

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

706B



FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
September 17, 2014

SUBJECT: Resolution No. 2014-171, Summarily Vacating Portions of Parcel 0241-031A and Parcel 0241-031B and Execution of Quitclaim Deed in the Thermal Area, California Environmental Quality Act Exempt. 4th/4th District; [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that the vacation of portions of Parcel 0241-031A and Parcel 0241-031B in the Thermal area are categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301. and 15061 (b)(3) of the State CEQA Guidelines and that this vacation is exempt from CEQA review, as it is not a project as defined by Section 15378 of the CEQA Guidelines, and it will not result in a direct or reasonably foreseeable indirect physical change in the environment; and
2. Adopt Resolution No. 2014-171, Summarily Vacating Portions of Parcel 0241-031A and Parcel 0241-031B in the Thermal Area; 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

In December of 2013, the County of Riverside (County) acquired a portion of Assessor's parcel number (APN) 763-350-016, referred to as parcel 0241-031, from CXA-16 Corporation for the Airport Boulevard Grade Separation Project. The County's Airport Boulevard Grade Separation Project requires a portion of the area acquired from CXA-16 Corporation to provide parking to California AG Properties LLC.

Patricia Romo
Assistant Director of Transportation
for Juan C. Perez
Director of Transportation and Land Management

WJH

Attachments: Resolution No. 2014-171
Exhibits "A" & "B", Quitclaim and CEQA NOE

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, 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: October 7, 2014
xc: Transp., Recorder

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

Prev. Agn. Ref.

District: 4/4

Agenda Number:

2-8

FORM APPROVED COUNTY COUNSEL
DATE: 9/24/14
BY: [Signature] P. R. AMOS
Department of Public Works

REVIEWED BY EXECUTIVE OFFICE
DATE: 9/29/14
Tiha Grande

Dep't Recomm.: Consent Policy
Per Exec. Ofc.: Consent Policy

THE HONORABLE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

Form 11: Resolution No. 2014-171 Summarily Vacating Portions of Parcel 0241-031A and Parcel 0241-031B and Execution of Quitclaim Deed in the Thermal Area, CEQA Exempt. 4th/4th District; [\$0]

DATE: September 17, 2014

PAGE: 2 of 2

BACKGROUND

Summary (continued)

Vacating and quitclaiming the County's fee simple interest to California Ag Property will provide the needed truck parking and satisfies the settlement requirement as stated in the Stipulation for Final Judgment in Condemnation, Case No. INC1301304, signed August 20, 2014, with California Ag Properties LLC. This action, as proposed, is not subject to review under CEQA guidelines pursuant to Sections 15060 (c) (2) and (3) of CEQA because it does not have a direct or indirect effect on the environment, as it will only result in the vacation of unnecessary easement interest, and the action is not a project as defined in Section 15378. Per Section 15378 (b) (5) of CEQA, a project does not include organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

NOTICE OF EXEMPTION

Original Negative Declaration/Notice of Determination was routed to County Clerks for posting on.

September 10, 2014

10/10/14
Date

LD
Initial

Project Name: County of Riverside, Vacation of Portions of Parcel 0241-031A and Parcel 0241-031B as shown on Document No. 2013-0564663, Recorded on December 4, 2014, in the Thermal Area. (Driveway entrance off Airport Road)

Project Number: A6-0241

Project Location: See attached Exhibits "A" and "B".

Description of Project: Vacating portion of said parcels within the driveway off of Airport Road.

Name of Public Agency Approving Project: County of Riverside, Transportation Department, Survey Division.

Name of Person or Agency Carrying out Project: County of Riverside, Transportation Department, Survey Division, Wesley Hohenberger.

Exempt Status: California Environmental Quality Act (CEQA) Guidelines, Section 15061(b)(3), General Rule "Common Sense" Exemption. Not a "project" as defined under State CEQA Guidelines, Section 15060(c)(2).

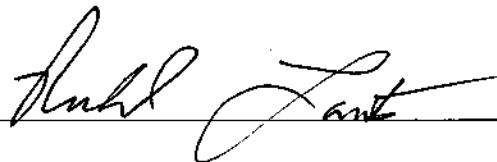
Reasons Why Project is Exempt: The vacation of a street has been determined to not be a "project" as defined under State CEQA Guidelines section 15060(c)(2). However, even if it was determined to be a project under CEQA for analysis purposes, the project is exempt from the provisions of CEQA specifically by the State CEQA Guidelines as identified below. The vacation of the existing roadway will not result in any specific or general exceptions to the use of the categorical exemption as detailed under State CEQA Guidelines Section 15300.2. The project will not cause any impacts to scenic resources, historic resources, or unique sensitive environments. Further, no unusual circumstances or potential cumulative impacts would occur that may reasonably create an environmental impact. The vacation of a portion of this street will not have an effect on the environment; thus, the County has deemed this does not meet the definition of a "project" under CEQA and no environmental impacts are anticipated to occur.

- Section 15061(b)(3) - General Rule "Common Sense" Exemption. With certainty, there is no possibility that the proposed project may have a significant effect on the environment. The vacation of a street will not require any construction activities, change the use or intensity of the existing site to create a physical environmental impact, and would not lead to any direct or reasonably foreseeable indirect physical

environmental impacts. Therefore, in no way would the project as proposed have the potential to cause a significant environmental impact and the project is exempt from further CEQA analysis.

- Section 15060(c)(2) – for purposes of analysis under CEQA, the vacation of the roadway is not a “project” under CEQA pursuant to Section 15060(c)(2). An action by a public agency is only a “project” subject to CEQA if the action might result in a physical change in the environment. Based upon a review of the whole action undertaken, supported, or authorized by the County, in no way will the vacation of the roadway increase the use of the site, result in increased development or construction impacts, or lead to any direct, indirect, or cumulative physical environmental impacts.

Based upon the identified exemptions above, the County of Riverside hereby concludes that no physical environmental impacts are anticipated to occur and the project as proposed is exempt under CEQA. No further environmental analysis is warranted.

Signed:  Date: 9-11-2014

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 # 2014-0387196
10/10/2014

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. 2014-171

Title of Document

**SUMMARILY VACATING PORTIONS OF PARCEL 0241-031A AND PARCEL
0241-031B AND EXECUTION OF QUITCLAIM DEED IN THE THERMAL AREA
(A6-0241)**

(FOURTH SUPERVISORIAL DISTRICT)

(Transportation Department ~ Item 2-8 of 10/07/14)

2
3 **RESOLUTION NO. 2014-171**

4
5 **SUMMARILY VACATING PORTIONS OF PARCEL 0241-031A AND PARCEL**
6 **0241-031B AND EXECUTION OF QUITCLAIM DEED IN THE THERMAL AREA**
7 **(A6-0241)**
8 **(Fourth Supervisorial District)**
9

10 **WHEREAS**, the hereinafter-described portions of Parcel 0241-031A and Parcel
11 0241-031B were granted in fee to the County of Riverside, California by Document No.
12 2013-0564663, recorded on December 4, 2013, and;

13 **WHEREAS**, applicable procedures pertaining to summary vacations were followed
14 pursuant to the County's adopted "Resolutions for Fixing Procedures to Vacate and
15 Accept County Highways and Property Offered for Dedication," now therefore;

16 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board of
17 Supervisors of the County of Riverside, State of California, in regular session assembled
18 on October 7, 2014, as follows:

- 19 1. Pursuant to Section 8334(a) of the Streets and Highways Code that said
20 hereinafter-described portions of Parcel 0241-031A and Parcel 0241-031B, are
21 excess and are no longer required for public street or highway purposes, and are
22 hereby summarily vacated.
23 2. That the hereinafter-described portions of Parcel 0241-031A and Parcel 0241-
24 031B are unnecessary for present or prospective public use, including use as a
25 non-motorized transportation facility.

26 **SEE LEGAL DESCRIPTION AND PLAT ATTACHED HERETO**
27 **AS EXHIBITS "A" AND "B," AND MADE A PART HEREOF.**
28

FORM APPROVED COUNTY COUNSEL
BY:  PATRICIA MUNROE
DATE: 9/24/14


1 **EXCEPTING AND RESERVING** from the vacation an easement for any existing
2 public utilities and public service facilities, together with the right to maintain, operate,
3 replace, remove, or renew such facilities, pursuant to Section 8340 of the Streets and
4 Highways Code.

5 **BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED** that the Clerk of
6 the Board is directed to cause a certified copy of this resolution to be recorded in the
7 office of the Recorder of the County of Riverside, California, and the Chairman of the
8 Board of Supervisors is authorized to execute the Quitclaim Deed to California AG
9 Properties LLC and upon execution direct the Clerk of the Board to cause a certified copy
10 of the Quitclaim Deed to be recorded in the office of the Recorder of the County of
11 Riverside, California.

12
13 ROLL CALL:

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

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

19 KECIA HARPER-IHON, Clerk of said Board
20 By  Deputy

21
22
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27
28 WJH W.O. #A6-0241

EXHIBIT "A"
LEGAL DESCRIPTION
VACATION
0241-030D

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN GRANT DEED, AS INSTRUMENT NUMBER 2013-0564663, RECORDED DECEMBER 04, 2013, OFFICIAL RECORDS OF THE RECORDER OF RIVERSIDE COUNTY CALIFORNIA, LYING WITHIN THE SOUTHWEST ONE-QUARTER OF SECTION 15, TOWNSHIP 6 SOUTH, RANGE 8 EAST, SAN BERNARDINO MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF AIRPORT BOULEVARD, FORMERLY CALIFORNIA STREET (30.00 NORTHERLY HALF-WIDTH) AND THE CENTERLINE OF ORANGE STREET (30.00 WESTERLY HALF-WIDTH), AS SHOWN ON THE MAP OF THERMAL TOWNSITE ON FILE IN BOOK 4, PAGE 78 OF MAPS, RECORDS OF SAID RECORDER;

THENCE S 89°49'04" W ALONG SAID CENTERLINE OF AIRPORT BOULEVARD, A DISTANCE OF 274.13 FEET;

THENCE N 00°10'56" W, A DISTANCE OF 55.00 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 58.15 FEET AND AN INITIAL RADIAL BEARING OF S 55°25'37" E, SAID NON-TANGENT CURVE BEING A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID AIRPORT BOULEVARD AS DESCRIBED BY INSTRUMENT NUMBER 21880, RECORDED FEBRUARY 3, 1983, SAID OFFICIAL RECORDS SAID POINT ALSO BEING THE SOUTHWESTERLY LINE OF SAID GRANT DEED;

THENCE NORTHERLY ALONG SAID SOUTHWESTERLY LINE AND SAID NON-TANGENT CURVE THROUGH A CENTRAL ANGLE OF 73°51'48", AN ARC DISTANCE OF 74.96 FEET TO THE BEGINNING OF A COMPOUND CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 2,879.94 FEET, AND AN INITIAL RADIAL BEARING OF N 50°45'35" E;

THENCE NORTHWESTERLY CONTINUING ALONG SAID SOUTHWESTERLY LINE AND SAID COMPOUND CURVE THROUGH A CENTRAL ANGLE OF 00°12'16", AN ARC DISTANCE OF 10.28 FEET TO THE TRUE POINT OF BEGINNING;

THENCE N 41°40'58" W CONTINUING ALONG SAID SOUTHWESTERLY LINE, A DISTANCE OF 481.08 FEET;

THENCE S 52°30'22" E, A DISTANCE OF 188.64 FEET;

THENCE S 41°31'59" E, A DISTANCE OF 410.44 FEET;

THENCE S 48°41'10" W, A DISTANCE OF 36.45 FEET TO THE TRUE POINT OF BEGINNING;

CONTAINING: 17,673 SQUARE FEET, OR 0.406 ACRES, MORE OR LESS.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 6. MULTIPLY DISTANCES SHOWN BY 1.000020640 TO OBTAIN GROUND DISTANCE.

SEE ATTACHED EXHIBIT "B"

APPROVED BY: Edward D. Hunt

DATE: 7-10-2014

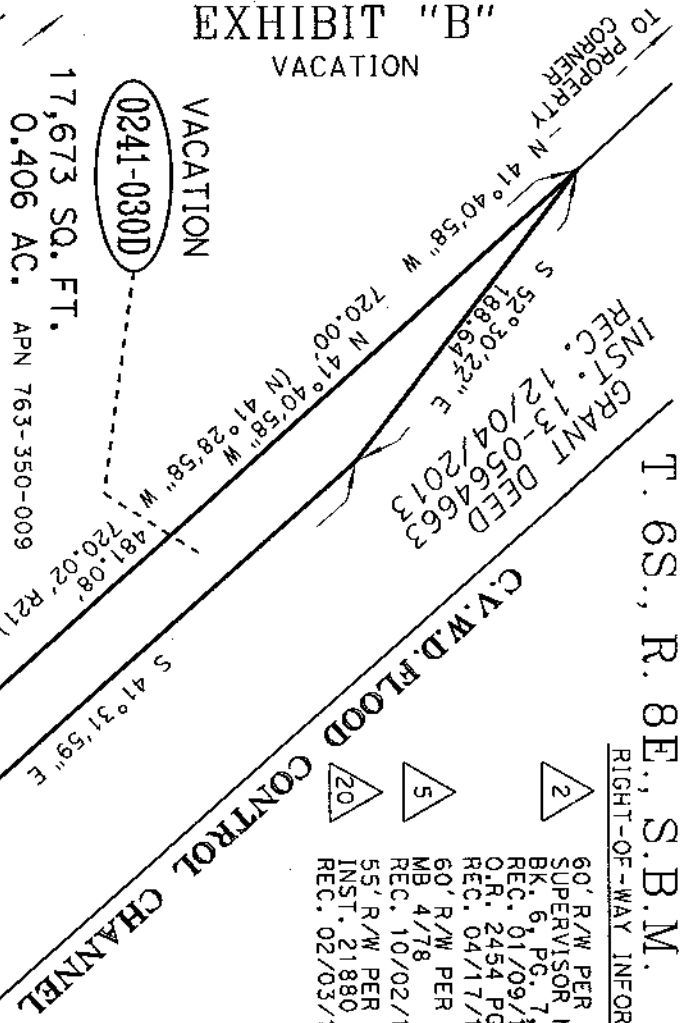


EXHIBIT "B"
VACATION

T. GS., R. 8E., S.B.M.

RIGHT-OF-WAY INFORMATION:

- 2 60' R/W PER SUPERVISOR MINUTES BK. 6, PG. 71901 REC. 01/09/1901 O.R. 2454 PG. 65, REC. 04/17/1959
- 5 60' R/W PER MB 4/78 REC. 10/02/1902 55' R/W PER INST. 21880 REC. 02/03/1983
- 10 73°51'48" Δ R = 58.15' T = 43.71' L = 74.96'
- 11 129°07'41" Δ R = 58.15' T = 122.26' L = 131.05' (Δ = 128°56'57" R = 58.18' T = 121.78' L = 130.87' R20)
- 22 00°35'07" Δ R = 3000.01' T = 15.32' L = 30.64'
- 46 02°16'36" Δ R = 2879.94' T = 57.23' L = 114.44'
- 47 00°12'16" Δ R = 2879.94' T = 5.14' L = 10.28'



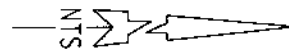
0241-030D
VACATION
17,673 SQ. FT.
0.406 AC. APN 763-350-009

LINE DATA

- ① N 00°10'56" W 55.00'
- ② S 48°41'10" W 36.45'
- ③ N 89°49'04" E 201.65' (N 89°55'00" E 200.84' R22)

TRUSTEE DEED
INST. 371332
REC. 07/05/2002 T.P.O.B.

SECTION 15
SW 1/4



() INDICATES RECORD DATA MB 4/78

CURVE DATA

| | |
|-----|----------------|
| 10 | 73°51'48" |
| Δ R | = 58.15' |
| T | = 43.71' |
| L | = 74.96' |
| 11 | 129°07'41" |
| Δ R | = 58.15' |
| T | = 122.26' |
| L | = 131.05' |
| (Δ) | = 128°56'57" |
| R | = 58.18' |
| T | = 121.78' |
| L | = 130.87' R20) |
| 22 | 00°35'07" |
| Δ R | = 3000.01' |
| T | = 15.32' |
| L | = 30.64' |
| 46 | 02°16'36" |
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| T | = 57.23' |
| L | = 114.44' |
| 47 | 00°12'16" |
| Δ R | = 2879.94' |
| T | = 5.14' |
| L | = 10.28' |

1/4 LINE (CENTER)
N 00°37'55" W 1325.94' (N 00°35'04" W 1325.76' R13)

TO 1/16 CORNER

FD. 1" IP W/PLASTIC PLUG, "ILLEGIBLE", FLUSH, IN LIEU OF COPPERWELD, C/L AIRPORT BLVD. & ORANGE STREET, PER RS 78/46.

| | |
|--|--|
| ALL DISTANCES SHOWN ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY MULTIPLYING THE GRID DISTANCE BY A COMBINATION FACTOR OF 1.000020640 | |
| PCL No.: 0241-030D | COUNTY OF RIVERSIDE TRANSPORTATION DEPARTMENT, SURVEY DIVISION |
| WO No.: A6-0241 | PROJECT: AIRPORT BOULEVARD GRADE SEPARATION |
| SCALE: NTS | THIS PLAT IS AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE PRECEDING DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DESCRIPTION. |
| PREPARED BY: KNV | APPROVED BY: <i>Edward D. Hunt</i> |
| DATE: JULY 2014 | DATE: 7-10-2014 |
| 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

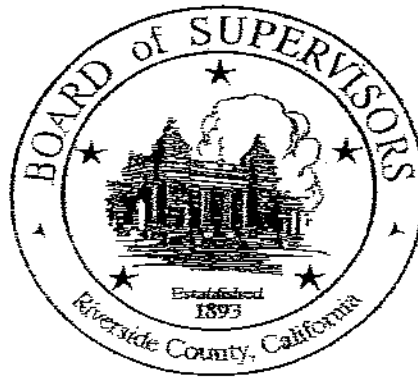
<http://riverside.asrcb.ca.com>

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:

10-7-14

Signature:

Karen Barton

Print Name:

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

Recorded at the request of and return to:
Transportation Department
Office of the County Surveyor
4080 Lemon Street
Riverside, CA 92501
STOP NO. 1080

DOC # 2014-0387197
10/10/2014

Customer Copy Label

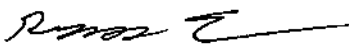
The paper to which this label is affixed has not been compared with the filed/recorded document

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

This 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

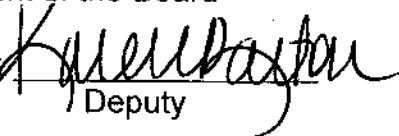
CALIFORNIA AG PROPERTIES L.L.C.

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", AND MADE A PART HEREOF.

ATTEST:

Kecia Harper-Ihem
Clerk of the Board

By: 
Deputy

COUNTY OF RIVERSIDE

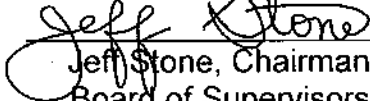
By: 
Jeff Stone, Chairman
Board of Supervisors

EXHIBIT "A"
LEGAL DESCRIPTION
VACATION
0241-030D

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN GRANT DEED, AS INSTRUMENT NUMBER 2013-0564663, RECORDED DECEMBER 04, 2013, OFFICIAL RECORDS OF THE RECORDER OF RIVERSIDE COUNTY CALIFORNIA, LYING WITHIN THE SOUTHWEST ONE-QUARTER OF SECTION 15, TOWNSHIP 6 SOUTH, RANGE 8 EAST, SAN BERNARDINO MERIDIAN, DESCRIBED AS FOLLOWS:

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SEE ATTACHED EXHIBIT "B"

APPROVED BY: Edward D. Hunt

DATE: 7-10-2014



EXHIBIT "B"
VACATION

T. 6S., R. 8E., S.B.M.

RIGHT-OF-WAY INFORMATION:

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- 5 60' R/W PER MB 4/78 REC. 10/02/1902 55' R/W PER INST. 21880 REC. 02/03/1983

CURVE DATA

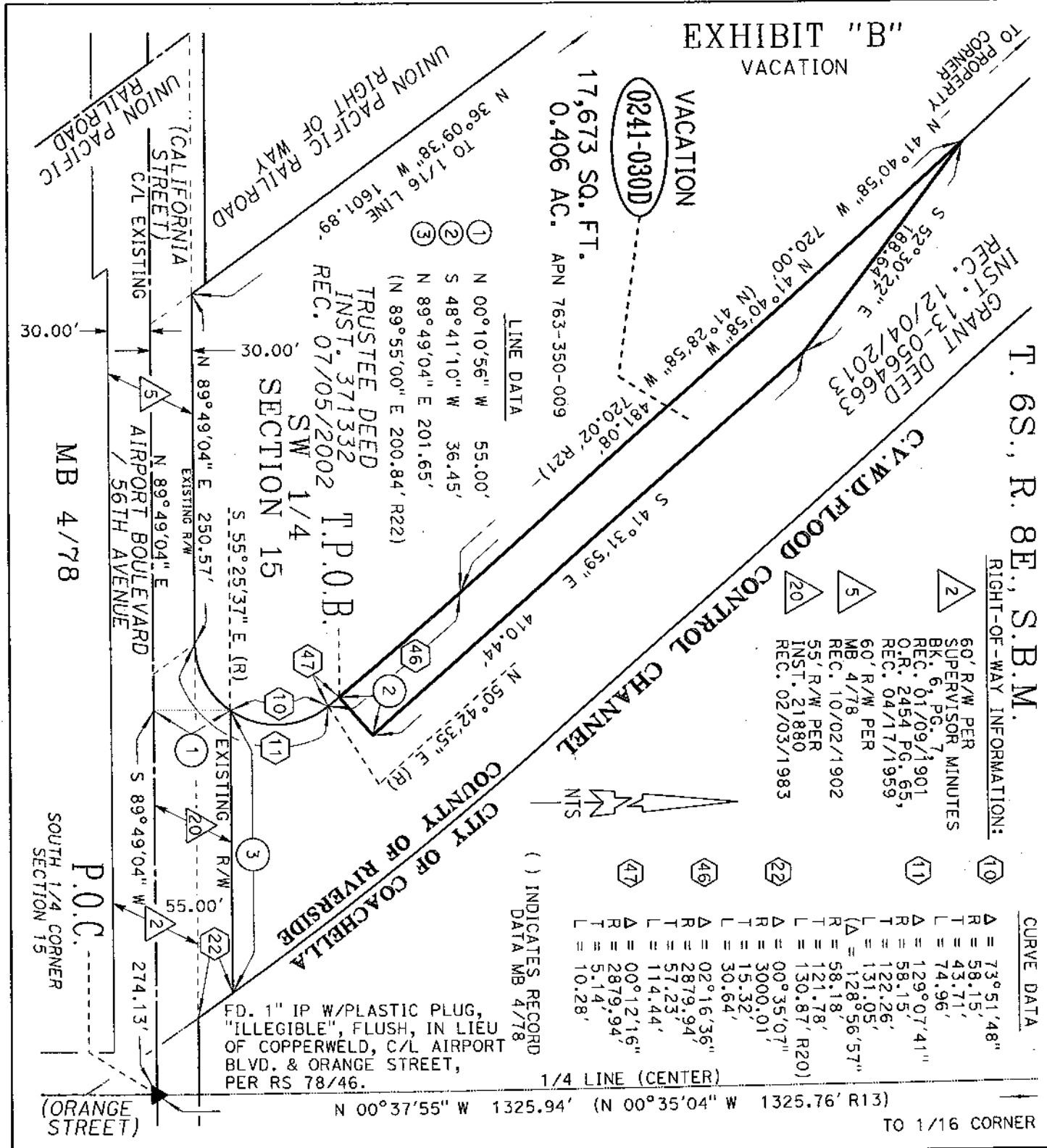
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- 10 R = 58.15'
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- 11 Δ = 129°07'41"
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- 22 Δ = 128°56'57"
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- 22 T = 121.78'
- 22 L = 130.87' (R20)
- 46 Δ = 00°35'07"
- 46 R = 3000.01'
- 46 T = 15.32'
- 46 L = 30.64'
- 47 Δ = 02°16'36"
- 47 R = 2879.94'
- 47 T = 57.23'
- 47 L = 114.44'
- 47 R = 00°12'16"
- 47 T = 2879.94'
- 47 L = 5.14'
- 47 R = 10.28'

() INDICATES RECORD DATA MB 4/78

1/4 LINE (CENTER)

N 00°37'55" W 1325.94' (N 00°35'04" W 1325.76' R13)

TO 1/16 CORNER



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ALL DISTANCES SHOWN ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY MULTIPLYING THE GRID DISTANCE BY A COMBINATION FACTOR OF 1.000020640

PCL No.: 0241-030D
 WO No.: A6-0241
 SCALE: NTS
 PREPARED BY: KNV
 DATE: JULY 2014
 SHEET 1 OF 1

COUNTY OF RIVERSIDE TRANSPORTATION DEPARTMENT, SURVEY DIVISION
 PROJECT: AIRPORT BOULEVARD GRADE SEPARATION
 THIS PLAT IS AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE PRECEDING DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DESCRIPTION.

APPROVED BY: *Edward D. Hunt*

DATE: 7-10-2014





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

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

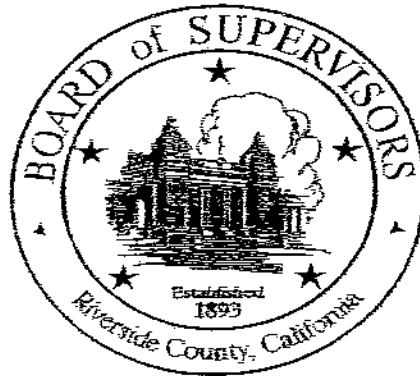
<http://riverside.assclrec.com>

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:

10-7-14

Signature:

Print Name:

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