

FORM APPROVED COUNTY COUNSEL
 BY: *G.P.P.* 3/17/16
 DATE: GREGORY P. PRIAMOS

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

1073
 c



FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
 April 12, 2016

SUBJECT: Adopt Resolution No. F2016-06, Authorization to Summarily Vacate a District Right of Way Rice Canyon Levee, in the Lake Elsinore Area, RCFC Parcel No. 3050-1; CEQA Notice of Exemption - Rice Canyon Levee Project No. 3-0-00050, District 1, District Funds 0%

RECOMMENDED MOTION: That the Board of Supervisors:

1. Finds that the vacation in real property is categorically exempt from the California Environmental Quality Act ("CEQA") as it has been determined that the project qualifies for a "Class 25 Categorical Exemption" pursuant to the State CEQA Guidelines, Section 15325(a), "Acquisition, sale, or other transfer of areas to preserve the existing natural conditions, including plant or animal habitats" and Section 15061(b)(3), "Common Sense Exemption"; and
2. Adopt Resolution No. F2016-06, Authorization to Summarily Vacate a District Right of Way along Rice Canyon Levee, in the Lake Elsinore Area, RCFC Parcel No. 3050-1; and
3. Direct the Clerk of the Board to file the Notice of Exemption with the County Clerk within five (5) working days of approval by the Board.

Continued on Page 2.

Warren D. Williams
 WARREN D. WILLIAMS
 General Manager-Chief Engineer

AU:rlp
 P8\202668

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

SOURCE OF FUNDS:

Budget Adjustment: No
 For Fiscal Year: 15/16

C.E.O. RECOMMENDATION:

APPROVE

BY: *Steven C. Horn*
 Steven C. Horn

County Executive Office Signature

MINUTES OF THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT

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

Ayes: Jeffries, Washington, Benoit and Ashley
 Nays: None
 Absent: Tavaglione
 Date: April 12, 2016
 xc: Flood, Recorder

Kecia Harper-Ihem
 Clerk of the Board
 By: *Kecia Harper-Ihem*
 Deputy

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

Prev. Agn. Ref.: 11.1 of 03/29/2016 | District: 1st | Agenda Number:

11-4

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

FORM 11: Adopt Resolution No. F2016-06, Authorization to Summarily Vacate a District Right of Way Rice Canyon Levee, in the Lake Elsinore Area, RCFC Parcel No. 3050-1; CEQA Notice of Exemption - Rice Canyon Levee Project No. 3-0-00050, District 1, District Funds 0%

DATE: April 12, 2016

PAGE: Page 2 of 2

BACKGROUND:

Summary

In 1957 the District was granted an easement by Mr. and Mrs. Shupp, now known as RCFC Parcel No. 3050-1, recorded as Instrument No. 67251 on September 18, 1957, in the Official Records of Riverside County, California, for the construction and maintenance of a channel, levees and appurtenant works for control and flow of flood, storm and other waters, which encompasses over 80 acres in the unincorporated area of Lake Elsinore referred to as Rice Canyon. This dedication was prior to any design or construction in the Rice Canyon watershed.

In 1999 a portion of this easement was quitclaimed to the existing land owners, Lake Elsinore Unified School District, pursuant to Board Agenda Item 9.4 on November 2, 1999, after it was determined that flood protection was provided by the proposed development, and the easement was no longer necessary in this area. This was recorded as Instrument No. 1999-521858 on November 30, 1999.

In 2010, an additional portion of this easement was vacated for the benefit of the existing land owners, K. Hovnanian Homes, pursuant to Board Agenda Item 11.2 on December 7, 2010, as necessary flood improvements were conditioned by the City of Lake Elsinore, constructed and the remaining property was to be converted into a conservation easement. The District reviewed the developer's improvements and determined that there would be no maintenance responsibilities for the District or additional impact on the natural conditions within this area in the present or future. Therefore the District had determined that it could summarily vacate its easement interests over this area. The vacation was recorded as Instrument No. 2010-0602857 on December 15, 2010.

The District has now evaluated the remaining acreage and determined that there is no future use of the property rights as dedicated in the original 1957 Grant of Easement within the City of Lake Elsinore's general plan. The property shall stay in its natural condition with no additional improvements. The underlying land owner has requested that the District vacate its remaining interests as the landowner intends to convey a conservation easement over the property which would assure that these conditions cannot be altered.

The project is exempt from CEQA because it qualifies as a "Class 25 Categorical Exemption" pursuant the State CEQA Guidelines Section 15325(a), "Acquisition, sale, or other transfer of areas to preserve the existing natural conditions, including plant or animal habitats". The project is also consistent with Section 15061(b)(3), "Common Sense Exemption" because it can be seen with certainty that there is no possibility that the proposed project may have a significant effect on the environment, as it is merely vacating an unnecessary flood control easement on undisturbed property to the existing property owner for which the property will convey a conservation easement for land conservation purposes.

Therefore, the District recommends that the easement right of way referred to as RCFC Parcel No. 3050-1, as dedicated in Instrument No. 67251 on September 18, 1957, be summarily vacated.

Impact on Residents and Businesses

No impact

ATTACHMENTS:

1. Resolution No. F2016-06
2. Regional Map of the subject area
3. Right of Way Map for RCFC Parcel 3050-1
4. Notice of Exemption (NOE) and Authorization to Bill to pay NOE filing fee

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

2016-0151704

04/18/2016 09:54 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. F2016-06

Title of Document

**AUTHORIZATION TO SUMMARILY VACATE A DISTRICT RIGHT OF WAY ALONG
RICE CANYON LEVEE, IN THE LAKE ELSINORE AREA, RCFC PARCEL 3050-1
LOCATED IN THE CITY OF LAKE ELSINORE, COUNTY OF RIVERSIDE
RICE CANYON LEVEE, PROJECT 3-0-00050**

(FIRST SUPERVISORIAL DISTRICT)

(Transportation Department ~ Item 11-4 of 04/12/16)

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE
FOR RECORDING INFORMATION

COPY

BOARD OF SUPERVISORS

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

RESOLUTION NO. F2016-06

AUTHORIZATION TO SUMMARILY VACATE A DISTRICT RIGHT OF WAY ALONG RICE CANYON LEVEE, IN THE LAKE ELSINORE AREA, RCFC PARCEL 3050-1 LOCATED IN THE CITY OF LAKE ELSINORE, COUNTY OF RIVERSIDE RICE CANYON LEVEE, PROJECT 3-0-00050

WHEREAS, the Riverside County Flood Control and Water Conservation District (District) is the owner of certain real property easement interest known as RCFC Parcel No. 3050-1, over Assessor Parcel Numbers listed on Attachment "1", attached hereto and made a part hereof, which encompasses approximately 80 acres of land, (the "ROW") is legally described in Exhibit "A", attached hereto and made a part hereof; and

WHEREAS, on March 29, 2016, the District's Board of Supervisors (Board) adopted Resolution No. F2016-05 declaring the ROW as Surplus, that it is no longer needed, nor will be needed in the future, for the District's use and purposes, and provided notice of its intention to summarily vacate the ROW; and

WHEREAS, pursuant to California Water Code Appendix Section 48-9, Subsection 5 Chapter 48-13, the District may dispose of real property after adoption of a resolution declaring that a real property interest is no longer necessary to be retained for District use or purposes as was previously adopted and noted in Resolution No. F2016-05; and

WHEREAS, the District has reviewed and determined the vacation of the ROW as categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15325(a), "Acquisition, sale, or other transfer of areas to preserve the existing natural conditions, including plant or animal habitats", as the District is merely vacating an unnecessary flood control easement on undisturbed property to the existing property owner for land conservation purposes. Furthermore, the project is also consistent with State CEQA Guidelines Section 15061(b)(3), "Common Sense Exemption" because it can be seen with certainty that there is no possibility that the proposed project may have a significant effect on the environments.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by vote of the Board of Supervisors of the District, in regular session assembled on April 12, 2016, in the meeting room of the Board of Supervisors of the District located on the 1st Floor of the County Administrative Center, 4080 Lemon Street, Riverside, California, at 9:00 a.m. or soon thereafter,

FORM APPROVED COUNTY COUNSEL
BY: *Synthia M. Gunzel* 3-9-16
DATE
SYNTHIA M. GUNZEL

1 that this Board, based on the review of the proposed vacation, the environmental impacts of the
2 project have been sufficiently assessed and have been determined that the proposed action
3 qualifies for a "Class 25 Categorical Exemption" pursuant to Article 19 of the CEQA, State
4 CEQA Guidelines: Section 15325(a) and Section 15061(b)(3) because it can be seen with
5 certainty that there is no possibility that the activity in question will have a significant effect on
6 the environment because the District is merely vacating an unnecessary right of way on
7 undisturbed property to the existing property owner for land conservation purposes and the
8 vacation of the easement does not adversely affect a change in the environment.

8 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED by a vote of this
9 Board that this Board authorizes the summary vacation of the ROW, RCFC Parcel 3050-1, that
10 certain real property located in the City of Lake Elsinore, County of Riverside, State of
11 California, more particularly described in Exhibit "A".

11 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Clerk of
12 Board is directed to file the Notice of Exemption with the County Clerk within five (5) working
13 days of approval by the Board.

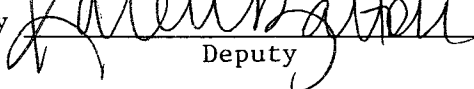
14 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Clerk of the
15 Board is directed to cause a certified copy of this resolution to be recorded in the office of the
16 Recorder of the County of Riverside, California.

17 ROLL CALL:

18 Ayes: Jeffries, Washington, Benoit and Ashley
19 Nays: None
20 Absent: Tavaglione

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

23 KECIA HARPER-IHEM, Clerk of said Board

24 By  Deputy

ATTACHMENT "1"

City of Lake Elsinore

APN's within RCFC Parcel 3050-1

389-642-010	391-571-005	391-571-021	391-581-002
391-560-001	391-571-006	391-571-022	391-581-003
391-560-002	391-571-007	391-571-023	391-581-004
391-560-003	391-571-008	391-571-024	391-582-001
391-560-004	391-571-009	391-571-025	391-582-002
391-560-005	391-571-010	391-571-026	391-582-003
391-560-008	391-571-011	391-571-027	391-582-004
391-560-009	391-571-012	391-571-028	391-582-005
391-560-010	391-571-013	391-571-029	391-820-001
391-560-011	391-571-014	391-571-030	391-820-003
391-560-012	391-571-015	391-571-031	391-820-007
391-560-013	391-571-016	391-571-032	391-960-016
391-571-001	391-571-017	391-571-033	391-960-017
391-571-002	391-571-018	391-571-034	391-960-018
391-571-003	391-571-019	391-571-035	391-960-019
391-571-004	391-571-020	391-581-001	

Exhibit "A"

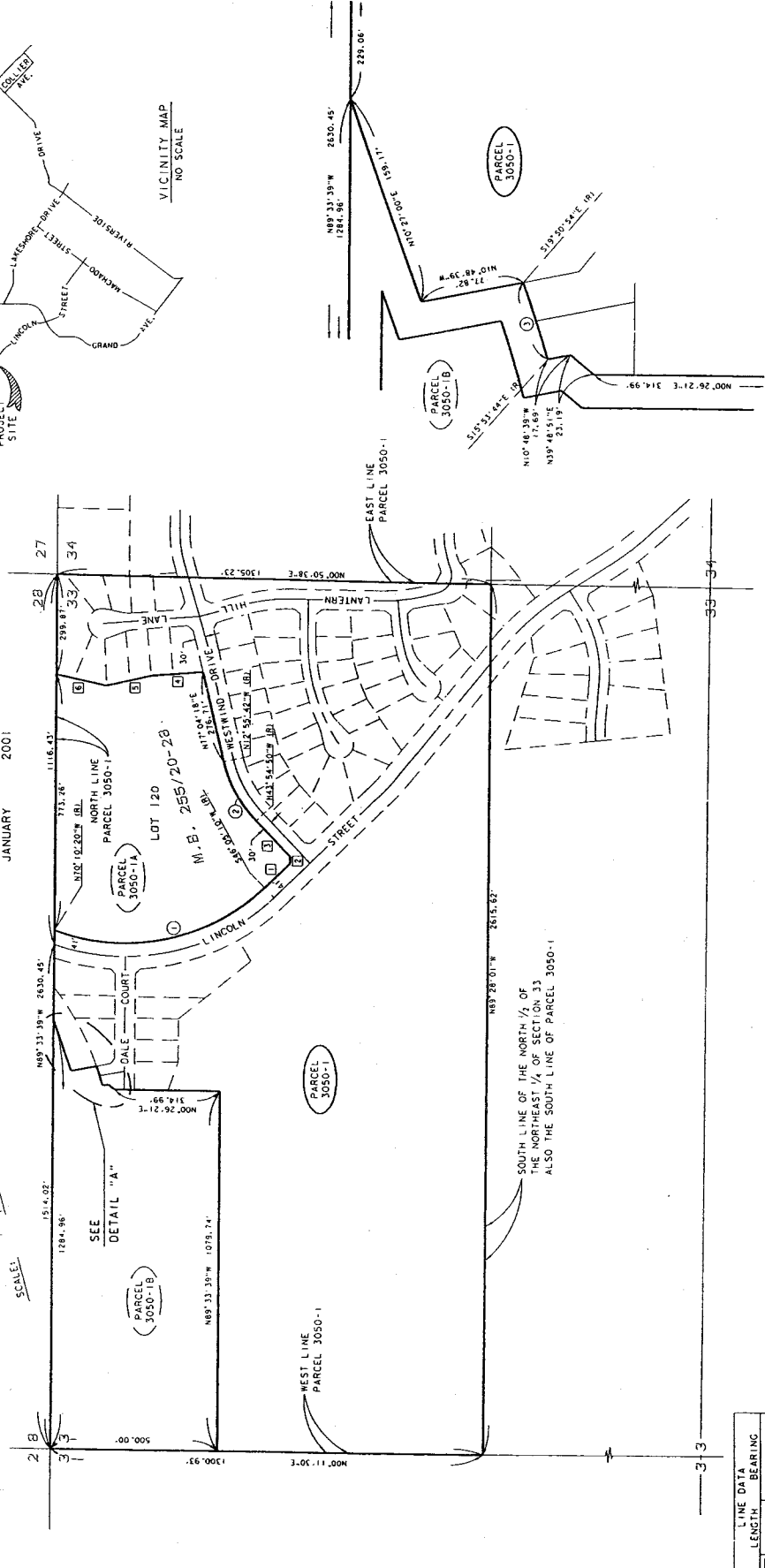
RICE CANYON LEVEE (3050-1)

The North $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 33, Township 5 South, Range 5 West, San Bernardino Base and Meridian, Riverside County, California.

IN THE CITY OF LAKE ELSINORE, COUNTY OF RIVERSIDE, CALIFORNIA
RIGHT OF WAY
RICE CANYON LEVEE

LOT 120 AS SHOWN ON MAP BOOK 255, PAGES 20 THRU 28, INCLUSIVE,
 RECORDS OF RIVERSIDE COUNTY, CALIFORNIA,
 LOCATED IN SECTION 28, TOWNSHIP 5 SOUTH, RANGE 5 WEST S.B.B. & M.
RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
 JANUARY 2001

DATE	REVISION DATA	INITIALS
1/2/2001	THIS MAP WAS CREATED TO DEPICT	F. J. W.
	PARCEL 3050-1A	
3/7/18	UPDATE MAP WITH PARCEL 3150-1B	DAC



SCALE: 1"=200'

LINE DATA	LENGTH	BEARING
1	107.17'	N43°54'30"W
2	21.93'	N89°14'19"E
3	146.70'	N48°05'10"E
4	154.78'	N04°37'00"W
5	137.13'	N12°55'46"W
6	155.08'	N11°55'04"E

R	Z	W	CURVE DATA
1	△	1	1
2	187°44'30"	809.00'	378.84' (R77.5)
3	10°59'08"	180.00'	105.33' (205.50)
4	07°57'10"	876.50'	30.25' (60.47)

PARCEL DATA			
PARCEL NO.	INSTRUMENT NO.	DATE RECORDED	
3050-1	67251	8-18-1987	
3050-1A	1939-521858	11-30-1999	
3050-1B	2010-0602837	12-15-2010	

DETAIL "A"
 NOT TO SCALE

PETER ALDANA
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 (EMBOSED ON DOCUMENT)

RIVERSIDE COUNTY FLOOD CONTROL AND
WATER CONSERVATION DISTRICT

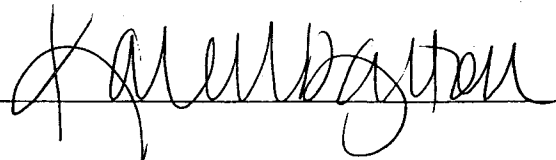
1945

CALIFORNIA

Date:

4-12-16

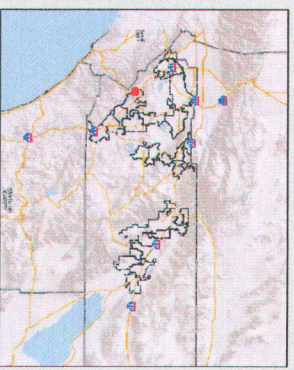
Signature:



Print Name: Karen Barton, Board Assistant

Subject: Authorization to Summarily Vacate and Declare District ROW Surplus

Location: Lake Elsinore, RCFC Parcel No. 3050-1



Legend

- roads
- sanno
- highways
- HWY
- INTERCHANGE
- INTERSTATE
- OFFRAMP
- ONRAMP
- USHWY
- counties
- cities
- hydrography/lines
- waterbodies
- Lakes
- Rivers

World Street Map



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.

REPORT PRINTED ON... 3/6/2016 2:56:44 PM

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Notes

See Attachment "A" for APN's District: 1

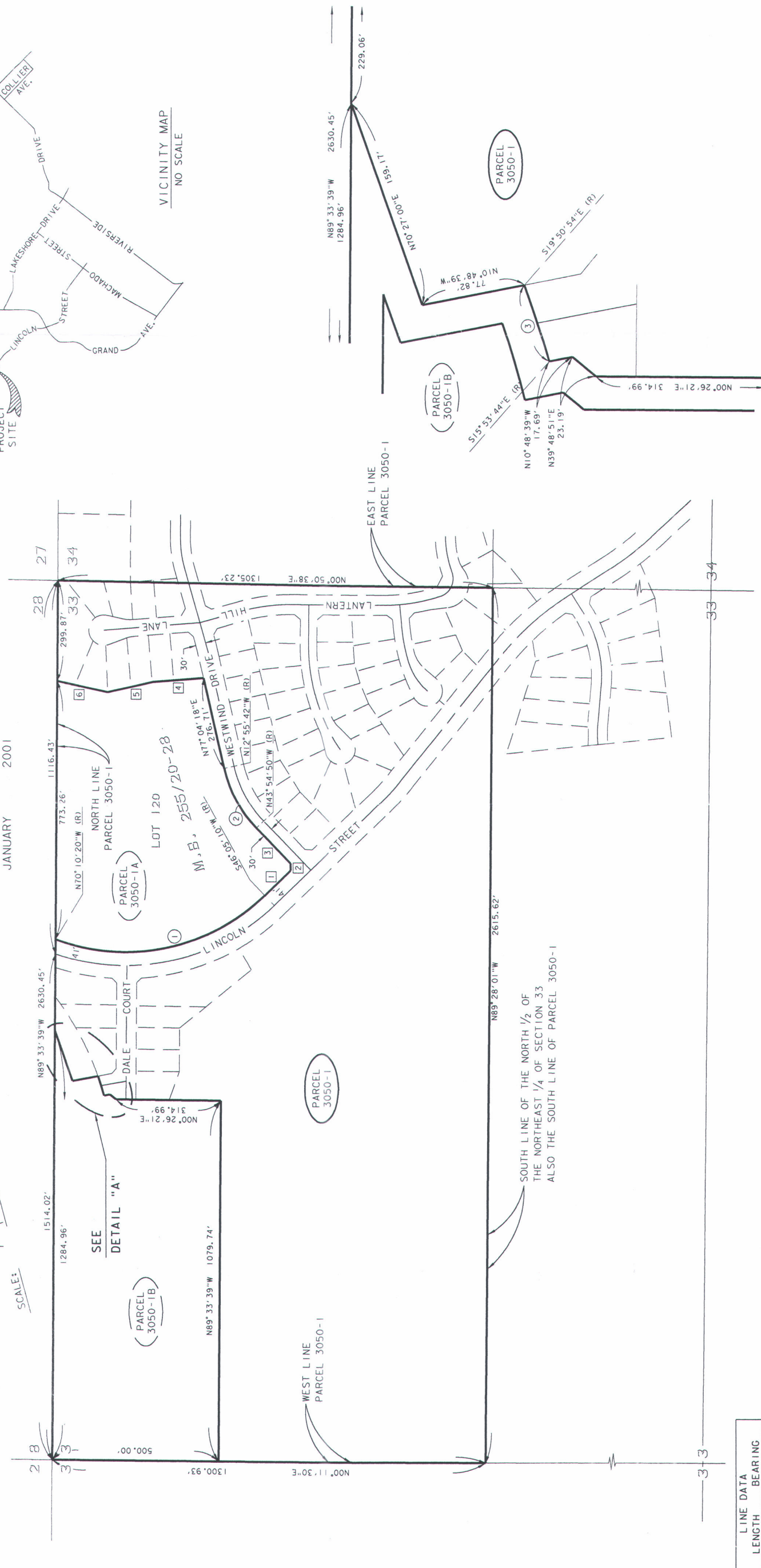
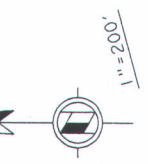
IN THE CITY OF LAKE ELSINORE, COUNTY OF RIVERSIDE, CALIFORNIA

RIGHT OF WAY

RICE CANYON LEVEE

LOT 120 AS SHOWN ON MAP BOOK 255, PAGES 20 THRU 28, INCLUSIVE, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LOCATED IN SECTION 28, TOWNSHIP 5 SOUTH, RANGE 5 WEST S.B.B. & M. RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
JANUARY 2001

REVISION DATA	
DATE	DESCRIPTION
1/30/00	THIS MAP WAS CREATED TO DEPICT PARCEL 3050-1A
3/7/16	UPDATE MAP WITH PARCEL 3150-1B



PARCEL DATA			
PARCEL NO.	INSTRUMENT NO.	DATE RECORDED	
3050-1	67251	9-18-1957	
3050-1A	1999-521858	11-30-1999	
3050-1B	2010-0602857	12-15-2010	

LINE DATA		R / W CURVE DATA				
LENGTH	BEARING	#	Δ	R	T	L
107.17'	N43°54'50"W	1	63°44'30"	609.00'	378.64'	677.51'
21.93'	N89°14'19"E	2	30°59'08"	380.00'	105.33'	205.50'
146.70'	N46°05'10"E	3	03°57'10"	876.50'	30.25'	60.47'
154.78'	N04°37'00"W					
137.13'	N12°55'46"W					
155.08'	N11°55'04"E					

DETAIL "A"
NOT TO SCALE

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

1073



FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
March 29, 2016

SUBJECT: Adopt Resolution No. F2016-05, Notice of Intent to Summarily Vacate District Right of Way along Rice Canyon Levee, in the Lake Elsinore Area, and Declare the Right of Way as Surplus, RCFC Parcel No. 3050-1 Rice Canyon Levee Project No. 3-0-00050, District 1, District Funds 0%

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. F2016-05, Notice of Intent to Summarily Vacate District Right of Way along Rice Canyon Levee, in the Lake Elsinore Area, and Declare the Right of Way as Surplus, RCFC Parcel No. 3050-1; and,
2. Direct the Clerk of the Board to give notice pursuant to Section 6061 of the Government Code.

WARREN D. WILLIAMS
General Manager-Chief Engineer

AU:rlp
P8\202666

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

SOURCE OF FUNDS:

Budget Adjustment: No
For Fiscal Year: 15/16

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 Jeffries, seconded by Supervisor Benoit and duly carried, IT WAS ORDERED that the above matter is approved as recommended and is set for public meeting on April 12, 2016 at 9:00 a.m. or as soon as possible thereafter.

Ayes: Jeffries, Tavaglione, Benoit and Ashley
Nays: None
Absent: Washington
Date: March 29, 2016
xc: Flood, COB

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

Prev. Agn. Ref.: 11.2 of 12/7/2010 | District: 1st | Agenda Number:

11-1

FORM APPROVED COUNTY COUNSEL 3/17/16
BY: GREGORY P. PRIAMOS DATE

Departmental Concurrence

- 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. F2016-05, Notice of Intent to Summarily Vacate District Right of Way along Rice Canyon Levee, in the Lake Elsinore Area, and Declare the Right of Way as Surplus, RCFC Parcel No. 3050-1 Rice Canyon Levee Project No. 3-0-00050, District 1, District Funds 0%

DATE: March 29, 2016

PAGE: Page 2 of 2

BACKGROUND:

Summary

In 1957 the District was granted an easement by Mr. and Mrs. Shupp, now known as RCFC Parcel No. 3050-1, recorded as Instrument No. 67251 on September 18, 1957, in the Official Records of Riverside County, California, for the construction and maintenance of a channel, levees and appurtenant works for control and flow of flood, storm and other waters, which encompasses over 80 acres in the unincorporated area of Lake Elsinore referred to as Rice Canyon. This dedication was prior to any design or construction in the Rice Canyon watershed.

In 1999 a portion of this easement was quitclaimed to the existing land owners, Lake Elsinore Unified School District, pursuant to Board Agenda Item 9.4 on November 2, 1999, after it was determined that flood protection was provided by the proposed development, and the easement was no longer necessary in this area. This action was recorded as Instrument No. 1999-521858 on November 30, 1999.

In 2010, an additional portion of this easement was vacated for the benefit of the existing land owners, K. Hovnanian Homes, pursuant to Board Agenda Item 11.2 on December 7, 2010, as necessary flood improvements were conditioned by the City of Lake Elsinore, constructed and the remaining property was to be converted into a conservation easement. The District reviewed the developer's improvements and determined that there would be no maintenance responsibilities for the District or additional impact on the natural conditions within this area in the present or future. The vacation was recorded as Instrument No. 2010-0602857 on December 15, 2010.

The District has now evaluated the remaining acreage and determined that there is no future need of the property rights as dedicated in the original 1957 Grant of Easement within the City of Lake Elsinore's general plan. The property shall stay in its natural condition with no additional improvements. The underlying land owner has requested that the District vacate its remaining easement rights of way as land owner to convey a conservation easement over land owner's property which preserves the natural conditions. The District staff has determined that the herein described rights of way are excess and not required for the District's purposes.

Therefore, the District recommends that the right of way easement, as shown in the attached maps, referred to as RCFC Parcel No. 3050-1, as dedicated in Instrument No. 67251 on September 18, 1957, be summarily vacated and declared surplus to the District's needs, pursuant to California Code – Appendix, Chapter 48, Section 48-9, Paragraph 5.

Impact on Residents and Businesses

No impact

ATTACHMENTS:

1. Resolution No. F2016-05
2. Regional Map of the subject area
3. Right of Way Map for RCFC Parcel 3050-1

BOARD OF SUPERVISORS

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

RESOLUTION NO. F2016-05

NOTICE OF INTENT TO SUMMARILY VACATE DISTRICT RIGHT OF WAY
ALONG RICE CANYON LEVEE, IN THE LAKE ELSINORE AREA,
AND DECLARE THE RIGHT OF WAY AS SURPLUS, RCFC PARCEL 3050-1,
LOCATED IN THE CITY OF LAKE ELSINORE, COUNTY OF RIVERSIDE
RICE CANYON LEVEE, PROJECT 3-0-00050

WHEREAS, the Riverside County Flood Control and Water Conservation District
(District) is the owner of certain real property right of way easement interests, over land
identified with Assessor's Parcel Numbers as listed on Attachment "1", attached hereto and made
a part hereof, which was granted via an easement deed by Mr. and Mrs. Shupp, known as RCFC
Parcel 3050-1, recorded as Instrument No. 67251 on September 18, 1957, which encompasses 80
acres of land, located in the city of Lake Elsinore, County of Riverside; and

WHEREAS, the District has vacated portions of this easement previously per Resolution
F2010-15 as Item 11.2 on December 7, 2010, the interest referred to as RFCF Parcel 3050-1B
and Resolution No. F99-33 as Item 9.4 on November 16, 1999, for the interest referred as RCFC
Parcel 3050-1A as it had been determined unnecessary and is excess to the District's maintenance
needs; and

WHEREAS, K. Hovnanian Homes now owns a large portion of the underlying fee title
which the RCFC Parcel 3050-1 easement encompasses and is in the process of establishing a
conservation easement over the property, which will assure no improvements with be allowed and
the underlying property will stay in its natural condition; and

WHEREAS, pursuant to Water Code Appendix Chapter 48, Sections 5 and 13, the District
may dispose of any interest in real property determined to be no longer necessary to be retained for
the use and purposes of the District.

FORM APPROVED COUNTY COUNSEL
BY: *Synthia M. Gunzel* 3-9-16
SYNTHIA M. GUNZEL DATE

1 NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by vote of
 2 the Board of Supervisors of the Riverside County Flood Control and Water Conservation District
 3 ("Board") in regular session assembled on March 29, 2016, at 9:00 a.m. or soon thereafter, in the
 4 meeting room of the Board of Supervisors of the District located on the 1st Floor of the County
 5 Administrative Center, 4080 Lemon Street, Riverside, California, that the Board finds that
 6 certain right of way easement interests in real property ("Right of Way"), located in the city of
 7 Lake Elsinore, County of Riverside, State of California, more particularly described in Exhibit
 8 "A", attached hereto and by this reference incorporated herein, is no longer necessary to be
 9 retained by District for public purposes and declared as surplus, pursuant to California Code –
 10 Appendix, Chapter 48-9 , Subsection 5 and Chapter 48-13; and,
 11

12 NOTICE IS HEREBY GIVEN that this Board intends to summarily vacate the Right of
 13 Way when the Board meets to conclude the proposed transaction on or after April 12, 2016, at
 14 9:00 a.m. or soon thereafter, at the meeting room of the Board of Supervisors.
 15

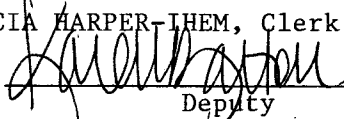
16 BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors is directed to
 17 give notice pursuant to Section 6061 of the Government Code.
 18

19 AU:rlp

20 ROLL CALL:

21 Ayes: Jeffries, Tavaglione, Benoit and Ashley
 22 Nays: None
 23 Absent: Washington

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

26 By KECIA HARPER-IHEM, Clerk of said Board
 27 
 28 Deputy

ATTACHMENT "1"

City of Lake Elsinore

APN's within RCFC Parcel 3050-1

389-642-010	391-571-005	391-571-021	391-581-002
391-560-001	391-571-006	391-571-022	391-581-003
391-560-002	391-571-007	391-571-023	391-581-004
391-560-003	391-571-008	391-571-024	391-582-001
391-560-004	391-571-009	391-571-025	391-582-002
391-560-005	391-571-010	391-571-026	391-582-003
391-560-008	391-571-011	391-571-027	391-582-004
391-560-009	391-571-012	391-571-028	391-582-005
391-560-010	391-571-013	391-571-029	391-820-001
391-560-011	391-571-014	391-571-030	391-820-003
391-560-012	391-571-015	391-571-031	391-820-007
391-560-013	391-571-016	391-571-032	391-960-016
391-571-001	391-571-017	391-571-033	391-960-017
391-571-002	391-571-018	391-571-034	391-960-018
391-571-003	391-571-019	391-571-035	391-960-019
391-571-004	391-571-020	391-581-001	

Exhibit "A"

RICE CANYON LEVEE (3050-1)

The North $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 33, Township 5 South, Range 5 West, San Bernardino Base and Meridian, Riverside County, California.

IN THE CITY OF LAKE ELSINORE, COUNTY OF RIVERSIDE, CALIFORNIA

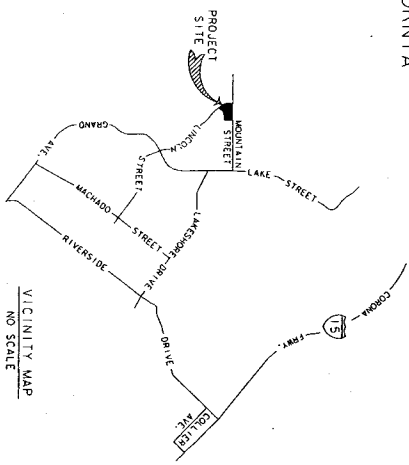
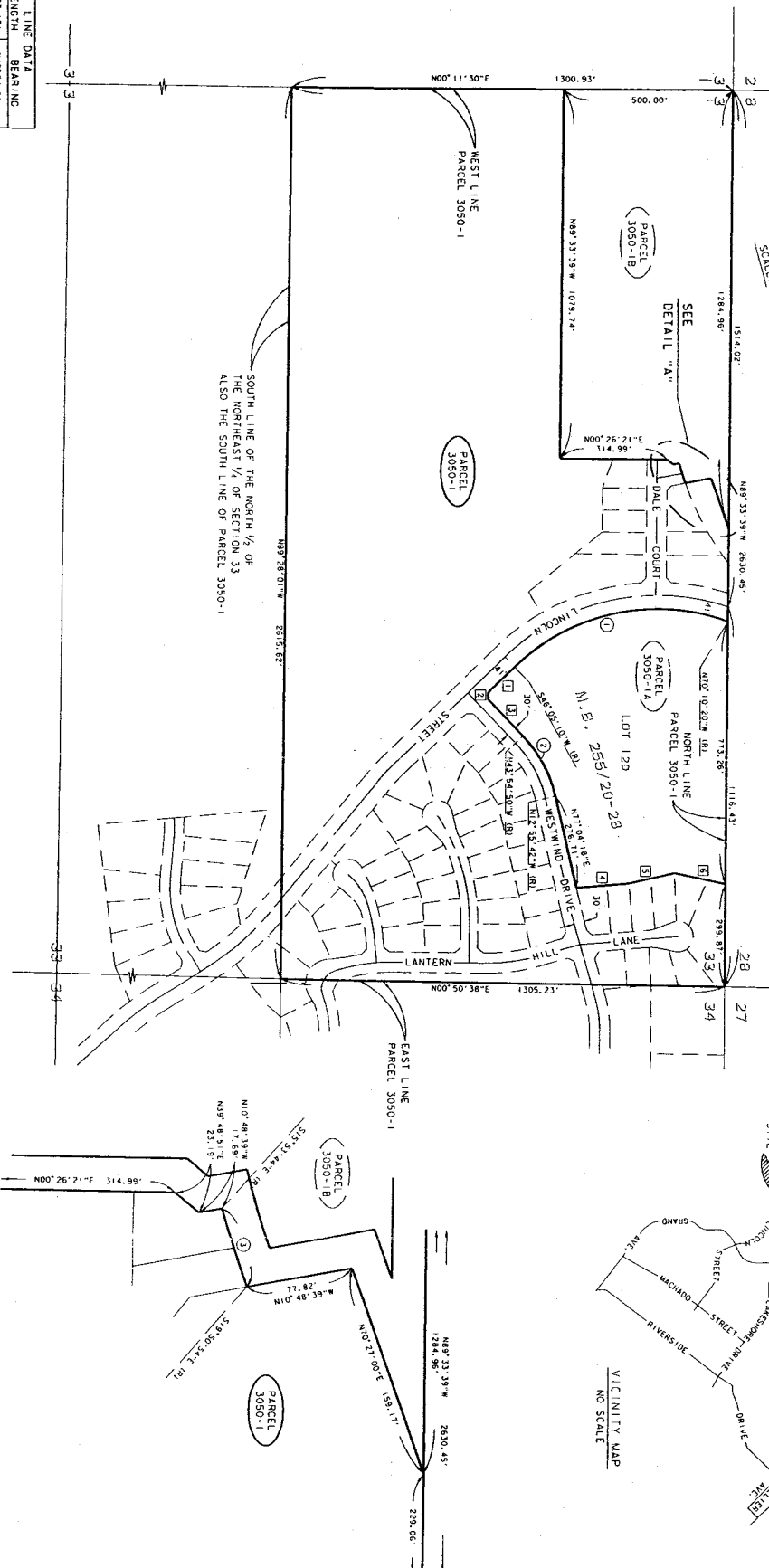
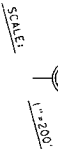
RIGHT OF WAY

RICE CANYON LEVEE

LOT 120 AS SHOWN ON MAP BOOK 255, PAGES 20 THRU 28, INCLUSIVE, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LOCATED IN SECTION 28, TOWNSHIP 5 SOUTH, RANGE 5 WEST S. B. B. & M.

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
JANUARY 2001

DATE	REVISION DATA	INITIALS
1/20/00	THIS MAP WAS CREATED TO DISPLAY PARCEL 3050-1A	F. J. W.
3/7/78	UPDATE MAP WITH PARCEL 3150-1B	DAK



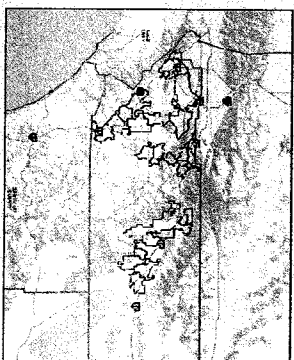
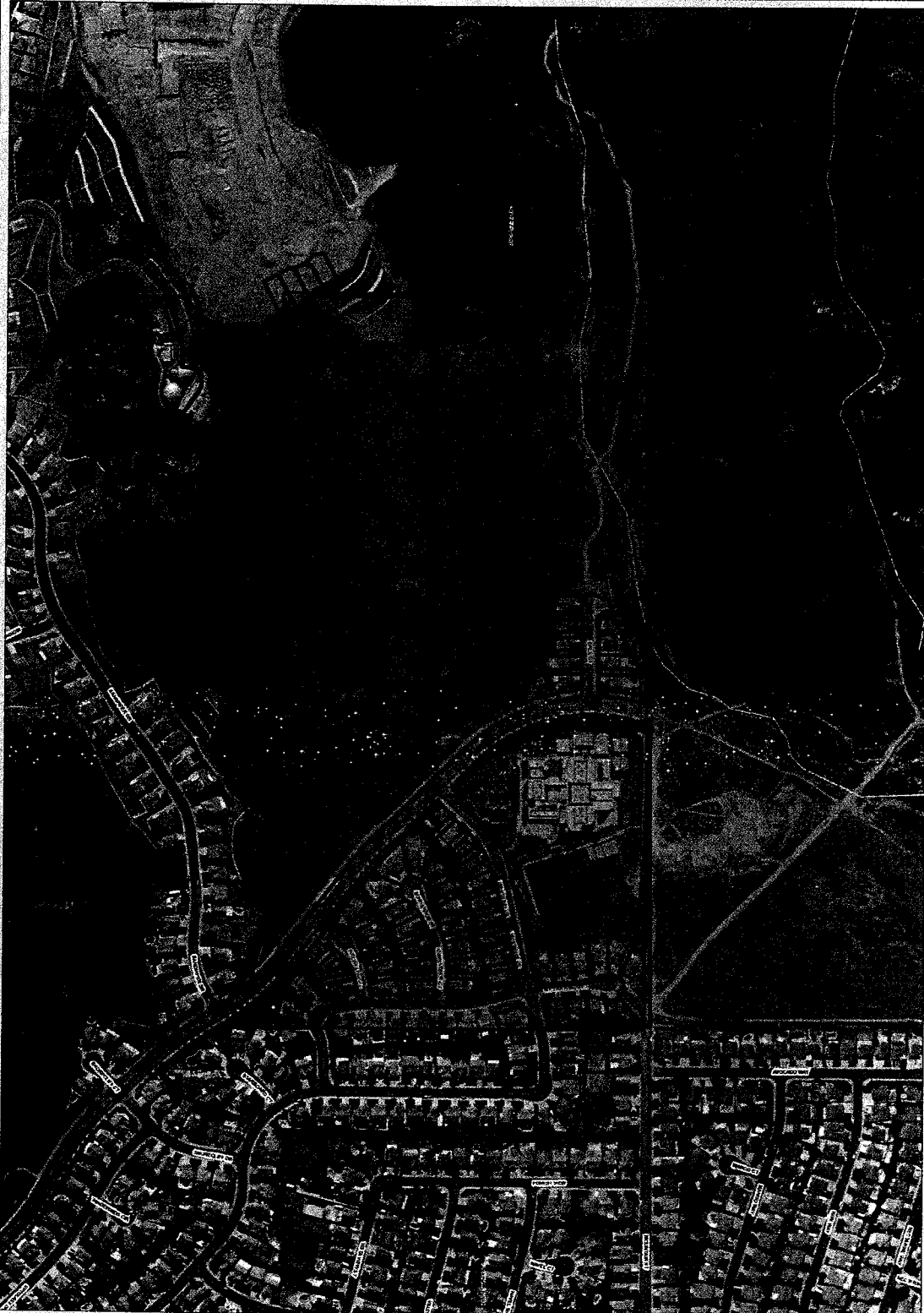
LINE DATA		R / W CURVE DATA			
LENGTH	BEARING	R =	W =	T =	L =
101.17'	N83°54.50'W	37.44	50.00	297.64	8177.51'
21.93'	N89°14.19'E	30.59	08.00	105.33	705.50'
146.70'	N46°05.10'E	137.13'			
154.78'	N46°37.00'W	155.08'			
127.13'	N12°55.46'W				
155.08'	N11°55.04'W				

PARCEL DATA	
PARCEL NO.	INSTRUMENT NO. DATE RECORDED
3050-1A	67251 9-18-1951
3050-1A	1989-321858 11-30-1999
3050-1B	2010-0602857 12-15-2010

DETAIL "A"
NOT TO SCALE

Subject: Notice of Intent to Summarily Vacate and Declare District ROW Surplus

Location: Lake Elsinore, RCFC Parcel No. 3050-1

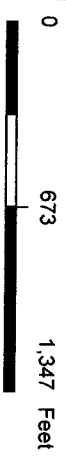


Legend

- roadsanno
 - highways
 - HWY
 - INTERCHANGE
 - INTERSTATE
 - OFFRAMP
 - ONRAMP
 - USHWY
 - counties
 - cities
 - hydrographylines
 - waterbodies
 - Lakes
 - Rivers
- World Street Map

Notes

See Attachment "A" for APN's District: 1



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.

REPORT PRINTED ON... 3/8/2016 2:49:35 PM

© Riverside County TLMA GIS



OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

March 31, 2016

THE PRESS ENTERPRISE
ATTN: LEGALS
P.O. Box 792
RIVERSIDE, CA 92501

FAX (951) 368-9018
E-MAIL: legals@pe.com

RE: NOTICE OF PUBLIC HEARING: RESOLUTION NO. F2016-05 INTENT TO VACATE

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **TUESDAY: April 5, 2016**.

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office, **WITH TWO CLIPPINGS OF THE PUBLICATION.**

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Cecilia Gil

Board Assistant to:
KECIA HARPER-IHEM, CLERK OF THE BOARD

Printed at: 9:27 am
On: Thursday, Mar 31, 2016

Ad #: 0010151831
Order Taker: neller

THE PRESS-ENTERPRISE

Classified Advertising
Proof

1825 Chicago Ave, Suite 100
Riverside, CA 92507
(951) 684-1200
(800) 514-7253
(951) 368-9018 Fax

Account Information

Phone #: 951-955-1066
Name: BOARD OF SUPERVISORS
Address: COUNTY OF RIVERSIDE
P.O. BOX 1147
RIVERSIDE, CA 92502

Account #: 1100141323
Client:
Placed By: Cecilia Gil
Fax #:

Ad Information

Placement: Legal Liner PE P2W
Publication: PE Riverside, PE.com

Start Date: 04/05/2016
Stop Date: 04/05/2016
Insertions: 1 print / 1 online

Rate code: County Ad Lgi-PE
Ad type: C Legal

Size: 2 X 126 Li
Bill Size: 252.00

Amount Due: **\$365.40**

Ad Copy:

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT.

RESOLUTION NO. F2016-05

NOTICE OF INTENT TO SUMMARILY VACATE DISTRICT RIGHT OF WAY ALONG RICE CANYON LEVEE, IN THE LAKE ELSINORE AREA, AND DECLARE THE RIGHT OF WAY AS SURPLUS, RCFC PARCEL 3050-1, LOCATED IN THE CITY OF LAKE ELSINORE, COUNTY OF RIVERSIDE RICE CANYON LEVEE, PROJECT 3-0-00050

WHEREAS, the Riverside County Flood Control and Water Conservation District (District) is the owner of certain real property right of way easement interests, over land identified with Assessor's Parcel Numbers as listed on Attachment "1", attached hereto and made a part hereof, which was granted via an easement deed by Mr. and Mrs. Shupp, known as RCFC Parcel 3050-1, recorded as Instrument No. 67251 on September 18, 1957, which encompasses 80 acres of land, located in the city of Lake Elsinore, County of Riverside; and

WHEREAS, the District has vacated portions of this easement previously per Resolution F2010-15 as Item 11.2 on December 7, 2010, the interest referred to as RCFC Parcel 3050-1B and Resolution No. F99-33 as Item 9.4 on November 16, 1999, for the interest referred as RCFC Parcel 3050-1A as it had been determined unnecessary and is excess to the District's maintenance needs; and

WHEREAS, K. Hovnanian Homes now owns a large portion of the underlying fee title which the RCFC Parcel 3050-1 easement encompasses and is in the process of establishing a conservation easement over the property, which will assure no improvements will be allowed and the underlying property will stay in its natural condition; and

WHEREAS, pursuant to Water Code Appendix Chapter 48, Sections 5 and 13, the District may dispose of any interest in real property determined to be no longer necessary to be retained for the use and purposes of the District.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by vote of the Board of Supervisors of the Riverside County Flood Control and Water Conservation District ("Board") in regular session assembled on March 29, 2016, at 9:00 a.m. or soon thereafter, in the meeting room of the Board of Supervisors of the District located on the 1st Floor of the County Administrative Center, 4080 Lemon Street, Riverside, California, that the Board finds that certain right of way easement interests in real property ("Right of Way"), located in the city of Lake Elsinore, County of Riverside, State of California, more particularly described in Exhibit "A", attached hereto and by this reference incorporated herein, is no longer necessary to be retained by District for public purposes and declared as surplus, pursuant to California Code - Appendix, Chapter 48-9, Subsection 5 and Chapter 48-13; and,

NOTICE IS HEREBY GIVEN that this Board intends to summarily vacate the Right of Way when the Board meets to conclude the proposed transaction on or after April 12, 2016, at 9:00 a.m. or soon thereafter, at the meeting room of the Board of Supervisors.

BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors is directed to give notice pursuant to Section 6061 of the Government Code.

ATTACHMENT "1" City of Lake Elsinore

APN's within RCFC Parcel 3050-1

389-642-010	391-571-005	391-571-021	391-581-002
391-560-001	391-571-006	391-571-022	391-581-003
391-560-002	391-571-007	391-571-023	391-581-004
391-560-003	391-571-008	391-571-024	391-582-001
391-560-004	391-571-009	391-571-025	391-582-002
391-560-005	391-571-010	391-571-026	391-582-003
391-560-008	391-571-011	371-571-027	391-582-004
391-560-009	391-571-012	371-571-028	391-582-005
391-560-010	391-571-013	371-571-029	391-820-001
391-560-011	391-571-014	371-571-030	391-820-003
391-560-012	391-571-015	371-571-031	391-820-007
391-560-013	391-571-016	371-571-032	391-960-016
391-571-001	391-571-017	371-571-033	391-960-017
391-571-002	391-571-018	371-571-034	391-960-018
391-571-003	391-571-019	371-571-035	391-960-019
391-571-004	391-571-020	371-571-001	

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT.

RESOLUTION NO. F2016-05

**NOTICE OF INTENT TO SUMMARILY VACATE DISTRICT RIGHT OF WAY
ALONG RICE CANYON LEVEE, IN THE LAKE ELSINORE AREA,
AND DECLARE THE RIGHT OF WAY AS SURPLUS, RCFC PARCEL 3050-1,
LOCATED IN THE CITY OF LAKE ELSINORE, COUNTY OF RIVERSIDE
RICE CANYON LEVEE, PROJECT 3-0-00050**

WHEREAS, the Riverside County Flood Control and Water Conservation District (District) is the owner of certain real property right of way easement interests, over land identified with Assessor's Parcel Numbers as listed on Attachment "1", attached hereto and made a part hereof, which was granted via an easement deed by Mr. and Mrs. Shupp, known as RCFC Parcel 3050-1, recorded as Instrument No. 67251 on September 18, 1957, which encompasses 80 acres of land, located in the city of Lake Elsinore, County of Riverside; and

WHEREAS, the District has vacated portions of this easement previously per Resolution F2010-15 as Item 11.2 on December 7, 2010, the interest referred to as RCFE Parcel 3050-1B and Resolution No. F99-33 as Item 9.4 on November 16, 1999, for the interest referred as RCFC Parcel 3050-1A as it had been determined unnecessary and is excess to the District's maintenance needs; and

WHEREAS, K. Hovnanian Homes now owns a large portion of the underlying fee title which the RCFC Parcel 3050-1 easement encompasses and is in the process of establishing a conservation easement over the property, which will assure no improvements will be allowed and the underlying property will stay in its natural condition; and

WHEREAS, pursuant to Water Code Appendix Chapter 48, Sections 5 and 13, the District may dispose of any interest in real property determined to be no longer necessary to be retained for the use and purposes of the District.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by vote of the Board of Supervisors of the Riverside County Flood Control and Water Conservation District ("Board") in regular session assembled on March 29, 2016, at 9:00 a.m. or soon thereafter, in the meeting room of the Board of Supervisors of the District located on the 1st Floor of the County Administrative Center, 4080 Lemon Street, Riverside, California, that the Board finds that certain right of way easement interests in real property ("Right of Way"), located in the city of Lake Elsinore, County of Riverside, State of California, more particularly described in Exhibit "A", attached hereto and by this reference incorporated herein, is no longer necessary to be retained by District for public purposes and declared as surplus, pursuant to California Code – Appendix, Chapter 48-9 , Subsection 5 and Chapter 48-13; and,

NOTICE IS HEREBY GIVEN that this Board intends to summarily vacate the Right of Way when the Board meets to conclude the proposed transaction on or after April 12, 2016, at 9:00 a.m. or soon thereafter, at the meeting room of the Board of Supervisors.

BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors is directed to give notice pursuant to Section 6061 of the Government Code.

(INSERT ATTACHMENTS AND EXHIBITS HERE)

ROLL CALL:

Ayes: Jeffries, Tavaglione, Benoit and Ashley
Nays: None
Absent: Washington

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on March 29, 2016.

KECIA HARPER-IHEM, Clerk of said Board
By: Cecilia Gil, Board Assistant

Any person affected by the above matter(s) may submit written comments to the Clerk of the Board before the public hearing or may appear and be heard in support of or opposition to the project at the time of the hearing. If you challenge the above item(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence, to the Board of Supervisors at, or prior to, the public hearing.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147

Dated: March 31, 2016

Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant

ATTACHMENT "1"

City of Lake Elsinore

APN's within RCFC Parcel 3050-1

389-642-010	391-571-005	391-571-021	391-581-002
391-560-001	391-571-006	391-571-022	391-581-003
391-560-002	391-571-007	391-571-023	391-581-004
391-560-003	391-571-008	391-571-024	391-582-001
391-560-004	391-571-009	391-571-025	391-582-002
391-560-005	391-571-010	391-571-026	391-582-003
391-560-008	391-571-011	391-571-027	391-582-004
391-560-009	391-571-012	391-571-028	391-582-005
391-560-010	391-571-013	391-571-029	391-820-001
391-560-011	391-571-014	391-571-030	391-820-003
391-560-012	391-571-015	391-571-031	391-820-007
391-560-013	391-571-016	391-571-032	391-960-016
391-571-001	391-571-017	391-571-033	391-960-017
391-571-002	391-571-018	391-571-034	391-960-018
391-571-003	391-571-019	391-571-035	391-960-019
391-571-004	391-571-020	391-581-001	

Exhibit "A"

RICE CANYON LEVEE (3050-1)

The North $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 33, Township 5 South, Range 5 West, San Bernardino Base and Meridian, Riverside County, California.

NOTICE OF EXEMPTION

To: County Clerk
County of Riverside
2724 Gateway Drive
Riverside, CA 92507

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

From: Riverside County Flood Control District
1995 Market Street
Riverside, CA 92501
Contact: Kris Flanigan
Phone: 951.955.1200

4/14/16 KB
Date Initial

Project Title: Rice Canyon Levee Project Vacation of District Right of Way

Project Location – City: Lake Elsinore

Project Location – County: Riverside

The parcels total approximately 80 acres of vacant undisturbed land northwest of the intersection of Lincoln Street and Sandpiper Drive. The project is within Township 5 South, Range 5 West, Section 33 of the Alberhill 7.5 Minute US Geological Survey (USGS) Topographic Quadrangle. The properties are located at 33° 41' 45.13" N, 117° 24' 07.05" W. The project affects the following Assessor's Parcel Numbers (APNs):

389-642-010	391-560-011	391-571-007	391-571-016	391-571-025	391-571-034	391-582-004
391-560-001	391-560-012	391-571-008	391-571-017	391-571-026	391-571-035	391-582-005
391-560-002	391-560-013	391-571-009	391-571-018	391-571-027	391-581-001	391-820-001
391-560-003	391-571-001	391-571-010	391-571-019	391-571-028	391-581-002	391-820-003
391-560-004	391-571-002	391-571-011	391-571-020	391-571-029	391-581-003	391-820-007
391-560-005	391-571-003	391-571-012	391-571-021	391-571-030	391-581-004	391-960-016
391-560-008	391-571-004	391-571-013	391-571-022	391-571-031	391-582-001	391-960-017
391-560-009	391-571-005	391-571-014	391-571-023	391-571-032	391-582-002	391-960-018
391-560-010	391-571-006	391-571-015	391-571-024	391-571-033	391-582-003	391-960-019

Project Description:

The Riverside County Flood Control and Water Conservation District (District) is the owner of certain real property interest known as RCFC Parcel No. 3050-1. The subject parcel, which includes the APNs shown above, is no longer needed nor will it be needed in the future for the District's use and purposes. Therefore, pursuant to California Water Code Appendix Section 48-9, Subsection 5 and Chapter 48-13, the District may dispose of real property when interest is no longer necessary to be retained for District use or purposes.

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

Exempt Status: Categorical Exemption Pursuant to State CEQA Guidelines §§15325(a) and 15061(b)(3)

Reasons Why Project is Exempt: The project qualifies for the following CEQA exemptions:

Section 15325(a) – "Acquisition, sale, or other transfer of areas to preserve the existing natural conditions, including plant or animal habitats." The District is merely vacating an unnecessary flood control easement on undisturbed property to the existing property owner for land conservation purposes.

Section 15061(b)(3) – The project qualifies for the "General Rule" or "Common Sense Exemption" because it can be seen with certainty that there is no possibility that the proposed project may have a significant effect on the environment.

The project does not affect a change in the environment. The project will not result in any specific or general exceptions to the validity of the categorical exemptions 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. Furthermore, no unusual circumstances or potential cumulative impacts would reasonably occur that may create an environmental impact.

Based upon the exemptions identified above, the District 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.

Lead Agency: Warren D. Williams **Date:** 3/14/16
WARREN D. WILLIAMS, General Manager-Chief Engineer
Riverside County Flood Control and Water Conservation District

JMV:rlp

APR 12 2016 114

RIVERSIDE COUNTY CLERK-RECORDER

AUTHORIZATION TO BILL

TO BE FILLED OUT BY SUBMITTING AGENCY

DATE: 2/25/2016 BUSINESS UNIT/AGENCY: FLOOD CONTROL - FCARC

ACCOUNTING STRING:

ACCOUNT: 526410 FUND: 25130 DEPT ID: 947440 PROGRAM:

AMOUNT: \$50.00

REF: CEQA Notice of Exemption Posting Lake Elsinore Rice Canyon Levee 223-3-6-00050-00-20

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

NUMBER OF DOCUMENTS INCLUDED: 1

AUTHORIZED BY: Michael Reyes (signature) PRESENTED BY: Kris Flanigan EXT 58581 CONTACT: Michael Reyes EXT 56955

TO BE FILLED OUT BY COUNTY CLERK

ACCEPTED BY:

DATE:

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