

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

915 B



FORM APPROVED COUNTY COUNSEL 7/19/15  
DATE  
BY: GREGORY P. PRIAMOS

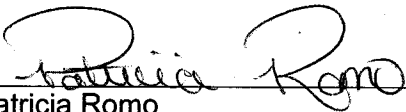
FROM: TLMA – Transportation Department


SUBMITTAL DATE:  
July 30, 2015

SUBJECT: Resolution No. 2015-129, Summarily Vacating a Portion of Markham Street and Vacating the Right to Accept a Slope and Drainage Easement in the Lake Mathews Area. This Vacation is Exempt Pursuant to CEQA. 1<sup>st</sup> District; [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that the vacation of a portion of Markham Street and vacating the Right to Accept a Slope and Drainage Easement is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15061(b)(3) of the State CEQA Guidelines; and
2. Adopt Resolution No. 2015-129, Summarily Vacating a Portion of Markham Street and Vacating the Right to Accept a Slope and Drainage Easement in the Lake Mathews 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.

  
Patricia Romo  
Assistant Director of Transportation

  
Juan C. Perez  
Director of Transportation and Land Management

WJH, Attachments:  
Vicinity Map  
Resolution No. 2015-129  
Exhibits "A," "B," "C," and "D"  
CEQA Notice of Exemption


REVIEWED BY EXECUTIVE OFFICE  
DATE 7/24/15 Tina Grande  
Departmental Concurrence

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

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley  
Nays: None  
Absent: None  
Date: September 1, 2015  
xc: Transp., Recorder

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

Prev. Agn. Ref.

District: 1

Agenda Number:

2-13

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**  
**FORM 11:** Resolution No. 2015-129, Summarily Vacating a Portion of Markham Street and Vacating the Right to Accept a Slope and Drainage Easement in the Lake Mathews Area. This Vacation is Exempt Pursuant to CEQA. 1<sup>st</sup> District; [\$0]

**DATE:** July 30, 2015

**PAGE:** 2 of 2

**BACKGROUND:**

**Summary**

The applicant has requested the vacation of a portion of Markham Street and to vacate the Right to Accept a Slope and Drainage Easement in the Lake Mathews area. This portion of Markham Street is no longer required, as Markham Street has been realigned and is now excess right-of-way. This vacation will not eliminate access to any parcel. The Riverside County Transportation Department has reviewed this vacation and has no objections to this request. As determined in the attached CEQA Notice of Exemption, the vacation is exempt from the provisions of CEQA pursuant to Categorical Exemptions 15060(c)(2) and 15061(b)(3) 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.

**Impact on Residents and Businesses**

This portion of Markham Street is no longer required, as Markham Street has been realigned and is now excess right-of-way. This vacation will not eliminate access to any parcel, 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.

**NOTICE OF CEQA EXEMPTION** Original Negative Declaration/Notice of Determination was routed to County Clerks for posting on.

9/3/15  
Date

KD  
Initial

**Project Name:** Summarily Vacating Portion of Markham Street and Vacating the Right to Accept a Slope and a Drainage Easement in the Lake Mathews Area.

**Project Number:** AB15001, SU14

**Project Location-** See Exhibits "A", "B", "C" and "D"

**Description of Project:** Summarily Vacating Portion of Markham Street and Vacating the Right to Accept a Slope and a Drainage Easement in the Lake Mathews Area.

**Name of Public Agency Approving Project:** Survey Division, Transportation and Land Management Agency.

**Name of Person or Agency Carrying Out Project:** Richard G. Lantis, Riverside County Transportation Department, County of Riverside.

**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

SEP 01 2015 2-13

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: 7-30-15  
Richard G. Lantis, Riverside County Surveyor

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

**2015-0395501**

09/03/2015 09:45 AM

**\*\*\*Customer Copy Label\*\*\***

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

Peter Aldana  
County Of Riverside  
Assessor-County Clerk-Recorder

THIS SPACE FOR RECORDERS USE ONLY

**RESOLUTION NO. 2015-129**

Title of Document

**SUMMARILY VACATING A PORTION OF MARKHAM STREET AND  
VACATING THE RIGHT TO ACCEPT A SLOPE AND DRAINAGE EASEMENT  
IN THE LAKE MATHEWS AREA  
(AB15001)**

(FIRST SUPERVISORIAL DISTRICT)

(Transportation Department ~ Item 2-13 of 09/01/15)

**COPY**

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE  
FOR RECORDING INFORMATION

2  
3 **RESOLUTION NO. 2015-129**

4 SUMMARILY VACATING A PORTION OF MARKHAM STREET AND  
5 VACATING THE RIGHT TO ACCEPT A SLOPE AND DRAINAGE EASEMENT  
6 IN THE LAKE MATHEWS AREA

7 (AB15001)

8 (First Supervisorial District)

9  
10 **WHEREAS**, a portion of Markham Street (Lot "B") was dedicated and accepted by  
11 Tract Map 9202, filed in Book 114, Pages 61 through 65, inclusive, of Maps, records of  
12 Riverside County California and a Slope and Drainage Easement was dedicated and not  
13 accepted by said Tract Map 9202; and

14 **WHEREAS**, this portion of Markham Street is not necessary and is excess right-of-  
15 way, is not required for public street or highway purposes, and the Slope and Drainage  
16 Easement was never accepted and is excess and is not required; and

17 **WHEREAS**, applicable procedures pertaining to summary vacations were followed  
18 pursuant to the Riverside County's adopted "Resolutions for Fixing Procedures to Vacate  
19 and Accept County Highways and Property Offered for Dedication": Now, therefore;

20 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board of  
21 Supervisors of the County of Riverside, State of California, in regular session assembled  
22 on September 1, 2015, as follows:

- 23 1. Pursuant to Section 8334(a) of the Streets and Highways Code, that this portion of  
24 Markham Street and the Slope and Drainage Easement is not required for public  
25 street or highway purposes and is hereby summarily vacated.  
26 2. That this portion of Markham Street is unnecessary for present or prospective  
27 public use, including use as a non-motorized transportation facility.  
28

FORM APPROVED COUNTY COUNSEL  
BY: Synthia M. Gunzel 8-18-15  
DATE  
SYNTHIA M. GUNZEL

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SEE EXHIBITS "A," "B," "C," and "D" ATTACHED HERETO AND MADE A  
PART HEREOF

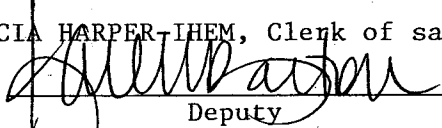
**EXCEPTING AND RESERVING** from the vacation an easement for any existing public utilities and public service facilities, together with the right to maintain, operate, replace, remove, or renew such facilities pursuant to Section 8340 of the Streets and Highways Code.

**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, Washington, 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   
Deputy

WJH, W.O. #AB15001

**EXHIBIT "A"**  
**VACATION OF A PORTION OF MARKHAM STREET**  
**LEGAL DESCRIPTION**


THAT PORTION OF LOT "B" (MARKHAM STREET) DEDICATED BY TRACT MAP NO. 9202 ON FILE IN BOOK 114, PAGES 61 THROUGH 65, INCLUSIVE, OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA. SECTION 2, TOWNSHIP 4 SOUTH, RANGE 5 WEST, S.B.M., DESCRIBED AS FOLLOWS;

**BEGINNING** AT THE NORTHEASTERLY CORNER OF LOT 1 OF SAID TRACT 9202, SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF MARKHAM STREET;

THENCE NORTH 00°31' 57" EAST A DISTANCE OF 43.90 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF MARKHAM STREET;

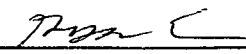
THENCE NORTH 89°28'30" WEST ALONG SAID RIGHT-OF-WAY A DISTANCE OF 160.25 FEET TO A POINT ON A CURVE, CONCAVE TO THE NORTH, WITH A RADIUS OF 344.00 FEET AND A RADIAL BEARING OF NORTH 29°49'47" EAST;

THENCE SOUTHEASTERLY 167.81 FEET ALONG SAID CURVE THROUGH A CENTRAL BEARING OF 27°57'02" TO THE **POINT OF BEGINNING**.

  
\_\_\_\_\_  
BERNHARD K. MAYER, L.S. 7319  
EXPIRES 6/30/15

5-19-15

\_\_\_\_\_  
DATE

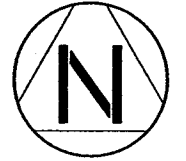
THIS DOCUMENT REVIEWED BY  
RIVERSIDE COUNTY SURVEYOR.  
BY:   
DATE: 7-28-15





# EXHIBIT "B"

## VACATION OF A PORTION OF MARKHAM STREET



SCALE: 1"=100'

**NOTE:**

ALL BOUNDARY INFORMATION (BEARINGS, DISTANCES, RADIUS'S, ETC.) ARE PER TRACT MAP NO. 9202, RECORDED IN BOOK 114, PAGES 61 THROUGH 65.

RIGHT-OF-WAY PER TRACT NO. 22100-1 M.B. 223/44-48

A.P.N. 273-570-033

RIGHT-OF-WAY VACATION

N 89°28'03" W

519.35'

359.10'

N 29°49'47" E(R)

EXISTING 10' WDE UTILITY EASEMENT

30' WDE SLOPE & DRAINAGE EASEMENT VACATION, SEE EXHIBITS "C" & "D"

EXISTING 30' WDE ACCESS OPENING

MARKHAM STREET

P.O.B.

LOT 1  
TRACT 9202  
M.B. 114/61-65

A.P.N. 285-270-030

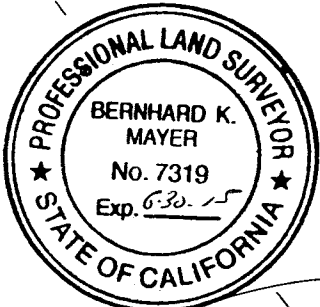
EXISTING EQUESTRIAN AND OPEN SPACE EASEMENT

328.30'

L=395.66' R=1456.00' Δ=15°34'11" T=199.06' 4'

N 00°31'57" E 577.68'

A.P.N. 285-270-031



N 84°56'08" E 187.84'

A.P.N. 285-270-034

MOCKINGBIRD

CANYON

ROAD

**VICINITY MAP**



THIS DOCUMENT REVIEWED BY RIVERSIDE COUNTY SURVEYOR.  
BY: *[Signature]*  
DATE: 7-28-15

LINE TABLE		
LINE	LENGTH	BEARING
L1	43.90	N 00°31'57" E
L2	160.25	N 89°28'03" W

CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	TANGENT
C1	167.81	344.00	27°57'02"	85.61

**LEGEND:**

(R) - INDICATES RADIAL BEARING  
P.O.B. - INDICATES POINT OF BEGINNING

**EXHIBIT "C"**  
**VACATING THE RIGHT TO ACCEPT A SLOPE & DRAINAGE EASEMENT**  
**LEGAL DESCRIPTION**

A SLOPE AND DRAINAGE EASEMENT DEDICATED BY TRACT MAP NO. 9202 ON FILE IN BOOK 114, PAGES 61 THROUGH 65, INCLUSIVE, OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA. SECTION 2, TOWNSHIP 4 SOUTH, RANGE 5 WEST, S.B.M., DESCRIBED AS FOLLOWS;


**BEGINNING** AT THE NORTHEASTERLY CORNER OF LOT 1 OF SAID TRACT 9202, SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF MARKHAM STREET, SAID POINT ALSO BEING THE BEGINNING OF A CURVE, CONCAVE TO THE NORTH, WITH A RADIUS OF 344.00 FEET AND A RADIAL BEARING OF NORTH 01°52'58" EAST;

THENCE NORTHWESTERLY 167.81 FEET ALONG SAID CURVE THROUGH A CENTRAL BEARING OF 27°57'02" TO THE NORTH PROPERTY LINE OF SAID LOT 1;

THENCE NORTH 89°28'03" WEST ALONG SAID NORTH PROPERTY LINE A DISTANCE OF 55.00 FEET TO A POINT ON A CURVE, CONCAVE TO THE NORTH, WITH A RADIUS OF 374.00 FEET AND A RADIAL BEARING OF NORTH 37°11'54" EAST;

THENCE SOUTHEASTERLY 231.25 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 35°25'35" TO A POINT ON THE EAST PROPERTY LINE OF SAID LOT 1 OF TRACT 9202;

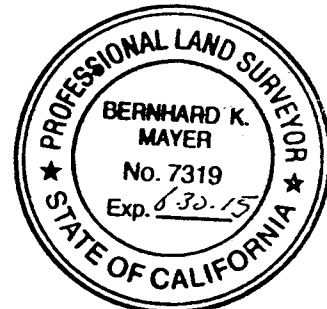
THENCE NORTH 00°31' 57" EAST ALONG SAID EAST PROPERTY LINE A DISTANCE OF 30.01 FEET TO THE **POINT OF BEGINNING**.

  
BERNHARD K. MAYER, L.S. 7319  
EXPIRES 6/30/15

5-19-15

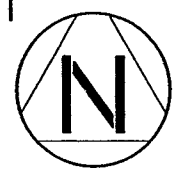
DATE

THIS DOCUMENT REVIEWED BY RIVERSIDE COUNTY SURVEYOR.
BY: <u>Bernhard K. Mayer</u>
DATE: <u>7-28-15</u>



# EXHIBIT "D"

## VACATING THE RIGHT TO ACCEPT A SLOPE & DRAINAGE EASEMENT



SCALE: 1"=100'

**NOTE:**

ALL BOUNDARY INFORMATION (BEARINGS, DISTANCES, RADIUS'S, ETC.) ARE PER TRACT MAP NO. 9202, RECORDED IN BOOK 114, PAGES 61 THROUGH 65.

A.P.N. 273-570-033

RIGHT-OF-WAY VACATION, SEE EXHIBITS "A" & "B"

RIGHT-OF-WAY PER TRACT NO. 22100-1 M.B. 223/44-48

MARKHAM STREET

N 89°28'03" W

N 37°11'54" E(R)

N 29°49'47" E(R)

EXISTING 10' WDE UTILITY EASEMENT

30' WDE SLOPE & DRAINAGE EASEMENT VACATION

EXISTING 30' WDE ACCESS OPENING

RIGHT-OF-WAY PER TRACT NO. 9020 M.B. 114/61-65

LOT 1 TRACT 9202 M.B. 114/61-65

A.P.N. 285-270-030

EXISTING EQUESTRIAN AND OPEN SPACE EASEMENT

MOCKINGBIRD

N 22°40'05" W

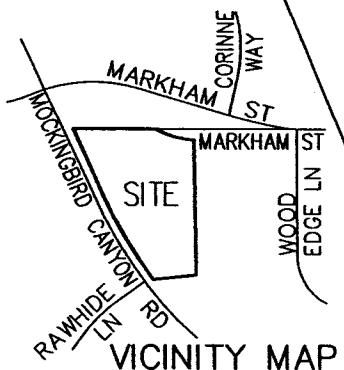
CANYON ROAD

MARKHAM STREET

577.68'

N 00°31'57" E

A.P.N. 285-270-031



THIS DOCUMENT REVIEWED BY RIVERSIDE COUNTY SURVEYOR.

BY: *[Signature]*

DATE: 7-28-15

LINE TABLE		
LINE	LENGTH	BEARING
L1	55.00	N 89°28'03" W
L2	30.01	N 00°31'57" E

CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	TANGENT
C1	167.81	344.00	27°57'02"	85.61
C2	231.25	374.00	35°25'35"	119.45

**LEGEND:**

(R) - INDICATES RADIAL BEARING  
P.O.B. - INDICATES POINT OF BEGINNING



**PETER ALDANA  
COUNTY OF RIVERSIDE  
ASSESSOR-COUNTY CLERK-RECORDER**

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

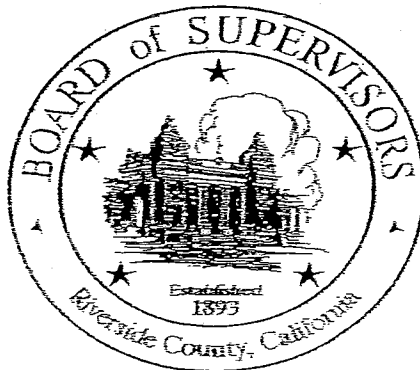
www.riversideacr.com

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



Date:

9-1-15

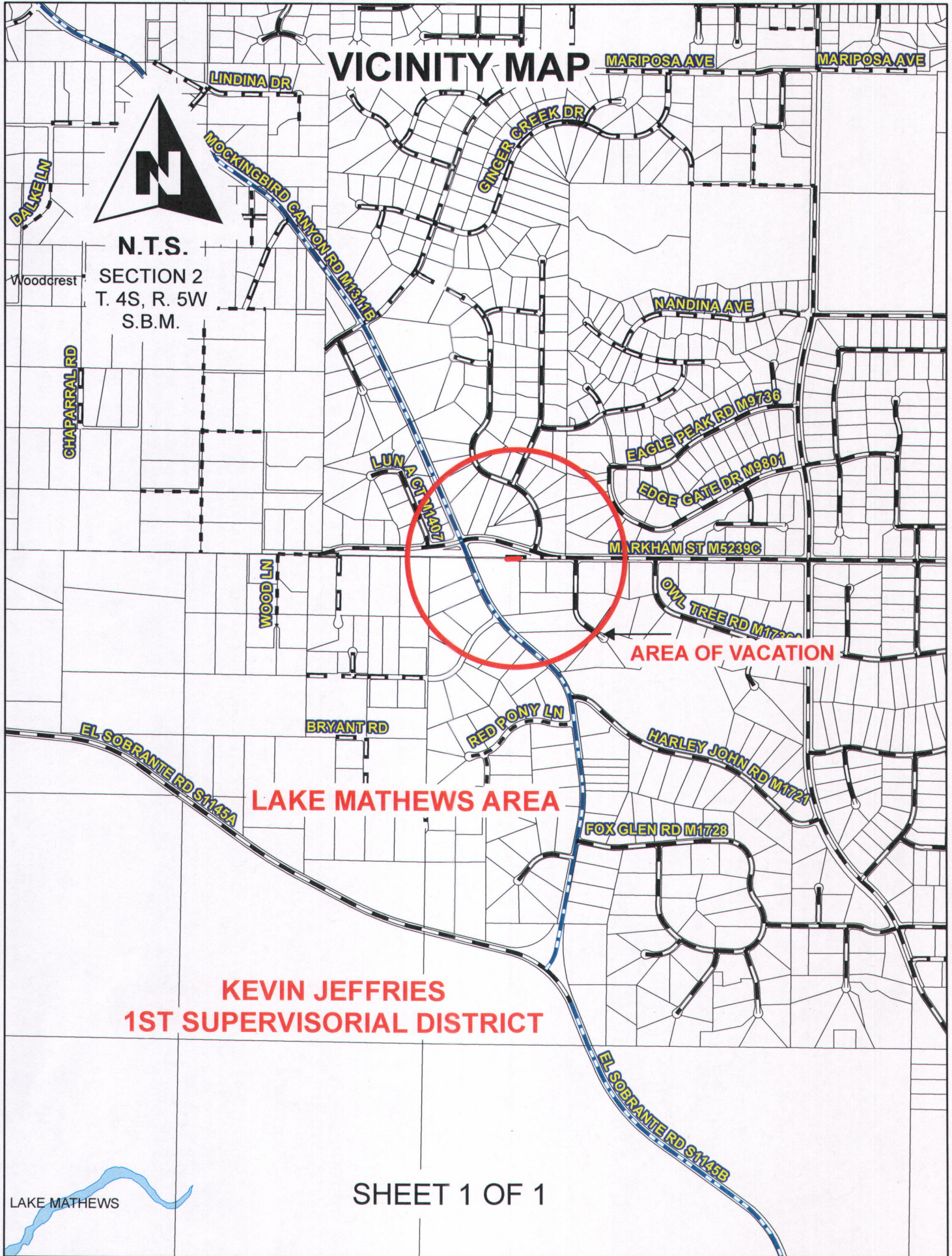
Signature:

*Karen Barton*

Print Name:

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

TO BE REMOVED BEFORE RECORDING



SHEET 1 OF 1

LAKE MATHEWS

TO BE REMOVED BEFORE RECORDING