

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

801B



FROM: TLMA - Transportation Department

SUBMITTAL DATE:
December 5, 2013

SUBJECT: Resolution No. 2014-009, Summarily Vacating a Portion of the Restriction of Abutters' Rights of Access along Winchester Road in the French Valley Area. 3rd/3rd District. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors adopt Resolution No. 2014-009, summarily vacating a portion of the Restriction of Abutters' Rights of Access along Winchester Road.

BACKGROUND:

Summary

As a condition of approval for Tract Map 32049, filed in Book 424, Pages 6 through 9, inclusive, Records of Riverside County, California, within the unincorporated territory of Riverside County, access across the southeasterly right-of-way line of Winchester Road (Lot "A") was restricted. The applicant, Bellacap, LLC, requests to vacate a portion of the restricted access along Winchester Road to provide secondary, gated, and paved emergency access to said Tract Map 32049 as required by the French Valley Creek Improvement and Disbursement Agreement and as approved by the Board of Supervisors on January 31, 2012, Agenda Item 3-28.

Juan C. Perez
Director of Transportation and Land Management

WJH

Attachments: Resolution No. 2014-009
Exhibits "A" and "B"

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: Jeffries, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: January 7, 2014
xc: Transp., Recorder

Kecia Harper-Ihem
Clerk of the Board

By:
Deputy

Prev. Agn. Ref.

ATTACHMENTS FILED

District: 3/3

Agenda Number:

WITH THE CLERK OF THE BOARD

2-8

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

KECIA HARPER-IHEM, CLERK OF THE BOARD
RIVERSIDE CO. CLERK OF THE BOARD
4080 LEMON STREET, 1ST 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 # 2014-0009730
01/09/2014

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. 2014-009

Title of Document

**SUMMARILY VACATING A PORTION OF THE RESTRICTION OF ABUTTERS' RIGHTS OF
ACCESS ALONG WINCHESTER ROAD,
IN THE FRENCH VALLEY AREA
(AB 13009)**

(THIRD SUPERVISORIAL DISTRICT)

(Transportation Department ~ Item 2-8 of 01/07/14)

1 Board of Supervisors

County of Riverside

2
3 **RESOLUTION NO. 2014-009**

4 SUMMARILY VACATING A PORTION OF THE RESTRICTION OF ABUTTERS' RIGHTS OF
5 ACCESS ALONG WINCHESTER ROAD,
6 IN THE FRENCH VALLEY AREA
7 (AB 13009)
8 (Third Supervisorial District)
9

10 **WHEREAS**, the Restriction of Abutters' Rights of Access along Winchester Road was
11 dedicated to the public by Tract Map No. 32049, filed in Book 424, Pages 6 through 9, inclusive,
12 of Maps, Records of Riverside County, California;

13 **WHEREAS**, the hereinafter-described Portion of the Restriction of Abutters' Rights of
14 Access along Winchester Road as shown on said Tract Map is no longer necessary;

15 **WHEREAS**, per the French Valley Creek Improvement and Disbursement Agreement
16 Entered into on January 31, 2012 (Contract No. 12-01-005 Riverside County Transportation),
17 by and between Bellacap, LLC, a California Limited Liability Company and the County of
18 Riverside, a political subdivision of the State of California, the vacation will create an access
19 opening for gated and paved emergency access only;

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

23 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board of
24 Supervisors of the County of Riverside, State of California, in regular session assembled on
25 January 7, 2014, as follows:

- 26 1. That the hereinafter-described Portion of the Restriction of Abutters' Rights of
27 Access is unnecessary for present or prospective use.

28 SEE LEGAL DESCRIPTION AND PLAT ATTACHED HERETO

1/7/14 2-8

1 AS EXHIBITS "A" AND "B" AND MADE A PART HEREOF.

2 2. Pursuant to Section 8334(a) of the Streets and Highways Code, the hereinafter-
3 described Portion of the Restriction of Abutters' Rights of Access is determined to be
4 excess and is no longer needed and is hereby summarily vacated.

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

8
9 ROLL CALL:

10 Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley
11 Nays: None
12 Absent: None

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

15 KECIA HARPER-IHEM, Clerk of said Board

16 By

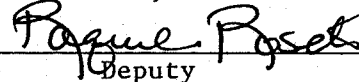
17 
18 Deputy

EXHIBIT "A"

VACATION OF A PORTION OF THE RESTRICTION OF ABUTTER'S RIGHTS OF ACCESS
LEGAL DESCRIPTION

BEING A PORTION OF LOT 4 OF TRACT NO. 32049, IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS FILED IN BOOK 424, PAGES 6 THROUGH 9, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, ALSO BEING IN SECTION 32, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SAN BERNARDINO BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF SAID LOT 4;

THENCE ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF WINCHESTER ROAD (STATE HIGHWAY 79), HAVING A 92.00 FOOT SOUTHEASTERLY HALF WIDTH PER SAID MAP, NORTH 35°35'09" EAST, 24.00 FEET TO THE **POINT OF TERMINUS** OF SAID VACATION OF A PORTION OF THE RESTRICTION OF ABUTTER'S RIGHTS OF ACCESS.

SEE EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF



Tim W. Brewer

THIS DOCUMENT REVIEWED BY RIVERSIDE COUNTY SURVEYOR.
BY: <i>[Signature]</i>
DATE: <i>11-15-13</i>

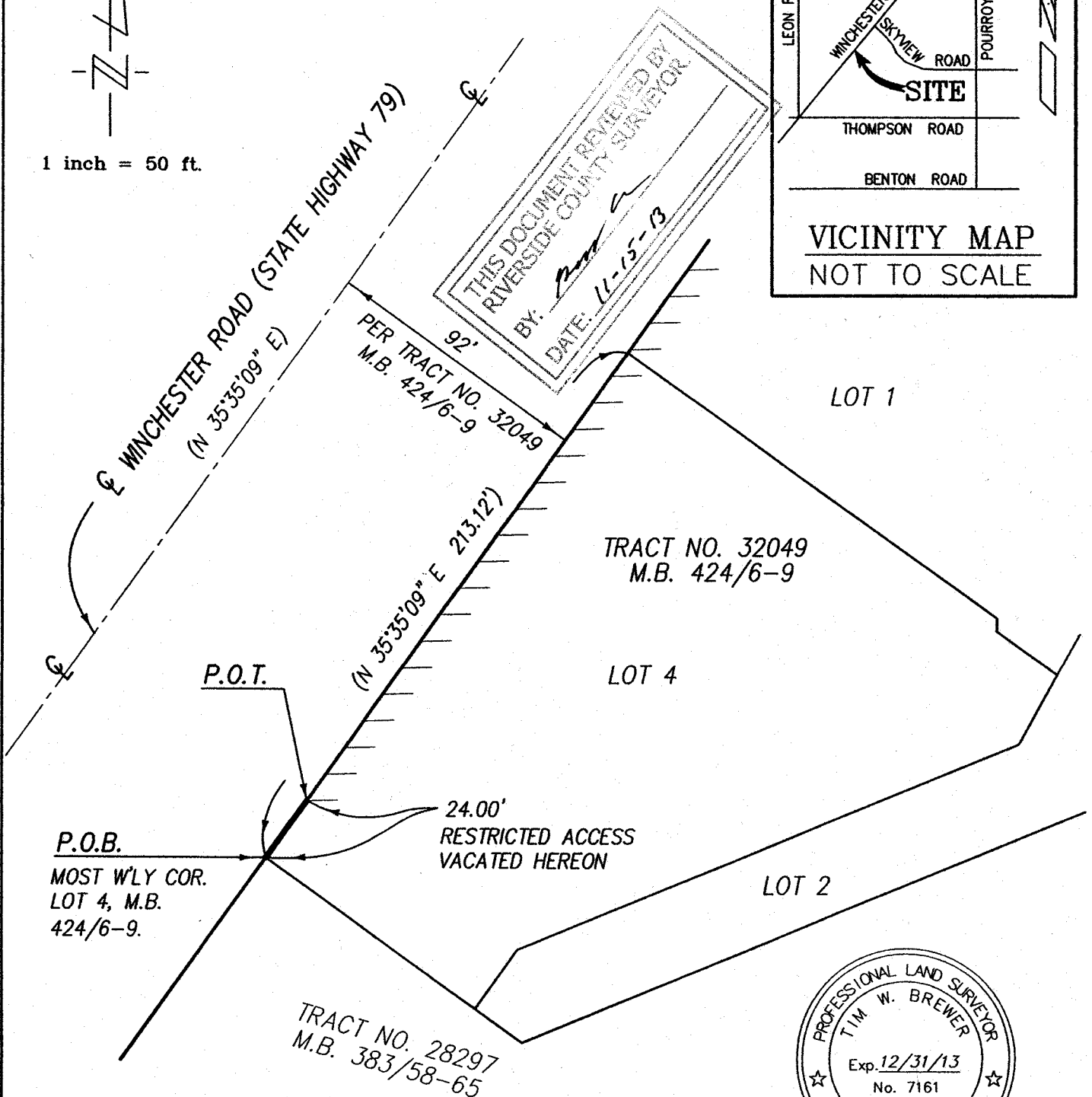
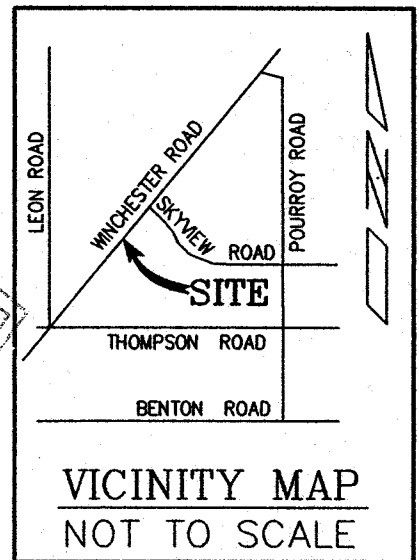
EXHIBIT "B"

SEC. 32, T6S., R2W., S.B.M.

VACATION OF A PORTION OF THE RESTRICTION
OF ABUTTERS RIGHTS OF ACCESS



1 inch = 50 ft.



LEGEND

() INDICATES RECORD DATA PER M.B. 424/6-9.

//// INDICATES RESTRICTED ACCESS PER M.B. 424/6-9.



Tim W. Brewer

SCALE: 1" = 50'

DRAWN BY TB DATE 9/12/13

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

SHEET 1 OF 1



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

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

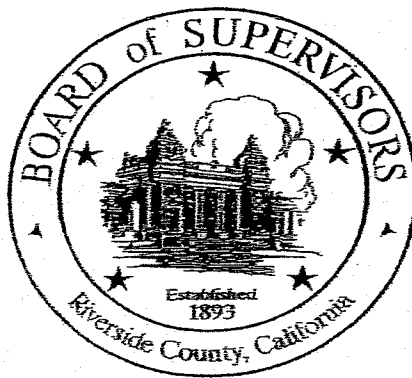
<http://riverside.assclerk.com>

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:

1/7/14

Signature:

Raquel Rosete

Print Name:

Raquel Rosete, Board Assistant, Riverside County Clerk of the Board

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

KECIA HARPER-IHEM, CLERK OF THE BOARD
RIVERSIDE CO. CLERK OF THE BOARD
4080 LEMON STREET, 1ST 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 # 2014-0009730

01/09/2014 11:16A Fee:NC

Page 1 of 6

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



S	R	U	PAGE	SIZE	DA	MISC	LONG	RFD	COPY
1			6						
M	A	L	465	426	PCOR	NCOR	SMF	NCHG	EXAM
NCHGACC					T:		CTY	UNI	524



RESOLUTION NO. 2014-009

Title of Document

C
524

**SUMMARILY VACATING A PORTION OF THE RESTRICTION OF ABUTTERS' RIGHTS OF
ACCESS ALONG WINCHESTER ROAD,
IN THE FRENCH VALLEY AREA
(AB 13009)**

(THIRD SUPERVISORIAL DISTRICT)

(Transportation Department ~ Item 2-8 of 01/07/14)

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE
FOR RECORDING INFORMATION

1/7/2014

2014-1-12/001 2-8



Board of Supervisors

County of Riverside

RESOLUTION NO. 2014-009

SUMMARILY VACATING A PORTION OF THE RESTRICTION OF ABUTTERS' RIGHTS OF
ACCESS ALONG WINCHESTER ROAD,
IN THE FRENCH VALLEY AREA

(AB 13009)

(Third Supervisorial District)

WHEREAS, the Restriction of Abutters' Rights of Access along Winchester Road was dedicated to the public by Tract Map No. 32049, filed in Book 424, Pages 6 through 9, inclusive, of Maps, Records of Riverside County, California;

WHEREAS, the hereinafter-described Portion of the Restriction of Abutters' Rights of Access along Winchester Road as shown on said Tract Map is no longer necessary;

WHEREAS, per the French Valley Creek Improvement and Disbursement Agreement Entered into on January 31, 2012 (Contract No. 12-01-005 Riverside County Transportation), by and between Bellacap, LLC, a California Limited Liability Company and the County of Riverside, a political subdivision of the State of California, the vacation will create an access opening for gated and paved emergency access only;

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

BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the Board of Supervisors of the County of Riverside, State of California, in regular session assembled on

January 7, 2014, as follows:

1. That the hereinafter-described Portion of the Restriction of Abutters' Rights of Access is unnecessary for present or prospective use.

SEE LEGAL DESCRIPTION AND PLAT ATTACHED HERETO

1/7/14 2-8

FORM APPROVED COUNTY COUNSEL
BY: [Signature] 12/17/13
DATE: 12/17/13
BY: [Signature] 12/17/13
DATE: 12/17/13

AS EXHIBITS "A" AND "B" AND MADE A PART HEREOF.

2. Pursuant to Section 8334(a) of the Streets and Highways Code, the hereinafter-described Portion of the Restriction of Abutters' Rights of Access is determined to be excess and is no longer needed and is hereby summarily vacated.

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

ROLL CALL:

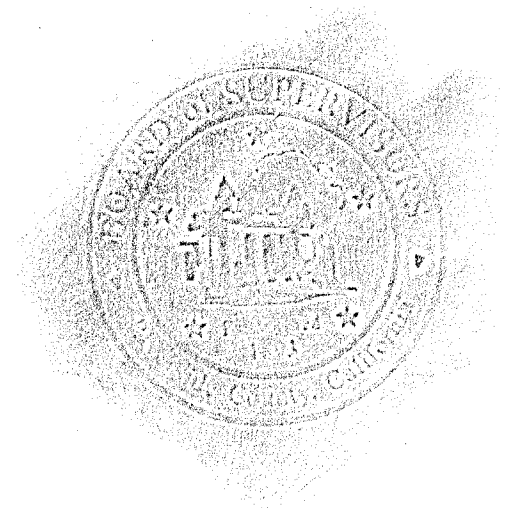
Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None

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

Raguel R. Rios
Deputy



WJH W.O. # AB13009



2014-0009730
01/09/2014 11:16A
3 of 6

EXHIBIT "A"

**VACATION OF A PORTION OF THE RESTRICTION OF ABUTTER'S RIGHTS OF ACCESS
LEGAL DESCRIPTION**

BEING A PORTION OF LOT 4 OF TRACT NO. 32049, IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS FILED IN BOOK 424, PAGES 6 THROUGH 9, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, ALSO BEING IN SECTION 32, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SAN BERNARDINO BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF SAID LOT 4;

THENCE ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF WINCHESTER ROAD (STATE HIGHWAY 79), HAVING A 92.00 FOOT SOUTHEASTERLY HALF WIDTH PER SAID MAP, NORTH 35°35'09" EAST, 24.00 FEET TO THE **POINT OF TERMINUS** OF SAID VACATION OF A PORTION OF THE RESTRICTION OF ABUTTER'S RIGHTS OF ACCESS.

SEE EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF



Tim W. Brewer

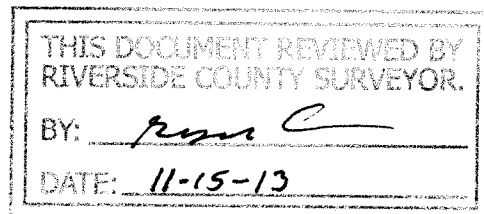


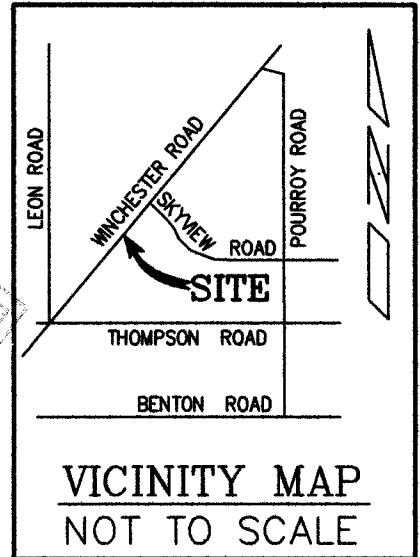
EXHIBIT "B"

SEC. 32, T6S., R2W., S.B.M.

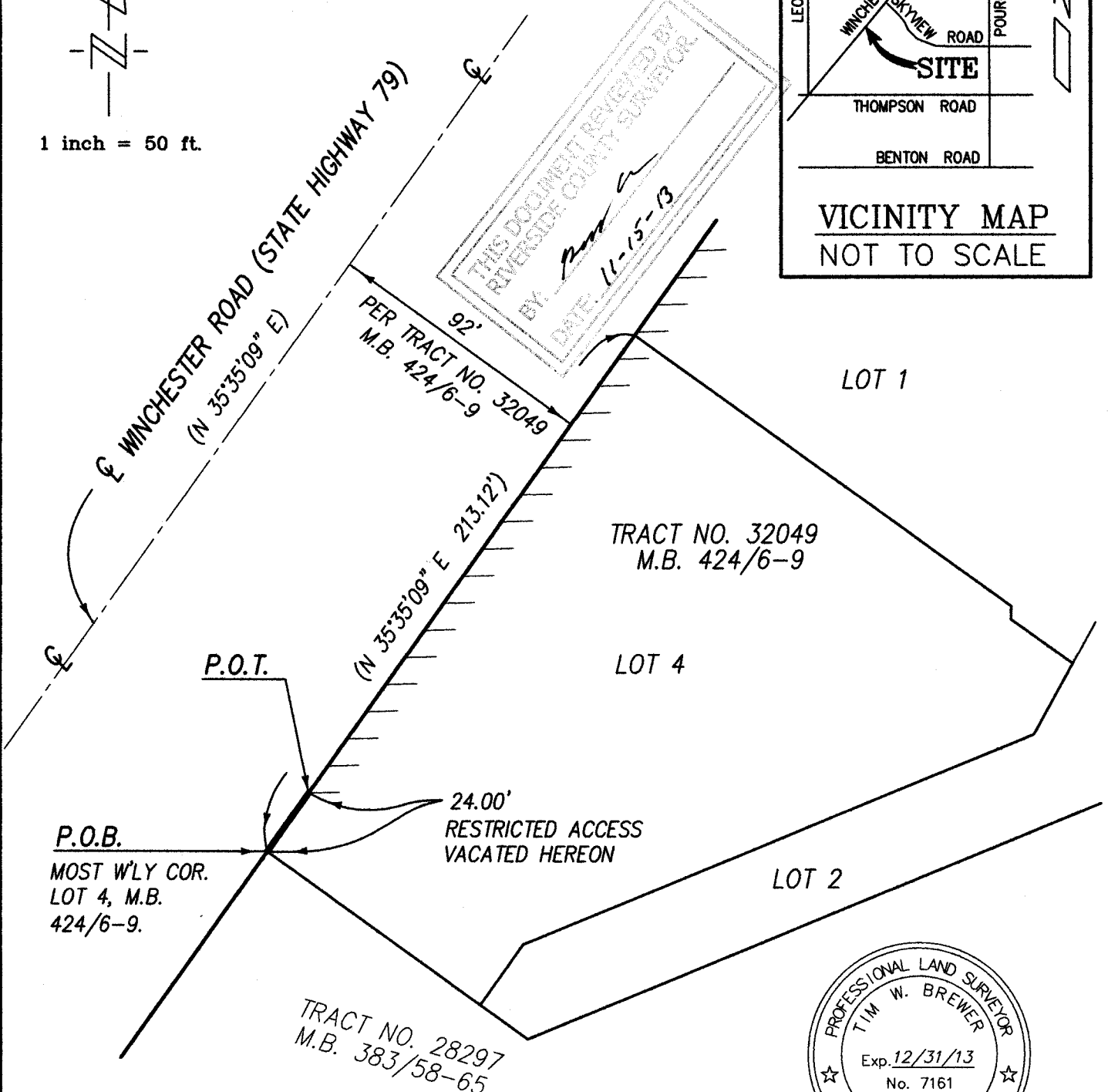
VACATION OF A PORTION, OF THE RESTRICTION
OF ABUTTERS RIGHTS OF ACCESS



1 inch = 50 ft.



THIS DOCUMENT REVIEWED BY
RIVERSIDE COUNTY SURVEYOR
DATE 11-15-13



LEGEND

() INDICATES RECORD DATA PER M.B. 424/6-9.

////// INDICATES RESTRICTED ACCESS PER M.B. 424/6-9.



Tim W. Brewer

SCALE: 1" = 50'

DRAWN BY TB DATE 9/12/13

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

SHEET 1 OF 1



2014-0009730
01/09/2014 11:16A
5 of 6



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

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

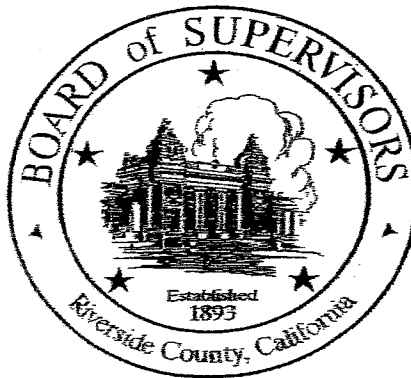
<http://riverside.asrcikrec.com>

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:

1/7/14

Signature:

Raquel Rosete

Print Name: Raquel Rosete, Board Assistant, Riverside County Clerk of the Board

