

Departmental Concurrence REVIEWED BY EXECUTIVE OFFICE

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

FROM: TLMA - Transportation Dept.

302 B



SUBJECT: Resolution No. 2014-124, Summarily Vacating Portions of Mount Vernon Avenue and Execution of Quitclaim Deed in the Highgrove area, California Environmental Quality Act Exempt. 5th/2nd District; [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

- 1. Find that the vacation of Portions of Mount Vernon Avenue is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301 and 15061 (b)(3) of the State CEQA Guidelines; and
- 2. Adopt Resolution No. 2014-124, Summarily Vacating Portions of Mount Vernon Avenue and authorize the Chairman to execute the Quitclaim Deed; and
- 3. Direct the Clerk of the Board to deliver the Notice of Exemption to the Office of the County Clerk for filing within five (5) working days of this Board hearing.

BACKGROUND:

Summary

As a Condition of Approval for Tract Map 29597 and Tract Map 29741, Mount Vernon Avenue has been realigned. The new realignment was dedicated by Document Nos. 2008-0592600, 2008-0592646, and 2008-0592647, all recorded on November 7, 2008, Official Records of the County of Riverside, California. As a result of this realignment, portions of Mount Vernon Avenue are no longer necessary, and the applicant has requested the vacation of these portions of Mount Vernon Avenue. The right-of-way being vacated is owned in fee title by the County of Riverside and requires the execution of a Quitclaim Deed to pass title to SMR Phase 1 Joint Venture LLC. The street improvements for the new alignment of

Patricia Romo

Assistant Director of Transportation

for Juan C. Perez

Director of Transportation and Land Management

WJH

Policy

Consent

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Per Exec. Ofc.:

Consent

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Dep't Recomm.:

Attachments: Resolution No. 2014-124, Exhibits "A," "B," "C,"

"D," Notice of Exemption, Quitclaim Deed, and

Exhibits "A," "B," "C," "D"

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Tavaglione, 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: Absent: None None

September 9, 2014

Date: XC:

Transp., Recorder

Prev. Agn. Ref.

District: 5/2

Agenda Number:

Kecia Harper-Ihem

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

FORM 11: Resolution No. 2014-124, Summarily Vacating Portions of Mount Vernon Avenue and Execution of Quitclaim Deed in the Highgrove area, California Environmental Quality Act Exempt. 5th/2nd District; [\$0]

DATE: August 13, 2014

PAGE: 2 of 2

BACKGROUND:

Summary (continued)

Mount Vernon Avenue are of equal or greater value than the right-of-way being vacated; therefore, no compensation is necessary. This vacation will not eliminate access to any parcel. A portion of Mount Vernon Avenue lies within the City of Riverside, and the applicant is currently processing a vacation with the Planning Department at the City of Riverside for said portion of Mount Vernon Avenue.

There is no proposed need for the portion of Mount Vernon Avenue within the City of Riverside, and the portion of Mount Vernon Avenue lying within the city limits is no longer required due to the realignment of said road. Riverside County Transportation Department, Riverside County Flood Control and Water Conservation District, and Riverside County Fire Department have reviewed this vacation and have no objections. As determined in the attached Notice of Exemption, the vacation is exempt from the provisions of CEQA pursuant to Categorical Exemptions 15301 and 15061 of the State CEQA Guidelines. The vacation will not result in any specific or general exceptions to the use of the categorical exemption and will not cause any direct or indirect physical environmental impacts.



COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY



Juan C. Perez, P.E., T.E. Director of Transportation

Initial

Transportation Department NOTICE OF EXEMPTION

June 10, 2014

PROJECT TITLE:

Vacation of Portions of Mount Vernon Avenue in all Negative Declaration/Notice of Work Order #ZAB06019, Task Code #Z1530 Determination was routed to County

Clerks for posting on.

PROJECT SPONSOR: Riverside County Transportation Department

voiside county Transportation Department of

PROJECT LOCATION: Located in Western Riverside County, Highgrove Community

SUPERVISORIAL DISTRICT: Second

PROJECT DESCRIPTION: As a Condition of Approval of Tract Map No. 29597 and Tract Map No. 29741, the Riverside County Transportation Department (RCTD) proposes to realign portions of Mount Vernon Avenue. As a result of this realignment, portions of Mount Vernon Avenue are no longer necessary and the applicant has requested the vacation of portions of Mount Vernon Avenue (See attached Exhibit's "A" and "B").

This vacation will not eliminate access to any parcel. The Riverside County Transportation Department, Riverside County Flood Control Department and the Riverside County Fire Department have reviewed this vacation and have no objections.

In accordance with Section 7.3.4 of the Western Riverside County MSHCP, necessary operation and maintenance activities conducted for safety purposes along existing roadways are considered a covered activity. Therefore, no mitigation is required for the proposed improvements of this project.

The Riverside County Transportation Department Staff conducted a review of the above referenced project and has determined that the proposals qualify for a Categorical Exemption per the California Environmental Quality Act (CEQA) Guidelines and the Riverside County Rules to Implement CEQA.

The Riverside County Transportation Department has found that the above-described project is exempt from the provisions of the California Environmental Quality Act (CEQA), based on the following:

California Environmental Quality Act Guidelines, Section 15061 and Section 15301 (c)

By: Andrew Huneck, Senior Transportation Planner

Russell Williams, Environmental Division Manager

SEP 092014 2-28

Recorded at the request of and return to: **Transportation Department** Office of the County Surveyor 4080 Lemon Street Riverside, CA 92501 **STOP NO. 1080** This instrument is for the benefit the County of Riverside, and is entitled to be recorded without fee. (Gov. Code 6103) THE UNDERSIGNED GRANTOR DECLARES **DOCUMENTARY TRANSFER TAX IS \$0** ☑ Computed on full value of property conveyed, or ☐ computed on full value less value of liens or encumbrances remaining at time of sale, ☐ Unincorporated area: ☐ City of Gregory Ehe - Signature of Declarant or Agent

QUITCLAIM DEED

The COUNTY OF RIVERSIDE, a political subdivision of the State of California, hereby REMISES, RELEASES, AND QUITCLAIMS to

SMR PHASE 1 JOINT VENTURE LLC

The following real property in the County of Riverside, State of California, described as follows:

SEE LEGAL DESCRIPTIONS AND PLATS ATTACHED HERETO AS EXHIBITS "A", "B", "C" and "D", AND MADE A PART HEREOF.

ATTEST:

Kecia Harper-Ihem Clerk of the Board

Deputy

COUNTY OF RIVERSIDE

By:

Jeff Stone, Chairman
Board of Supervisors

COPY

PAGE 1 OF 1

SEP 092014 2-28

EXHIBIT "A" LEGAL DESCRIPTION QUITCLAIM OF A PORTION OF MT. VERNON AVENUE

That portion of Section 9, Township 2 South, Range 4 West, San Bernardino Meridian, conveyed to the County of Riverside by deed recorded December 20, 1932 in Book 97, Pages 231 through 233, inclusive, of Official Records of said County, lying within said Section 9.

EXCEPTING therefrom that portion thereof lying southerly of a line parallel with and 58.00 feet northerly of, measured at right angles to the southerly line of said Section 9, also being the centerline of Palmyrita Avenue.

CONTAINING: 1.50 Acres, more or less.

EXHIBIT "B" attached hereto and by this reference made a part hereof.

This description was prepared by me or under my direction.

Thomas E. Verloop, PLS \$348

Date: <u>07/10/*Z*0/4</u>

THIS DOCUMENT REVIEWED BY RIVERSIDE COUNTY SURVEYOR.

THOMAS E. VERLOOP L.S. 5348

BY: 72

DATE: 7-17-14

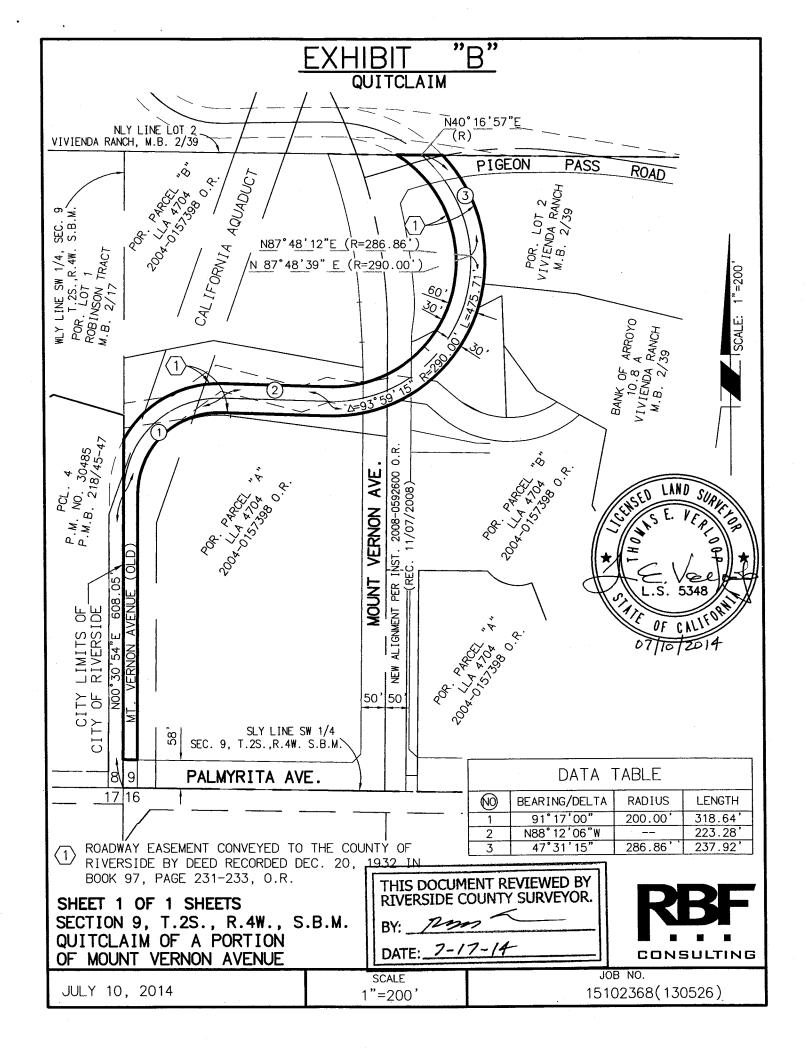


EXHIBIT "C" LEGAL DESCRIPTION QUITCLAIM OF A PORTION OF MT. VERNON AVENUE

That portion of Section 9, Township 2 South, Range 4 West, San Bernardino Meridian, being all of that certain strip of land, 50.00 feet in width, as conveyed to the County of Riverside by deed recorded November 23, 1906 in Book 233, Pages 393 and 394, of Deeds, Records of said County, lying easterly of the westerly line of said Section 9.

CONTAINING: 1

1.76 acres, more or less.

EXHIBIT "D" attached hereto and by this reference made a part hereof.

This description was prepared by me or under my direction.

Thomas E. Verloop, PLS 5348

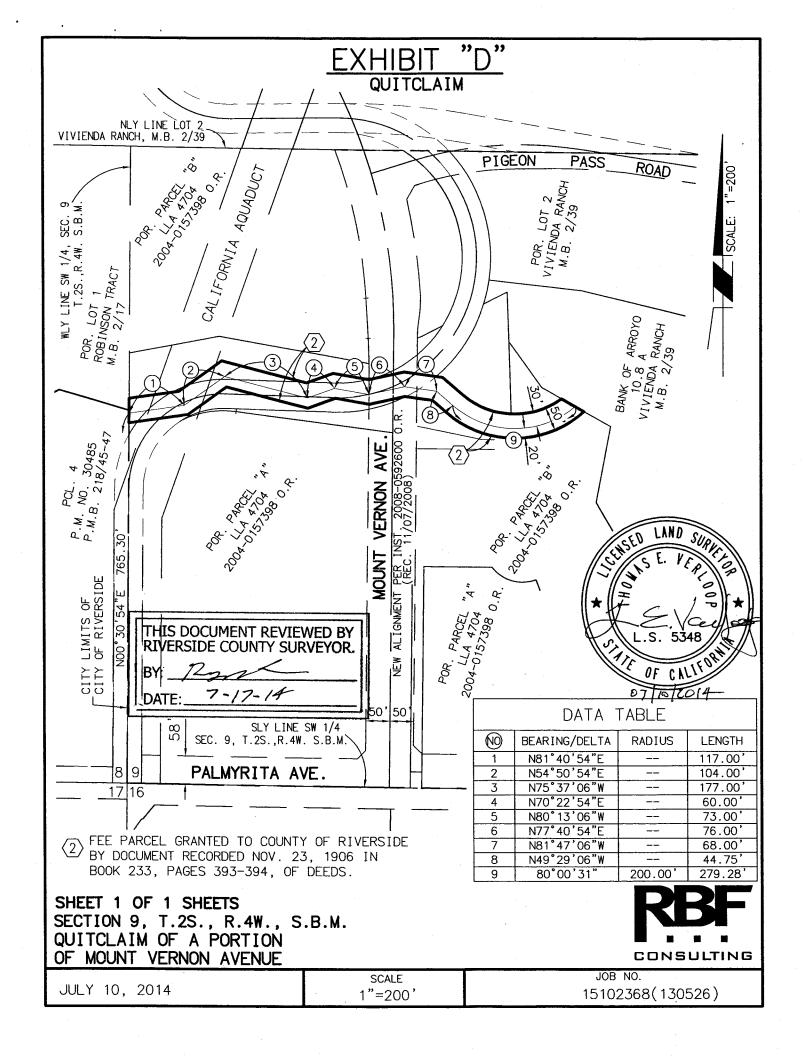
Date: <u>07//0/2014</u>-

THOMAS E. VERLOOP
L.S. 5348

THIS DOCUMENT REVIEWED BY RIVERSIDE COUNTY SURVEYOR.

BY: ___

DATE: 7-17-14





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

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

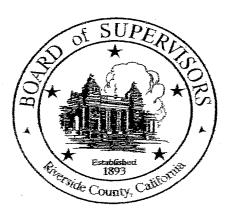
http://riverside.lsrcfkrec.com

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:

Signature:

Print Name:

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

ACR 601P-AS4RED (Rev. 01/2005)

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

P. O. BOX 1147 – RIVERSIDE, CA 92502

DOC # 2014-0343507

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. 2014-124

Title of Document

SUMMARILY VACATING PORTIONS OF MOUNT VERNON AVENUE AND EXECUTION OF QUITCLAIM DEED IN THE HIGHGROVE AREA

(SECOND SUPERVISORIAL DISTRICT)

(Transportation Department ~ Item 2-28 of 09/09/14)



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WED COUNTY OF SEA 27

RESOLUTION NO. 2014-124

SUMMARILY VACATING PORTIONS OF MOUNT VERNON AVENUE AND EXECUTION OF QUITCLAIM DEED IN THE HIGHGROVE AREA (Second Supervisorial District)

WHEREAS, the hereinafter-described portions of Mount Vernon Avenue were conveyed to the County of Riverside by deed recorded November 23, 1906, in Book 233, Pages 393 and 394, of Deeds, and by deed recorded December 20, 1932, in Book 97, Pages 231 through 233, inclusive, of Deeds, both Official Records of Riverside County, California; and

WHEREAS, the hereinafter-described portions of Mount Vernon Avenue are not necessary and are excess, and not required for public street or highway purposes; and

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 September 9 , 2014, as follows:

1. Pursuant to Section 8334(a) of the Streets and Highways Code that the hereinafter-described portions of Mount Vernon Avenue were conveyed to the County of Riverside by deed recorded November 23, 1906, in Book 233, Pages 393 and 394, of Deeds, and by deed recorded December 20, 1932, in Book 97, Pages 231 through 233, inclusive, of Deeds, both Official Records of Riverside County, California, are excess and are no longer required for public street and highway purposes and are hereby summarily vacated.

1	2. That the herein-described portions of Mount Vernon Avenue are unnecessary for
2	present or prospective public use, including use as a non-motorized transportation
3	facility.
4	SEE LEGAL DESCRIPTIONS AND PLATS ATTACHED HERETO
5	AS EXHIBITS "A", "B", "C," AND "D" AND MADE A PART HEREOF.
6	EXCEPTING AND RESERVING from the vacation an easement for any existing
7	public utilities and public service facilities, together with the right to maintain, operate,
8	replace, remove, or renew such facilities, pursuant to section 8340 of the Streets and
9	Highways Code.
10	BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED that the Clerk of
11	the Board is directed to cause a certified copy of this resolution to be recorded in the
12	office of the Recorder of the County of Riverside, California, and the Chairman of the
13	Board of Supervisors is authorized to execute the Quitclaim Deed to SMR Phase 1 Joint
14	Venture LLC. Upon execution, the Clerk of the Board shall forward the Quitclaim Deed
16	back to the Transportation Department for further action and recordation.
15	back to the transportation bepartment for future action and recordation.
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	ROLL CALL:
16	ROLL CALL: Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley
16 17	ROLL CALL:
16 17 18	ROLL CALL: Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley Nays: None Absent: None
16 17 18 19	ROLL CALL: Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley Nays: None
16 17 18 19 20	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
16 17 18 19 20 21	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.
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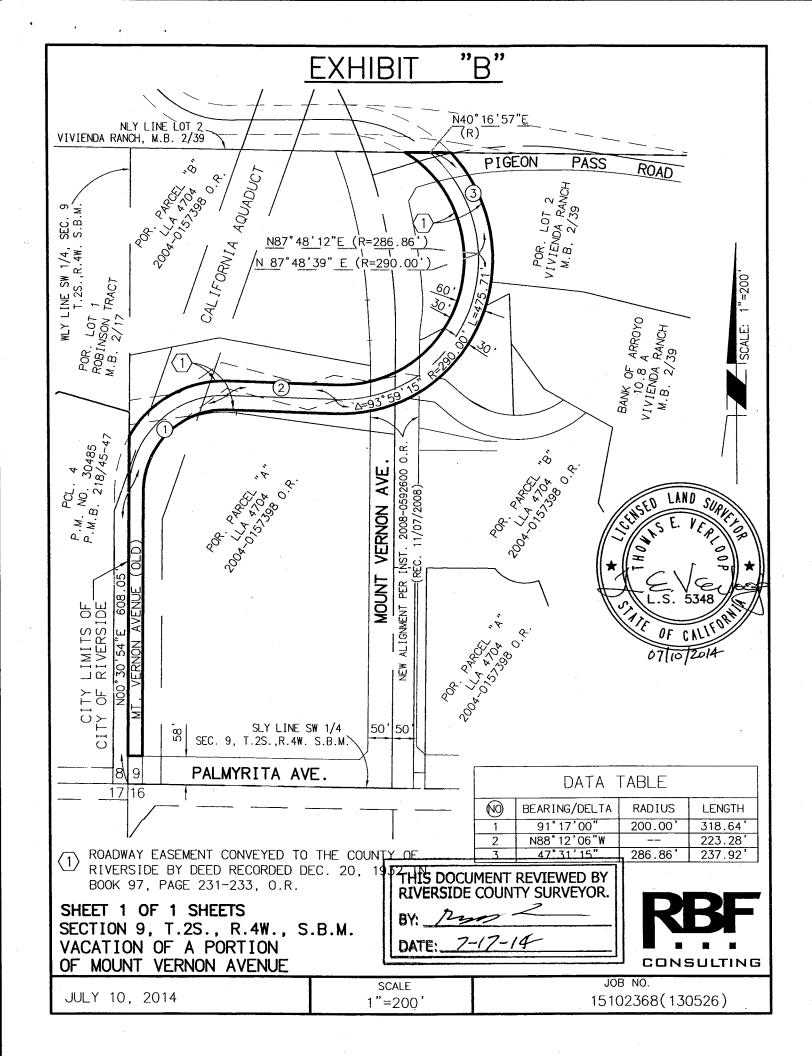


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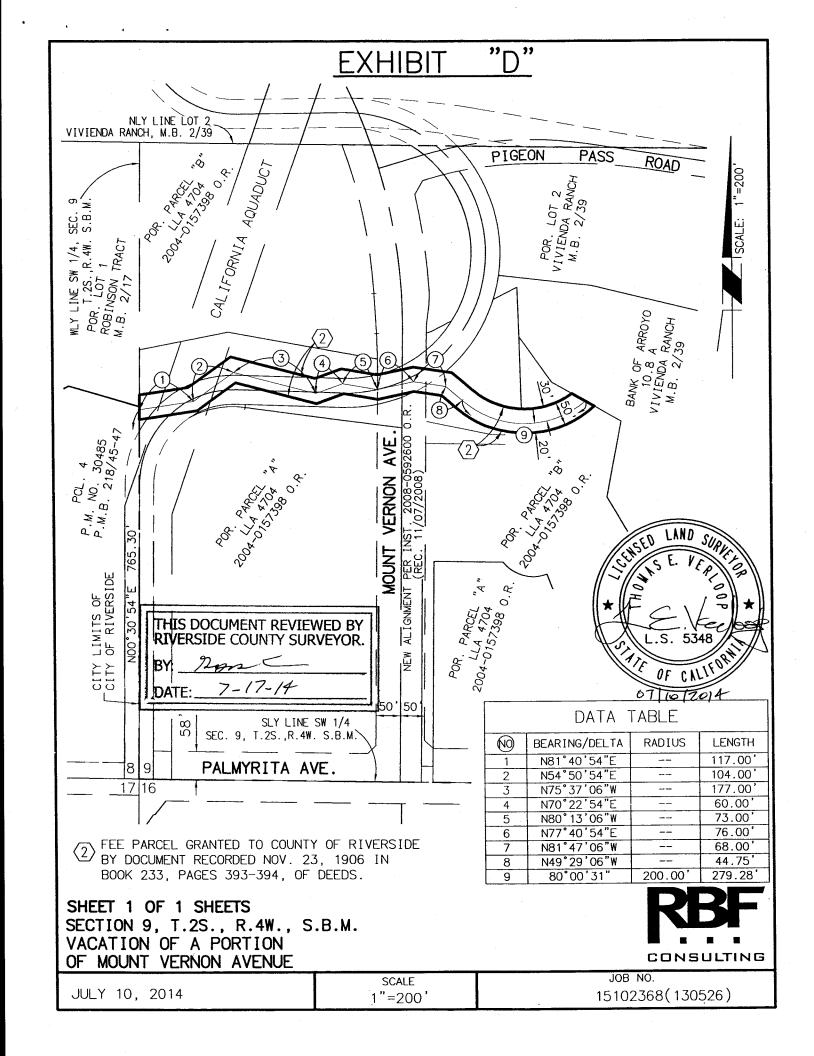
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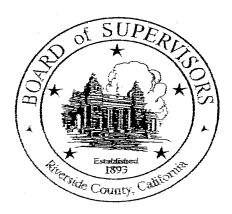
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Karen Barton, Board Assistant, Riverside County Clerk of the Board

ACR 601P-AS4RE0 (Rev. 01/2005)