

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

920B



FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
July 15, 2014

SUBJECT: Adopt Resolution No. F2014-27 Authorization to Convey an Easement Interest in Real Property to the City of Moreno Valley for Road Purposes by Easement Deed, located in the City of Moreno Valley, County of Riverside, a portion of APNs 316-210-061 and 316-210-050 and Parcels 4009-4, 4010B-6, 4010B-6A and 4010-13; CEQA findings of Exemption; Perris Valley Channel Lateral B, Project No. 4-0-00009; District 5/District 5; [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Finds that the Project is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15301 and 15061(b)(3);
2. Adopt Resolution No. F2014-27, authorization to Convey an Easement Interest in Real Property to the City of Moreno Valley for Road Purposes, located in the City of Moreno Valley, County of Riverside being a portion of APNs 316-210-061 and 316-210-050 and Parcels 4009-4, 4010B-6, 4010B-6A and 4010-13 by Easement Deed; and
3. Authorize the Chairman of the District's Board of Supervisors to execute the Easement Deed in favor of the City of Moreno Valley; and

Continued on Page 2

AU:rlp
P8/161764

WARREN D. WILLIAMS
General Manager-Chief Engineer

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input type="checkbox"/>
NET DISTRICT COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS: N/A

Budget Adjustment: No
For Fiscal Year: 14/15

C.E.O. RECOMMENDATION:

APPROVE

BY:
Steven C. Horn

County Executive Office Signature

MINUTES OF THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT

On motion of Supervisor Stone, seconded by Supervisor Jeffries 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: July 15, 2014
xc: Flood, Recorder

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

Prev. Agn. Ref.:

District: 5th/5th

Agenda Number:

11-7

FORM APPROVED COUNTY COUNSEL
BY:
CYNTHIA M. GUNZEL
DATE: 6-20-14
Departmental Circumstance

- A-30
- Positions Added
- 4/5 Vote
- Change Order

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

FORM 11: Adopt Resolution No. F2014-27 Authorization to Convey an Easement Interest in Real Property to the City of Moreno Valley for Road Purposes by Easement Deed, located in the City of Moreno Valley, County of Riverside, a portion of APNs 316-210-061 and 316-210-050 and Parcels 4009-4, 4010B-6, 4010B-6A and 4010-13; CEQA findings of Exemption; Perris Valley Channel Lateral B, Project No. 4-0-00009; District 5/District 5; [\$0]

DATE: July 15, 2014

PAGE: Page 2 of 2

**RECOMMENDED MOTION:
(continued)**

4. Authorize the General Manager-Chief Engineer or his designee to execute any other related documents and administer all actions necessary to complete this transaction.
5. Direct the Clerk of the Board to file the Notice of Exemption with the County Clerk upon approval of this conveyance.

BACKGROUND:

Summary (continued)

In 1955 the District built the original Perris Valley Channel Lateral B within the existing street right of way referred to as Oleander Avenue at the boundary of the Cities of Perris and Moreno Valley. This facility runs from Perris Valley Channel to Heacock Street. In 2004 the facility was widened and box culverts were constructed to the ultimate street width at Indian Street and Perris Boulevard. The City of Moreno Valley has proposed to widen Perris Boulevard to the ultimate street width in conformance and alignment with the street improvements within the City of Perris. This will not interfere with the existing facility and was the original intent of the 2004 improvements.

Pursuant to the California Water Code Appendix §48-9, the Board of Supervisors for the District has the power to grant any interest in real property it owns to public agencies where such grant does not interfere with the use of the real property for the purposes of the District. Staff has evaluated and determined that the conveyance of the fee interest to the City will not interfere with the use of the property for the purposes of the District because the reservation of the easement interest will still allow the flood and drainage facilities to remain.

Pursuant to the California Environmental Quality Act (CEQA), the conveyance of the easement interest ("Project") was reviewed and determined to be categorically exempt from CEQA under CEQA Guidelines Sections 15301, Class 1 - Existing Facilities and 15061(b)(3). The proposed Project is merely the transfer of title to another public agency and will not prompt physical changes to the environment or the land. Road improvements and the underground flood facilities already exist upon and under the surface of the property. In addition, the project is exempt under CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity in question will have a significant effect on the environment.

Resolution No. F2014-27 has been approved as to form by County Counsel.

Impact on Residents and Businesses

This project is a conveyance to a public agency and there is no impact to Residences and Businesses.

ATTACHMENTS (if needed, in this order):

1. Notice of Exemption
2. Resolution No. F2014-27

BOARD OF SUPERVISORS

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

RESOLUTION NO. F2014-27

AUTHORIZATION TO CONVEY AN EASEMENT INTEREST IN REAL PROPERTY
TO THE CITY OF MORENO VALLEY FOR ROAD PURPOSES
BY EASEMENT DEED,
PERRIS VALLEY CHANNEL LATERAL B
PROJECT NO. 4-0-00009

WHEREAS, the Riverside County Flood Control and Water Conservation District ("District") owns certain fee interests in real property, located at intersection of Perris Boulevard and Perris Valley Channel Lateral B in the City of Moreno Valley, County of Riverside, State of California, being portions of parcels identified with Assessor's Parcel Numbers 316-210-061 and 316-210-050 and District Parcel Nos. 4009-4, 4010B-6, 4010B-6A and 4010B-13, ("Property") as further legally described in Exhibit "A" and shown on Exhibit "B", attached hereto and by this reference incorporated herein; and

WHEREAS, District owns, operates and maintains flood control facilities under and within the Properties ("Facilities"); and

WHEREAS, the City of Moreno Valley wants to place street improvements for Perris Boulevard over the District's existing reinforced concrete box prompting the need for legal rights for the public across the Property; and

WHEREAS, pursuant to the California Water Code Appendix §48-9, the Board of Supervisors for the District has the power to grant any interest in real property it owns to public agencies where such grant does not interfere with the use of the real property for the purposes of the District; and

WHEREAS, the District desires to convey an easement for road purposes across the Property to the City of Moreno Valley by Easement Deed which will not interfere with the District's operation and maintenance of its Facilities and City desires to accept these rights across the Property.

FORM APPROVED COUNTY COUNSEL
BY: *Synthia M. Gunzel* 6-9-14
DATE
SYNTHIA M. GUNZEL

1 NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the
2 Board of Supervisors of the Riverside County Flood Control and Water Conservation District, in
3 regular session assembled on July 15, 2014 at 10:30 a.m. or soon thereafter, in its meeting room
4 located on the 1st Floor of the County Administrative Center, 4080 Lemon Street, Riverside,
5 California, with at least four-fifths of all members concurring, the authorization of the
6 conveyance to the City of Moreno Valley the following described real property:

7 An easement interest for road purposes over portions of Assessor's Parcel Numbers
8 316-210-061 and 316-210-050, located at the intersection of Perris Boulevard and
9 Perris Valley Channel Lateral B in City of Moreno Valley, County of Riverside,
10 State of California, referenced hereinafter as Parcel No. 4009-11, more particularly
11 described and depicted in Exhibits "A" and "B".

12 BE IT FURTHER RESOLVED and DETERMINED by the Board that this conveyance
13 to the City of Moreno Valley does not interfere with the use of the real property for the purposes
14 of the District.

15 BE IT FURTHER RESOLVED and DETERMINED that the Chairman of the Board of
16 Supervisors of the District is authorized to execute the Easement Deed on behalf of the District.

17 BE IT FURTHER RESOLVED AND DETERMINED that the General Manager-Chief
18 Engineer, or his designee, is authorized to execute any other associated documents and
19 administer all actions necessary to complete the conveyance of real property to the City of
20 Moreno Valley and this transaction.

21 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Clerk of the
22 Board is directed to cause a copy of this Resolution to be posted in at least three (3) public places
23 within the County of Riverside for no less than fifteen (15) days.

24 ROLL CALL:

25 Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley
26 Nays: None
27 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.

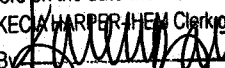
KECIA HARPER-JHEM Clerk of said Board
By  Deputy

EXHIBIT "A"
LEGAL DESCRIPTION
PERRIS BOULEVARD RIGHT-OF-WAY DEDICATION

Those portions of Section 31, Township 3 South, Range 3 West, San Bernardino Meridian, and Lot 32 of Block 1 of Riverside Alfalfa Acres, in the City of Moreno Valley, County of Riverside, State of California, as shown on the map filed in Book 8, Page 21 of Maps, in the office of the County Recorder of said County, described as follows:

Commencing at the Southeast corner of said Section 31 as shown on the Record of Survey, as filed in Book 129, Pages 85 through 93, inclusive, of Records of Survey, in the office of said County Recorder;

thence along the Southerly line of said Section 31 North 89°31'06" West 30.00 feet to a line parallel with and 30.00 feet Westerly of the Easterly line of said Section 31, and being the **TRUE POINT OF BEGINNING**;

thence continuing along said Southerly line North 89°31'06" West 20.00 feet to a line parallel with and 50.00 feet Westerly of said Easterly line;

thence leaving said Southerly line North 00°16'20" East 70.00 feet along last said parallel line to the Northerly line of the land as described in the Grant Deed recorded February 11, 1955 in Book 1692, Page 455 of Official Records, in the office of said County Recorder, said Northerly line being parallel with and 70.00 feet Northerly of said Southerly line of Section 31;

thence leaving said parallel line along last said parallel line and said Northerly line North 89°31'06" West 5.00 feet to a line parallel with and 55.00 feet Westerly of said Easterly line;

thence leaving said Northerly line along last said parallel line North 00°16'20" East 45.84 feet to the Northwesternly line of the land described as Parcel 4009-4, in the Grant Deed recorded February 27, 2004 as Document No. 2004-0139651 of Official Records, in the office of said County Recorder; thence leaving said parallel line North 65°43'16" East 27.48 feet along said Northwesternly line to first said parallel line; thence leaving said Northwesternly line South 00°16'20" West 127.35 feet along last said parallel line to the **TRUE POINT OF BEGINNING**.

Containing an area of 0.062 acres (2,690 square feet), more or less.

Subject to covenants, conditions, reservations, restrictions, rights-of-way and easements, if any, of record.

EXHIBIT "A"
LEGAL DESCRIPTION
PERRIS BOULEVARD RIGHT-OF-WAY DEDICATION

All as shown on **Exhibit "B"** attached hereto and by this reference made a part hereof.


JAMES L. GARVIN, PLS 6343





LOT 32
BLOCK 1
RIVERSIDE ALFALFA ACRES
M. B. 8 / 21

SECTION 31
TOWNSHIP 3 SOUTH,
RANGE 3 WEST
SAN BERNARDINO MERIDIAN

EASEMENT DEED,
DOCUMENT NO.
2005-0969614, O.R.

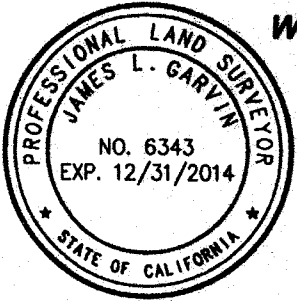
NORTHWESTERLY LINE
PARCEL 4009-4

PARCEL 4009-4
GRANT DEED,
DOCUMENT NO.
2004-0139651, O.R.

GRANT DEED, BOOK 1692
PAGES 455 AND 456, O.R.

RESOLUTION, BOOK 1426
PAGES 79 AND 80, O.R.

RIVERSIDE COUNTY FLOOD CONTROL AND
WATER CONSERVATION DISTRICT RIGHT OF WAY
(FORMERLY OLEANDER AVENUE, VACATED)



REVISED 2/10/2014

HUITT-ZOLLARS

Huitt-Zollars, Inc. Irvine
2603 Main Street, Suite 400, Irvine, CA 92614
Phone (949) 988-5815 Fax (949) 988-5820

APPROVED BY

James L. Garvin 2-10-2014

SKETCH TO ACCOMPANY
A LEGAL DESCRIPTION
EXHIBIT "B"
PERRIS BOULEVARD
RIGHT OF WAY
DEDICATION

PA09-0012	
SCALE	1"=30'
DRAWN BY	PMP
CHECKED BY	JLG
DATE	1/21/2014
JOB NO.	R110361.02

Notice of Exemption

To: Office of Planning and Research
P.O. Box 3044, 1400 Tenth Street, Room 222
Sacramento, CA 95812-3044

From: **Riverside County Flood Control
and Water Conservation District**
1995 Market Street
Riverside, CA 92501

X **County Clerk**
County of Riverside
2724 Gateway Drive
Riverside, CA 92507

Attn: Kris Flanigan
951.955.8581
Original Negative Declaration/Notice of
Determination was routed to County
Clerks for posting on.

7/17/14 KB
Date Initial

Lead Agency: Riverside County Flood Control and Water Conservation District

Project Title: Real Property Conveyance to the City of Moreno Valley for Easement Interest for Roads
Resolution No. F2014-27

Project Location: City of Moreno Valley; County of Riverside
The proposed easement is located within the District's right-of-way for the Perris Valley Channel Lateral B and includes portions of Assessor's Parcel Numbers 316-210-061 and 316-210-050. The subject property is located northwest of the intersection of Perris Boulevard and Perris Valley Channel Lateral B, which is located south of Globe Street and north of Nance Street at the abandoned Oleander Avenue. The proposed easement area is located within Township 3 South, Range 3 West, Section 31 of the Perris 7.5 Series USGS Topographic Quadrangle map. The proposed easement is located at approximately 33° 51' 33.52" N, 117° 13' 34.24" W (latitude, longitude).

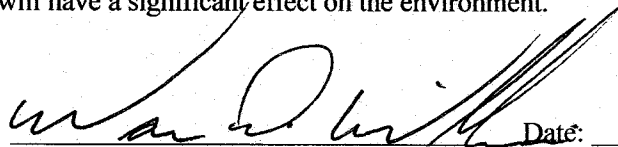
Project Description: Approving the conveyance of an easement interest in real property to the City of Moreno Valley for roadway purposes over portions of Assessor's Parcel Numbers 316-210-061 and 316-210-050 (totaling approximately 2,690 square feet). The conveyance of said easement interest to the City will not interfere with the District's function and use of the property as the road improvements would be placed over the existing facility. The City's proposed improvements are consistent with District facilities.

Public Agency Approving Project: Riverside County Flood Control and Water Conservation District

Public Agency Carrying Out Project: Riverside County Flood Control and Water Conservation District and the City of Moreno Valley

Exempt Status: Categorical Exemption pursuant to CEQA Guidelines Section 15301 and Section 15061(b)(3)

Reasons Why Project is Exempt: The conveyance of an easement interest ("Project") was reviewed and determined to be categorically exempt from CEQA under CEQA Guidelines Section 15301, Class 1 - Existing Facilities, and Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity in question will have a significant effect on the environment.

Signature:  Date: 6/25/14
General Manager-Chief Engineer

X Signed by Lead Agency
Date received for filing at OPR: N/A

P8\161767

JUL 15 2014 11-7

RIVERSIDE COUNTY CLERK-RECORDER

AUTHORIZATION TO BILL

TO BE FILLED OUT BY SUBMITTING AGENCY

DATE: 6/11/2014 BUSINESS UNIT/AGENCY: FLOOD CONTROL - FCARC

ACCOUNTING STRING:

ACCOUNT: 526410 FUND: 25140
DEPT ID: 947460 PROGRAM: _____

AMOUNT: \$50.00

REF: FINAL CEQA POSTING (NOTICE OF EXEMPTION) FOR PROJECT # 224-4-6-00009-00-28-8000-000
PERRIS VALLEY CHANNEL LATERAL B PROPERTY CONVEYANCE RESOLUTION F2014-27

THIS AUTHORIZES THE COUNTY CLERK & RECORDER TO ISSUE AN INVOICE FOR PAYMENT OF ALL DOCUMENTS INCLUDED.

NUMBER OF DOCUMENTS INCLUDED: 2

AUTHORIZED BY: DARRYLENN PRUDHOLME-BROCKINGTON *PB*

PRESENTED BY: KRIS FLANIGAN XT 58581

CONTACT: DARRYLENN PRUDHOLME-BROCKINGTON EXT 58357

TO BE FILLED OUT BY COUNTY CLERK

ACCEPTED BY: _____

DATE: _____

DOCUMENT NO(S)/INVOICE NO(S): _____

Recorded at request of, and return 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

Perris Valley Channel Lateral B
Project No. 4-0-00009
Perris Boulevard

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

RCFC Parcel No. 4000-11

EASEMENT DEED

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, a body politic, grants to the **CITY OF MORENO VALLEY**, a municipality, an easement for road and utility purposes for public use over that certain real property situated in the City of Moreno Valley, County of Riverside, State of California described in legal description attached hereto as Exhibit "A" and shown in Exhibit "B" and made a part hereof.

Assessor Parcel Number: Portions of 316-210-050 & -061

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT:

Date 7/15/14

By: Marton Ashley
Marton Ashley
Chairman
Board of Supervisors

ATTESTS:

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

By: Kecia Harper-Ihem
Deputy

JUL 15 2014

11-7

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LEGAL DESCRIPTION
PERRIS BOULEVARD RIGHT-OF-WAY DEDICATION

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thence along the Southerly line of said Section 31 North 89°31'06" West 30.00 feet to a line parallel with and 30.00 feet Westerly of the Easterly line of said Section 31, and being the **TRUE POINT OF BEGINNING**;

thence continuing along said Southerly line North 89°31'06" West 20.00 feet to a line parallel with and 50.00 feet Westerly of said Easterly line;

thence leaving said Southerly line North 00°16'20" East 70.00 feet along last said parallel line to the Northerly line of the land as described in the Grant Deed recorded February 11, 1955 in Book 1692, Page 455 of Official Records, in the office of said County Recorder, said Northerly line being parallel with and 70.00 feet Northerly of said Southerly line of Section 31;

thence leaving said parallel line along last said parallel line and said Northerly line North 89°31'06" West 5.00 feet to a line parallel with and 55.00 feet Westerly of said Easterly line;

thence leaving said Northerly line along last said parallel line North 00°16'20" East 45.84 feet to the Northwesterly line of the land described as Parcel 4009-4, in the Grant Deed recorded February 27, 2004 as Document No. 2004-0139651 of Official Records, in the office of said County Recorder; thence leaving said parallel line North 65°43'16" East 27.48 feet along said Northwesterly line to first said parallel line; thence leaving said Northwesterly line South 00°16'20" West 127.35 feet along last said parallel line to the **TRUE POINT OF BEGINNING**.

Containing an area of 0.062 acres (2,690 square feet), more or less.

Subject to covenants, conditions, reservations, restrictions, rights-of-way and easements, if any, of record.

EXHIBIT "A"
LEGAL DESCRIPTION
PERRIS BOULEVARD RIGHT-OF-WAY DEDICATION

All as shown on **Exhibit "B"** attached hereto and by this reference made a part hereof.



JAMES L. GARVIN, PLS 6343





EASEMENT DEED,
DOCUMENT NO.
2005-0969614, O.R.

LOT 32
BLOCK 1
RIVERSIDE ALFALFA ACRES
M. B. 8 / 21

SECTION 31
TOWNSHIP 3 SOUTH,
RANGE 3 WEST
SAN BERNARDINO MERIDIAN

NORTHWESTERLY LINE
PARCEL 4009-4

PARCEL 4009-4
GRANT DEED,
DOCUMENT NO.
2004-0139651, O.R.

N89°31'06"W
5.00'

0.062
ACRES

GRANT DEED, BOOK 1692
PAGES 455 AND 456, O.R.

RESOLUTION, BOOK 1426
PAGES 79 AND 80, O.R.

SOUTHERLY LINE LOT 32

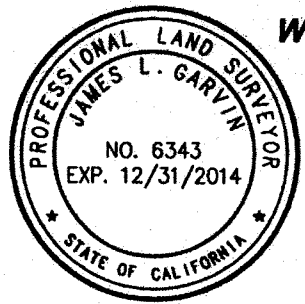
SOUTHERLY LINE SECTION 31

T.P.O.B.

50.00'
N89°31'06"W

RIVERSIDE COUNTY FLOOD CONTROL AND
WATER CONSERVATION DISTRICT RIGHT OF WAY
(FORMERLY OLEANDER AVENUE, VACATED)

P.O.C.
SE CORNER
SEC 31



REVISED 2/10/2014

PA09-0012	
SCALE	1"=30'
DRAWN BY	PMP
CHECKED BY	JLG
DATE	1/21/2014
JOB NO.	R110361.02

HUITT-ZOLLARS

Huitt-Zollars, Inc. Irvine
2603 Main Street, Suite 400, Irvine, CA 92614
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SKETCH TO ACCOMPANY
A LEGAL DESCRIPTION
EXHIBIT 'B'
**PERRIS BOULEVARD
RIGHT OF WAY
DEDICATION**

APPROVED BY
James L. Garvin
2-10-2014

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

Recorder
P.O. Box 751
(951) 486-7000
www.riversideacr.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 FOR SEAL for the Riverside County Flood Control and Water Conservation District (EMBOSSSED ON DOCUMENT)

RIVERSIDE COUNTY FLOOD CONTROL AND
WATER CONSERVATION DISTRICT

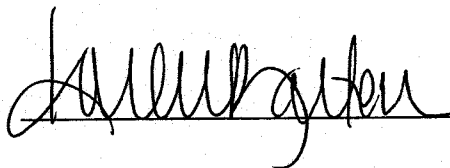
1945

CALIFORNIA

Date:

7-15-14

Signature:



Print Name: Karen Barton, Board Assistant