hereinafter-described portion of a slope easement and portion  
14 of a riparian easement, were acquired in Final Order of Condemnation, recorded June  
15 23, 1995 as instrument No. 202954, Official Records of the Recorder, Riverside  
16 County, California, and said portions lying within Lots 3 and 4 as shown on the Hot  
17 Springs Addition map filed in San Diego County Map Book 12, Page 563, on file in the  
18 office of said County Recorder, Riverside County, California;

19  
20 **WHEREAS**, the hereinafter described easements, are not necessary and not  
21 required for public purposes, now, therefore;

22  
23 **WHEREAS**, applicable procedures pertaining to summary vacations were  
24 followed pursuant to the County's adopted Resolutions for fixing procedures to vacate  
25 and accept county highways and property offered for dedication, now therefore;

FORM APPROVED COUNTY COUNSEL  
BY: *Synthia M. Gunzel* DATE: *Feb 13*  
SYNTHIA M. GUNZEL

1 **RESOLUTION NO. 2013-105**

2  
3 **BE IT RESOLVED, DETERMINED AND ORDERED** by the Board of  
4 Supervisors of the County of Riverside, State of California, in regular session  
5 assembled on August 20, 2013, as follows;

6  
7 1. Pursuant to Section 8334(a) of the Streets and Highways Code, that the  
8 hereinafter described easements are excess, and are no longer required for public  
9 purposes and are hereby summarily vacated.

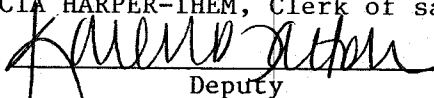
10  
11 SEE LEGAL DESCRIPTION AND PLAT ATTACHED HERETO  
12 AS EXHIBITS "A" and "B" AND MADE A PART HEREOF.

13  
14 **BE IT FURTHER RESOLVED, DETERMINED AND ORDERED** that the Clerk  
15 of the Board is directed to cause a certified copy of this resolution to be recorded in  
16 the office of the Recorder of the County of Riverside, California.

17 **ROLL CALL:**

18 Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley  
19 Nays: None  
20 Absent: None

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

23 By  \_\_\_\_\_  
24 Deputy  
25

25 **WJH W.O. # AB 12014**

**EXHIBIT "A"**  
**VACATION OF RIPARIAN AND SLOPE EASEMENTS**  
**LEGAL DESCRIPTION**

**PARCEL 1**

ALL THAT PORTION OF THE RIPARIAN EASEMENT AS DESCRIBED BY FINAL ORDER OF CONDEMNATION RECORDED JUNE 23, 1995 AS INSTRUMENT NUMBER 202954, OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, LYING WITHIN LOTS 3 AND 4 OF THE HOT SPRINGS ADDITION AS SHOWN BY MAP ON FILE IN BOOK 12, PAGE 563 OF MAPS RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA AND LYING WITHIN PROJECTED SECTION 24, TOWNSHIP 7 SOUTH, RANGE 3 WEST IN THE TEMECULA RANCHO.

CONTAINS 37,969 SQUARE FEET OR 0.87 ACRES MORE OR LESS

**PARCEL 2**

ALL THAT PORTION OF THE SLOPE EASEMENT AS DESCRIBED BY FINAL ORDER OF CONDEMNATION RECORDED JUNE 23, 1995 AS INSTRUMENT NUMBER 202954, OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, LYING WITHIN LOT 4 OF THE HOT SPRINGS ADDITION AS SHOWN BY MAP ON FILE IN BOOK 12, PAGE 563 OF MAPS RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA AND LYING WITHIN PROJECTED SECTION 24, TOWNSHIP 7 SOUTH, RANGE 3 WEST IN THE TEMECULA RANCHO.

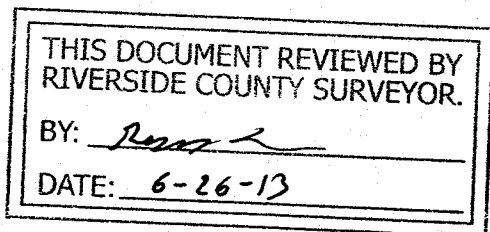
CONTAINS 3,717 SQUARE FEET OR 0.09 ACRES MORE OR LESS

THE BEARINGS SHOWN HEREON ARE BASED ON THE BEARING NORTH 41° 38' 10" WEST FOR THE SOUTHWESTERLY LINE OF LOT 4 AS SHOWN BY TRACT MAP NUMBER 24778-2 FILED IN BOOK 299, PAGES 49 THROUGH 57, INCLUSIVE, RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

SEE PLAT ATTACHED HERETO AND BY THIS REFERENCE MADE PART HEREOF.

THIS LEGAL DESCRIPTION WAS PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE OF THE PROFESSIONAL LAND SURVEYORS ACT.

SIGNATURE *Miguel A. Villaseñor*  
DATE 6/13/13



# EXHIBIT "B"

R/W PER INST. NO. 202954  
REC'D 06/23/95

**AREA NOTE'S**

PARCEL 1 CONTAINS 37,969 SQ. FT.  
OR 0.87 ACRES MORE OR LESS

PARCEL 2 CONTAINS 3,717 SQ. FT OR  
0.09 ACRES MORE OR LESS

HOT SPRINGS ADDITION  
M.B. 12/563  
S.D. CO.

E WINCHESTER ROAD

R/W PER P.M.187/21-26

PORTION PARCEL 1  
PARCEL MAP NO. 26913  
P.M. 187/21-26

CL SKY CANYON DRIVE

CL TUCALOTA CREEK CHANNEL

SHEET 3

PARCEL 1

LOT 2

SHEET 2

PARCEL 2

LOT 4

N49°25'02"W (R)

50' 50'

144'

72'

72'

N42°05'27"W (R)

44'

44'

R/W PER P.M.187/21-26

PORTION PARCEL 1  
PARCEL MAP NO. 26913  
P.M. 187/21-26

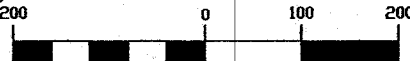
CL WILLOWS AVENUE

MOST SLY CORNER OF  
LOT 4, M.B. 12/563 S.D. CO.

N 41°38'10" W

TRACT NO. 24778-2  
M.B. 299/49-57

GRAPHIC SCALE



1 inch = 200 ft.

**SURVEYOR'S NOTE'S**

- ① INDICATES AN EASEMENT FOR RIPARIAN PURPOSES AND PUBLIC UTILITY, IN FAVOR OF COUNTY OF RIVERSIDE REC'D 06/23/95 AS INST. NO. 202954.
  - ② INDICATES AN EASEMENT FOR SLOPE PURPOSES, IN FAVOR OF COUNTY OF RIVERSIDE REC'D 06/23/95 AS INST. NO. 202954.
- SEE SHEET 3 FOR DATA TABLE



**VSL** civil engineering, land  
planning & surveying

PROJ. SEC. 24, T.7S., R.3W.  
WITHIN THE TEMECULA RANCHO.

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE ATTACHED DOCUMENT.

SHEET 1 OF 3

W.O. #

SCALE: 1" = 200' DRAWN BY MAV DATE 10/31/12

SUBJECT:

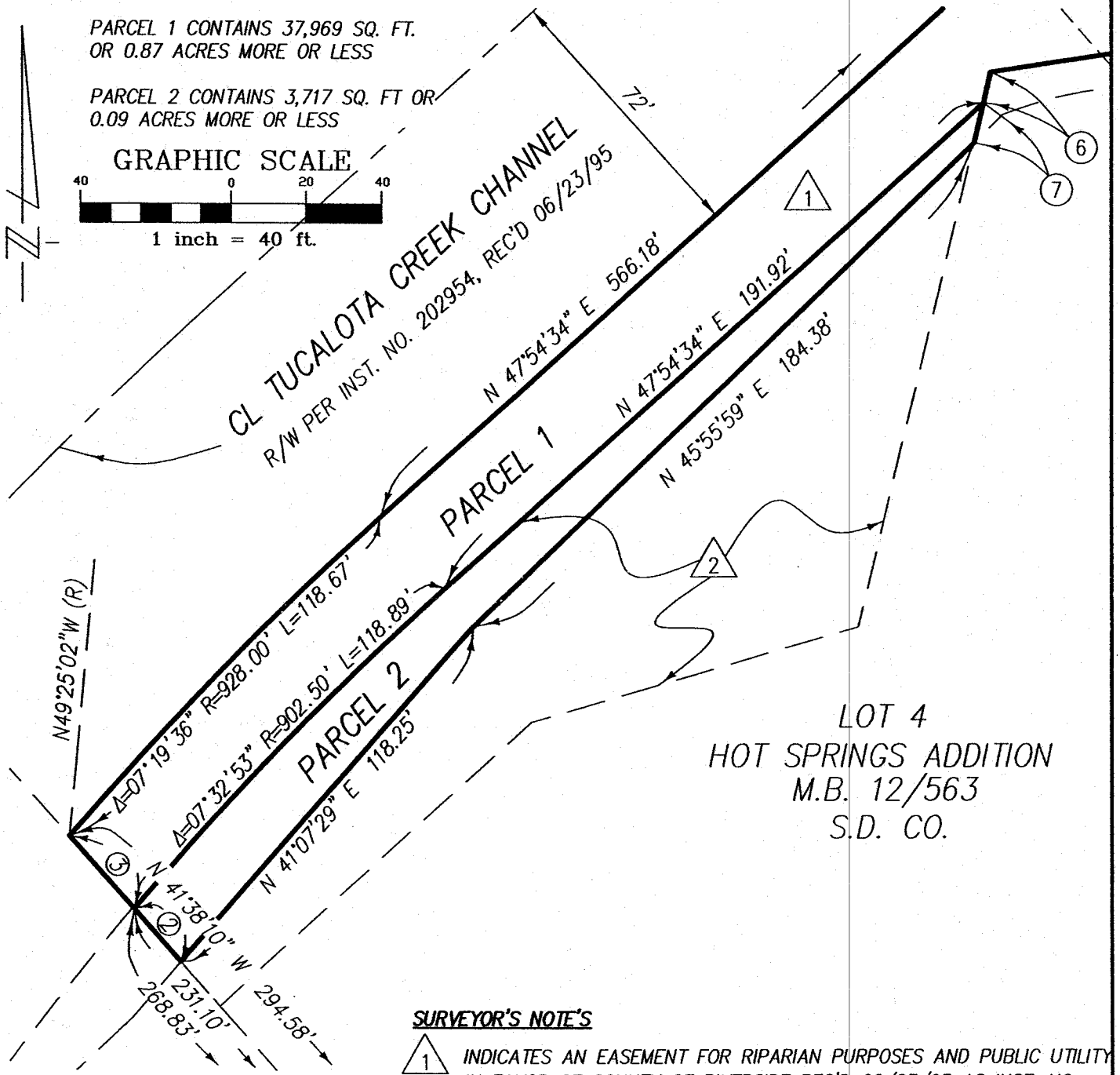
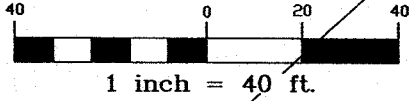
# EXHIBIT "B"

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PARCEL 2 CONTAINS 3,717 SQ. FT OR  
0.09 ACRES MORE OR LESS

**GRAPHIC SCALE**



LOT 4  
HOT SPRINGS ADDITION  
M.B. 12/563  
S.D. CO.

**SURVEYOR'S NOTE'S**

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  - ② INDICATES AN EASEMENT FOR SLOPE PURPOSES, IN FAVOR OF COUNTY OF RIVERSIDE REC'D 06/23/95 AS INST. NO. 202954.
- SEE SHEET 3 FOR DATA TABLE.

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PROJ. SEC. 24, T.7S., R.3W.  
WITHIN THE TEMECULA RANCHO.

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SHEET 2 OF 3

W.O. #

SCALE: 1" = 40'    DRAWN BY MAV DATE 11/26/12    SUBJECT:



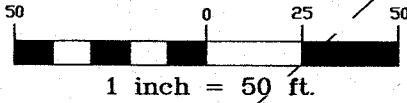
# EXHIBIT "B"

**AREA NOTE'S**

PARCEL 1 CONTAINS 37,969 SQ. FT.  
OR 0.87 ACRES MORE OR LESS

PARCEL 2 CONTAINS 3,717 SQ. FT OR  
0.09 ACRES MORE OR LESS

**GRAPHIC SCALE**



CL TUCALOTA CREEK CHANNEL  
R/W PER INST. NO. 202954, REC'D 06/23/95

**PARCEL 1**  
0.87 ACRES +/-

**LOT 3**  
HOT SPRINGS ADDITION  
M.B. 12/563  
S.D. CO.

**LOT 4**  
M.B. 12/563  
S.D. CO.

**DATA TABLE**

NO.	BEARING/DELTA	RADIUS	LENGTH
1	N41°38'10"W	--	294.58'
2	N41°38'10"W	--	18.63'
3	N41°38'10"W	--	25.75'
4	N38°36'29"E	--	35.59'
5	N56°28'31"E	--	56.57'
6	N13°27'59"E	--	8.26'
7	N13°27'59"E	--	10.83'

**SURVEYOR'S NOTE'S**

- △ 1 INDICATES AN EASEMENT FOR RIPARIAN PURPOSES AND PUBLIC UTILITY, IN FAVOR OF COUNTY OF RIVERSIDE REC'D 06/23/95 AS INST. NO. 202954.
- △ 2 INDICATES AN EASEMENT FOR SLOPE PURPOSES, IN FAVOR OF COUNTY OF RIVERSIDE REC'D 06/23/95 AS INST. NO. 202954.

THIS DOCUMENT REVIEWED BY  
RIVERSIDE COUNTY SURVEYOR.  
BY: *[Signature]*  
DATE: 6-26-12

**VSL** civil engineering, land  
planning & surveying

PROJ. SEC. 24, T.7S., R.3W.  
WITHIN THE TEMECULA RANCHO.

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE ATTACHED DOCUMENT.

SHEET 3 OF 3

W.O. #

SCALE: 1" = 50' DRAWN BY MAV DATE 11/26/12 SUBJECT:



LARRY W. WARD  
COUNTY OF RIVERSIDE  
ASSESSOR-COUNTY CLERK-RECORDER

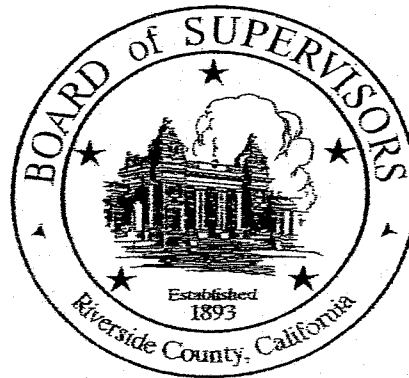
Recorder  
P.O. Box 751  
Riverside, CA 92502-0751  
(951) 486-7000  
<http://riverside.asrcibrec.com>

CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

CLARIFICATION OF THE SEAL for the Riverside County Board of Supervisors  
(embossed on document)



Date:

08-20-13

Signature:

*Karen Barton*

Print Name:

Karen Barton, Board Assistant, Riverside County Clerk of the Board