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



FROM: Economic Development Agency

SUBMITTAL DATE: March, 3, 2016

SUBJECT: Resolution No. 2016-012, Authorization to Convey Real property to the Riverside County Regional Park & Open Space District, CEQA Exempt, District 1, [\$0]

**RECOMMENDED MOTION:** That the Board of Supervisors:

- 1. Find that the project is exempt from California Environmental Quality Act (CEQA) pursuant to State CEQA guidelines Section 15061 (b)(3) "Common Sense" Exemption;
- 2. Adopt Resolution No. 2016-012, Authorization to Convey Fee Simple Interest in Real Property located in Lakeland Village, an unincorporated area of the County of Riverside, California, known as Perret Park, identified by Assessor Parcel Numbers 381-174-023, 381-174-024, 381-174-025, 381-174-026, 381-174-027, 381-174-055, 381-174-071 and 381-174-072 by Grant Deed to the Riverside County Regional Park & Open Space District;

(Continued)

Robert Field

Assistant County Executive Officer/EDA

POLICY/CONSENT

FINANCIAL DATA	Current Fiscal Year:		Next Fiscal Year:		Total Cost:		Ongoing Cost:		(per Exec. Office)
COST	\$	0	\$ (	0	\$ 0	)	\$ 0	) [	Consent □ Policy
NET COUNTY COST	\$	0	\$ (	0	\$ 0	)	\$ 0	ij`	Consent - Folicy M
SOURCE OF FUN	DS: N/A			•	,	Budget Adjustment: No			
							For Fiscal Year	r:	2015/16

C.E.O. RECOMMENDATION:

**County Executive Office Signature** 

#### MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes:

Positions Added

A-30

Change Order

4/5 Vote

Jeffries, Tavaglione, Washington, Benoit and Ashley

Nays:

None

Absent:

None

Date:

March 15, 2016

XC:

EDA, Recorder

Prev. Agn. Ref.:

District: 1

Agenda Number:

Kecia Harper-Ihem

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

**Economic Development Agency/Facilities Management** 

FORM 11: Resolution No. 2016-012, Authorization to Convey Real property to the Riverside County Regional

Park & Open Space District, CEQA Exempt, District 1, [\$0]

**DATE:** March 3, 2016

**PAGE:** 2 of 2

#### **RECOMMENDED MOTION: (Continued)**

- 3. Direct the Clerk of the Board to file the Notice of Exemption with the office of the County Clerk within five (5) working days of approval by the Board; and
- 4. Authorize the Chairman of the Board of Supervisors to execute the Grant Deed to complete the transfer of real property.

# BACKGROUND:

## **Summary**

The County of Riverside (County) acquired the Perret Park parcels for use as a neighborhood park, and assigned control to its Parks Department. The Riverside County Regional Park and Open Space District ("District") has initiated a request to convey the subject parcels from County to District.

Perret Park was owned by Ortega Trail Recreation and Park District which was dissolved in 2005 of as designated by LAFCO 99-14-1. In 2006, the County of Riverside acting as Successor Agency, granted the park to the Redevelopment Agency for the County of Riverside (RDA), so that the RDA could fund certain improvements. Since the RDA was abolished in 2012, the Successor Agency to the Redevelopment Agency for the County of Riverside, granted the park to the County of Riverside in 2013. The County of Riverside by this resolution intends to convey the property to the Riverside County Regional Park and Open Space District.

Pursuant to Government Code 25521.5, the County of Riverside may transfer real or personal property to the District. Pursuant to Government Code Section 25365, a county may transfer real property or any interest therein, belonging to a county to another public agency, upon the terms and conditions as are agreed upon and without complying with any other provisions of the Government Code, if the property therein to be transferred is not required for county use.

Pursuant to the California Environmental Quality (CEQA), the action was reviewed and determined to be categorically exempt from CEQA. Pursuant to State CEQA Guidelines Section 15061 (b)(3) — "Common Sense" Exemption. The County's approval of this conveyance of real property does not create any reasonably foreseeable physical change in the environment; it is merely a transfer in title to real property.

Finding that the land is no longer necessary for use by the County, the County intends to transfer its fee simple interest in real property, located in the City of Lake Elsinore, consisting of 4.78 acres, identified by Assessor Parcel Numbers 381-174-023, 381-174-024, 381-174-025, 381-174-026, 381-174-027, 381-174-055, 381-174-071 and 381-174-072, as more particularly described in Exhibit A attached to Resolution No. 2016-012, by Grant Deed to the Riverside County Regional Park & Open Space District.

Resolution No. 2016-012 and Grant Deed has been reviewed and approved by County Counsel as to legal form.

#### Impact on Citizens and Businesses

Finding that the fee simple interest is no longer necessary for use by the County, the District has initiated a request to convey the subject parcels from County to District. Since this is only a transfer between public agencies, there will be no impact on citizens and businesses.

Attachments: Resolution No. 2016-012, Aerial Map, Grant Deed and Notice of Exemption

RF:JVW:VC:VY:LGH:tg 070PD 17.948 13058 S:\Real Property\TYPING\Docs-17.500 to 17.999\17.948.doc

#### **Board of Supervisors**

#### **County of Riverside**

#### **RESOLUTION NO. 2016-012**

# AUTHORIZATION TO CONVEY FEE SIMPLE INTEREST IN REAL PROPERTY TO THE RIVERSIDE COUNTY REGIONAL PARK & OPEN SPACE

#### DISTRICT BY GRANT DEED

WHEREAS, the County of Riverside is the owner certain real property consisting of 4.78 acres of vacant land, identified with Assessor Parcel Numbers 381-174-023, 381-174-024, 381-174-025, 381-174-026, 381-174-027, 381-174-055, 381-174-071 and 381-174-072, located in Lakeland Village, an unincorporated area of the County of Riverside, State of California ("Property"); and

WHEREAS, pursuant to Government Code Section 25521.5, the County may transfer to Riverside County Regional Park and Open Space District, without a vote of the electors of the county first being taken, any real or personal property belonging to the county.

WHEREAS, the County desires to convey the Property to the Riverside County Regional Park & Open Space District, for development of Perret Park.

WHEREAS, the County has reviewed and determined that the conveyance of the Property as being categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15601(b)(3) as the proposed project is merely the conveyance of title to real property and does not involve construction or development; therefore, no significant impact on the environmental will occur; and

WHEREAS, the County of Riverside and the Riverside County Regional Park & Open Space District concur that it would be in both parties best interest to transfer the Property to the District; now, therefore,

BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of the County of Riverside, in regular session assembled on Mar. 15, 2016, in the meeting room of the Board of Supervisors located on the 1<sup>st</sup> floor of the County Administrative Center, 4080 Lemon Street, Riverside, California, that this Board, based upon a review of the evidence and information presented on the matter, as it relates to the conveyance has determined that the proposed conveyance is categorically exempt from CEQA pursuant to State CEQA Guidelines

III

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activity in question will have a significant effect on the environment because it merely involves the conveyance of title to real property and no construction activities or development is to occur.

Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the

BE IT FURTHER RESOLVED, DETERMINED that this Board authorizes the conveyance of the Property by Grant Deed to Riverside County Regional Park & Open Space District the following described real property: Certain fee interest in real property located in Lakeland Village, and unincorporated area of the County of Riverside, State of California, identified with Assessor Parcel Numbers 381-174-023, 381-174-024, 381-174-025, 381-174-026, 381-174-027, 381-174-055, 381-174-071 and 381-174-072, more particularly described in Exhibit "A", Legal Description, attached hereto and made a part hereof.

**BE IT FURTHER RESOLVED, DETERMINED** that the Chairman of the Board is authorized to execute the Grant Deed to complete the conveyance of real property and this transaction.

**BE IT FURTHER RESOLVED AND DETERMINED** that the Assistant County Executive Officer/EDA or designee authorized to execute any documents to complete this transaction.

**BE IT FURTHER RESOLVED AND DETERMINED** that the Clerk of the Board of Supervisors has given notice hereof as provided in Section 6061 of the Government Code.

```
/// 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
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adopted by said Board of Supervisors on the date therein set forth.

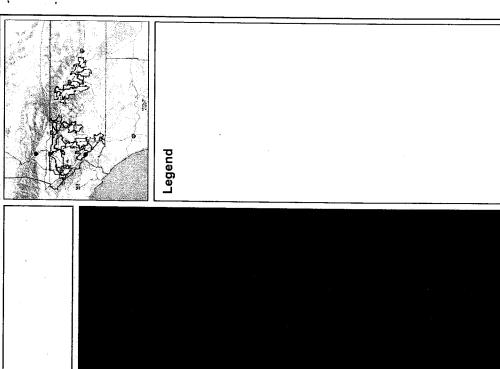
By WILL Clerk of said Board

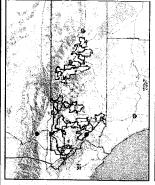
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LGH:tg/020216/070PD/17.949 S:\Real Property\TYPING\Docs-17.500 to 17.999\17.949.doc

# PERRET PARK TRANSFER

Lakeland Village





# Notes

APN 381-174-023, 381-174-024, 381-174-025, 381-174-026, 381-174-027, 381-174-055, 381-174-071 District 1

and 381-174-072

© Riverside County TLMA GIS



1,336 Feet

B

\*IMPORTANT\* Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.



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

Date

Initia

#### **NOTICE OF EXEMPTION**

January 7, 2016

Project Name: County of Riverside, Perret Park Transfer to Riverside County Regional Park and Open Space District

Project Number: FM0419310070

**Project Location:** North end of Perret Boulevard, north of Grand Avenue, adjacent to Lake Elsinore, Lakeland Village, California; Assessor's Parcel Numbers (APN): 381-174-023, 381-174-024, 381-174-025, 381-174-026, 381-174-027, 381-174-055, 381-174-071 and 381-174-072 (See attached exhibits)

**Description of Project:** The County of Riverside (County) is the owner of land identified with APNs 381-174-023, 381-174-024, 381-174-025, 381-174-026, 381-174-027, 381-174-055, 381-174-071 and 381-174-072, located in the Lakewood Village unincorporated area of Riverside County, adjacent to the City of Lake Elsinore. The County of Riverside (County) previously acquired the Perret Park parcels for use as a neighborhood park. The Riverside County Regional Park and Open Space District (District) has initiated a request to convey the subject parcels from County to District.

Pursuant to Government Code 25521.5, the County may convey, quitclaim, or otherwise transfer real or personal property to the District. Pursuant to Government Code Section 25365, a county may transfer real property or any interest therein, belonging to a county to another public agency, upon the terms and conditions as are agreed upon and without complying with any other provisions of the Government Code, if the property therein to be transferred is not required for county use.

Finding that the land is no longer necessary for use by the County, the County intends to transfer its fee simple interest in real property, located in the Lakeland Village, consisting of 4.78 acres. The County has been asked, and is willing, to convey the parcels of land to the District. The conveyance of the parcels does not allow for any construction activity, change in use, or any other condition that may lead to a direct or indirect physical environmental impact at this time. Any future activity or project at the location would require California Environmental Quality Act (CEQA) review from the District, acting as the appropriate lead agency, for any changes to these parcels of property. Any attempt at evaluating physical impacts related to future development at this time would be wholly speculative and would provide no meaningful input or analysis for consideration of the discretionary action by the County Board of Supervisors to convey the land to the District.

Name of Public Agency Approving Project: County of Riverside, Economic Development Agency

Name of Person or Agency Carrying Out Project: County of Riverside, Economic Development Agency; Riverside County Regional Park and Open Space District

**Exempt Status:** State CEQA Guidelines, 15061(b)(3), General Rule or "Common Sense" Exemption. Codified under California Code of Regulations Title 14, Article 5, Section 15061.

MAR 1 5 2016

www.rivcoeda.org

Administration Aviation Business Intelligence Cultural Services Community Services Custodial

Housing Housing Authority Information Technology Maintenance Marketing

P.O. Box 1180 • Riverside, California • 92502 • 1: 951,955,8916 • F: 951,955,6686

Economic Development Edward-Dean Museum Environmental Planning Fair & National Date Festival Foreign Trade Graffiti Abatement Parking
Project Management
Purchasing Group
Real Property
Redevelopment Agency
Workforce Development

Reasons Why Project is Exempt: The Project 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 is the conveyance of real property that is no longer needed for the use by or purposes of the County. The Project will not cause any impacts to scenic resources, historic resources, or unique sensitive environments and will not result in physical changes to the existing site. The potential indirect effects from subsequent unforeseeable development resulting from this conveyance would be analyzed as part of the District's obligation as a Lead Agency to provide full environmental review under CEQA. Further, no unusual circumstances or potential cumulative impacts would occur that may reasonably create an environmental impact. The proposed conveyance of real property will not have an effect on the environment and the mere transfer of ownership interests will not allow for any development, construction, or change of use that may create any future direct or indirect physical environmental impact; thus, no environmental impacts are anticipated to occur.

• Section 15061 (b) (3) – "Common Sense" Exemption: In accordance with CEQA, the use of the Common Sense Exemption is based on the "general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment." State CEQA Guidelines, Section 15061(b) (3). The use of this exemption is appropriate if "it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment." *Ibid.* This determination is an issue of fact and if sufficient evidence exists in the record that the activity cannot have a significant effect on the environment, then the exemption applies and no further evaluation under CEQA is required. See *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal. 3d 68. The ruling in this case stated that if a project falls within a category exempt by administrative regulation or 'it can be seen with certainty that the activity in question will not have a significant effect on the environment', no further agency evaluation is required.

With certainty, there is no possibility that the conveyance of this property may have a significant physical effect on the environment. The conveyance would be limited to the transfer of land from the County to the District and would not result in any physical direct or reasonably foreseeable indirect impacts to the environment. The Project is merely the conveyance of existing property. The conveyance of the property does not facilitate an increase in the intensity of use of the site. The conveyance of this property to the District does not require any construction activities and would not lead to any direct or reasonably foreseeable indirect physical environmental impacts to the existing site. Any future activity or development on either parcel which had the potential to result in environmental impacts, would require further a future discretionary action by the District, and this action would provide a mechanism to trigger additional CEQA review. Therefore, in no way, would the mere transfer of property between the County and the District, as proposed, have the potential to cause a significant environmental impact and the Project is exempt from further CEQA analysis.

Based upon the identified exemptions above, the County of Riverside, Economic Development Agency hereby concludes that no physical environmental impacts are anticipated to occur and the Project as proposed meets all of the required categorical exemptions as identified. No further environmental analysis is warranted.

Signed:

Date: 1/7/16

Mike Sullivan, Senior Environmental Planner

County of Riverside, Economic Development Agency

## RIVERSIDE COUNTY CLERK & RECORDER

# AUTHORIZATION TO BILL BY JOURNAL VOUCHER

<b>Project Name:</b> Perre District	et Park Transfer to Riverside County Regional Park and Open Space						
Accounting String:	524830-47220-7200400000- FM0419310070						
DATE:	January 7, 2016						
AGENCY:	Riverside County Economic Development Agency						
THIS AUTHORIZES HANDLING FEES F	THE COUNTY CLERK & RECORDER TO BILL FOR FILING AND OR THE ACCOMPANYING DOCUMENT(S).						
NUMBER OF DOCU	MENTS INCLUDED: One (1)						
AUTHORIZED BY: Signature:	Mike Sullivan, Senior Environmental Planner, Economic Development Agency						
PRESENTED BY:	Lorie Houghlan, Real Property Agent, Economic Development Agency						
	-TO BE FILLED IN BY COUNTY CLERK-						
ACCEPTED BY:	_						
DATE:	- ·						
RECEIPT # (S)							



Date:

January 7, 2016

To:

Mary Ann Meyer, Office of the County Clerk

From:

Mike Sullivan, Senior Environmental Planner, Project Management Office

Subject:

County of Riverside Economic Development Agency Project # FM0419310070

Perret Park Transfer to Riverside County Regional Park and Open Space District

The Riverside County's Economic Development Agency's Project Management Office is requesting that you post the attached Notice of Exemption. Attached you will find an authorization to bill by journal voucher for your posting fee.

# After posting, please return the document to:

Mail Stop #1330

Attention: Mike Sullivan, Senior Environmental Planner,

**Economic Development Agency,** 

3403 10<sup>th</sup> Street, Suite 400, Riverside, CA 92501

If you have any questions, please contact Mike Sullivan at 955-8009.

Attachment

cc: file

www.rivcoeda.org

Recorded at request of and return to: Riverside County Regional Park and Open Space District 4600 Crestmore road Jurupa Valley, California 92509

FREE RECORDING
This instrument is for the benefit of
the County of Riverside, and is
entitled to be recorded without fee.
(Govt. Code 6103)

LGH:tg/020216/059PD/18.042

(Space above this line reserved for Recorder's use)

PROJECT:

PERRET PARK TRANSFER

APN(s):

381-174-023, 381-174-024 381-174-025, 381-174-026 381-174-027, 381-174-055 381-174-071 and 381-174-072

# **GRANT DEED**

FOR GOOD AND VALUABLE CONSIDERATION, receipt and adequacy of which are hereby acknowledged,

COUNTY OF RIVERSIDE, a political subdivision of the State of California

Grants to the COUNTY REGIONAL PARK & OPEN SPACE DISTRICT, the fee simple interest in real property in the County of Riverside, State of California, as more particularly described as:

See Exhibit "A" attached hereto and made a part hereof

PROJECT: PERRET PARK TRANSFER
APN: 381-174-023, 381-174-024
381-174-025, 381-174-026
381-174-027, 381-174-055

381-174-071 and 381-174-072

Dated:	MAR 1 5 2016

**GRANTOR:** 

COUNTY OF RIVERSIDE, a political subdivision of the State of California

By:

John J. Beroit, Chairman Board of Supervisors

ATTEST:

Kecia Harper-Ihem Clerk of the Board

Bv://

**APPROVED AS TO FORM:** 

Gregory P. Priamos, County Counsel

By:

Todd Frahm

**Deputy County Counsel** 

# Exhibit "A" Legal Descriptions

#### PARCEL 1:

ALL THAT PORTION OF LOT 5 IN BLOCK "D" OF THE RESUBDIVISION OF BLOCK "D" OF ELSINORE, AS SHOWN BY MAP ON FILE IN BOOK 6 PAGE 296 OF MAPS, SAN DIEGO COUNTY RECORDS, PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF LOT 1 OF COUNTRY CLUB HEIGHTS, LAKELAND UNIT, AS SHOWN BY MAP ON FILE IN BOOK 17 PAGE 52 OF MAPS, RIVERSIDE COUNTY RECORDS; SAID CORNER ALSO BEING IN THE SOUTHWESTERLY LINE OF SAID LOT 5;

THENCE SOUTH 53° 31' EAST, ALONG THE SOUTHWESTERLY LINE OF SAID LOT 5, A DISTANCE OF 14 FEET TO THE MOST WESTERLY CORNER OF PARCEL 2. AS DESCRIBED IN DEED TO MELVILLE L. HALLER AND MARY AGNES HALLER, HUSBAND AND WIFE, RECORDED MARCH 25, 1964 IN BOOK 3647 PAGE 206 OF OFFICIAL RECORDS, RIVERSIDE COUNTY RECORDS; SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID SOUTHWESTERLY LINE, 84 FEET TO THE MOST WESTERLY CORNER OF THE NORTHWEST, 83.5 FEET OF THE SOUTHEAST, 167 FEET OF THE NORTHWEST, 495 FEET OF SAID LOT 5;

THENCE NORTH 36° 30' EAST, ALONG THE NORTHWESTERLY LINE OF SAID NORTHWEST, 89.5 FEET TO THE NORTHEASTERLY LINE OF SAID LOT 5;

THENCE NORTH 53° 30' WEST, ALONG SAID NORTHEASTERLY LINE, 84 FEET TO THE MOST NORTHERLY CORNER OF SAID PARCEL 2;

THENCE SOUTH 36° 30' WEST, ALONG THE NORTHWESTERLY LINE OF SAID PARCEL 2, TO THE TRUE POINT OF BEGINNING.

#### PARCEL 2:

THE NORTHWEST 83.5 FEET OF THE SOUTHEAST, 167 FEET OF THE NORTHWEST, 495 FEET OF LOT 5 IN BLOCK "D" OF THE RESUBDIVISION OF BLOCK "D" OF ELSINGRE, AS SHOWN BY MAP ON FILE IN BOOK 6 PAGE 296 OF MAPS, SAN DIEGO COUNTY RECORDS, WHICH LIES NORTHEASTERLY OF COUNTRY CLUB HEIGHTS, LAKELAND UNIT, AS SHOWN BY MAP ON FILE IN BOOK 17 PAGE 52 OF MAPS, RIVERSIDE COUNTY RECORDS.

#### PARCEL 3:

THE SOUTHEAST 83.5 FEET OF THE NORTHWEST, 495 FEET OF LOT 5 IN BLOCK "D" OF RESUBDIVISION OF BLOCK "D" OF ELSINORE, AS SHOWN BY MAP ON FILE IN BOOK 6 PAGE 296 OF MAPS, SAN DIEGO COUNTY RECORDS, WHICH LIES NORTHEASTERLY OF COUNTRY CLUB HEIGHTS, LAKELAND UNIT, AS SHOWN BY MAP ON FILE IN BOOK 17 PAGE 52 OF MAPS, RIVERSIDE COUNTY RECORDS.

381-174-023, 381-174-024, 381-174-025

#### Parcel 4:

PARCEL 2: THAT PORTION OF LOT 5 IN BLOCK D OF THE RESUBDIVISION OF BLOCK D OF ELSINORE, AS SHOWN BY MAP ON FILE IN BOOK 6, PAGE 296 OF MAPS, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA, LYING NORTHERLY OF THE NORTHERLY LINE OF COUNTRY CLUB HEIGHTS, LAKELAND UNITE, AS SHOWN BY MAP ON FILE IN BOOK 17, PAGE 52 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA; EXCEPTING THEREFORE THE NORTHWESTERLY 495 FEET THEREOF.

381-174-026

#### Parcel 5:

Lot 17 of Country Club Heights Tract Lakeland Unit, in the County of Riverside, State of California, as per map recorded in Book 17, Page 52 of Maps, Riverside County Records.

381-174-027

#### Parcel 6:

Lot 18 of Country Club Heights Tract Lakeland Unit, in the County of Riverside, State of California, as per map recorded in Book 17, Page 52 of Maps, Riverside County Records.

381-174-053

Parcel 7 & 8

PARCEL 1: LOTS 33 AND 34 OF COUNTRY CLUB HEIGHTS, LAKELAND UNITE, AS SHOWN BY MAP ON FILE IN BOOK 17, PAGE 52 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

381-174-054, 381-174-055

(9)

2) ELSINORE    CAKE	n . n

ASSESSOR'S MAP BR. 381 PG. 17
RIVERSIDE COUNTY, CALIF

M.B. 67296 S.D. RO. LA LAGUNA M.B. 17752 COUNTRY CLUB HEIGHTS LAKELAND UNIT

(8)

04T#: R, S, 13/53 36/19 Accep. of S1x, per 153465 <sup>7</sup>/84