

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

509B



FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
May 3, 2016

SUBJECT: Adopt Resolution No. F2016-07, Notice of Intent to Summarily Vacate District Right of Way, located in the City of Menifee, and Declare the Right of Way as Surplus, RCFC Parcel Nos. 4310-28B, 28C, 29, 30, 31 and 32, Romoland MDP Line A, Stages 5 and 6, Project No. 4-0-00310, District 5, District Funds 0%

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. F2016-07, Notice of Intent to Summarily Vacate District Right of Way, located in the City of Menifee, and Declare the Right of Way as Surplus, RCFC Parcel Nos. 4310-28B, 28C, 29, 30, 31 and 32 portions of land identified with Assessor's Parcel Numbers 331-230-003, 331-260-009, 331-270-005, 331-300-002 and 331-300-007; and,
2. Direct the Clerk of the Board to give notice pursuant to Section 6061 of the Government Code.

AU:rlp
P8\203326

JASON UHLEY
Acting General Manager-Chief Engineer

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 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 Washington and duly carried, IT WAS ORDERED that the above matter is approved as recommended, and is set for public hearing on Tuesday, May 17, 2016, at 9:00 a.m. or as soon as possible thereafter.

Ayes: Jeffries, Washington and Benoit
Nays: None
Absent: Tavaglione and Ashley
Date: May 3, 2016
xc: Flood, COB

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

Prev. Agn. Ref.: _____ **District:** 5th **Agenda Number:** _____

11-1

FORM APPROVED COUNTY COUNSEL
BY:
DATE: 4/25/16
GREGORY P. PRIAMOS

Departmental Concurrence

A-30
 4/5 Vote
 Positions Added
 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. F2016-07, Notice of Intent to Summarily Vacate District Right of Way, located in the City of Menifee, and Declare the Right of Way as Surplus, RCFC Parcel Nos. 4310-28B, 28C, 29, 30, 31 and 32, Romoland MDP Line A, Stages 5 and 6, Project No. 4-0-00310, District 5, District Funds 0%

DATE: May 3, 2016

PAGE: Page 2 of 2

BACKGROUND:

Summary

Homeland/Romoland Area Drainage Plan (ADP) was adopted by the County of Riverside in 1988. This watershed is within the Perris and Menifee area. In 2005, a group of developers owning land in this area formed a corporation, Homeland/Romoland ADP, Inc., to pursue the planning, design and construction of the major infrastructure necessary to develop this area. By 2007, a majority of the flood protection and drainage facilities identified in the ADP had been designed and the rights of way had been acquired to construct, operate and maintain these facilities. Subsequently, due to an economic downturn, Homeland/Romoland ADP Inc. was unable to proceed with the construction of these facilities.

In 2013, the District held their annual public hearings in the Menifee/Perris area. The comments and concerns from the public to complete the backbone flood control infrastructure facilities within the ADP contributed to the decision by the District's Board to allocate appropriate zone funding to complete the necessary design, acquisition and construction of this Master Drainage Plan facility.

Due to the lapse in time, the previously prepared flood control plans required slight re-alignment in a few locations. Additional right of way was necessary as well. The District negotiated and obtained all rights of way from the private land owners to construct this facility. In two (2) locations, the right of way procured in 2007 was no longer within the project limits and excess to the District's needs. The easements referenced are within land identified with APNs 331-230-003, 331-260-009, 331-270-005, 331-300-002 and 331-300-007.

Therefore, the District recommends that the right of way easements, as shown on the attached maps, referred to as RCFC Parcel Nos. 4310-28B, 28C, 29, 30, 31 and 32, be summarily vacated and declared surplus to the District's needs, pursuant to California Code – Appendix, Chapter 48, Section 48-9, Paragraph 5.

Resolution No. F2016-07 has been approved as to form by County Counsel.

This ROW will be summarily vacated when the Board meets to conclude the proposed transaction on May 17, 2016, at 9:00 a.m. or soon thereafter, at the meeting room of the Board of Supervisors.

Impact on Residents and Businesses

No impact

ATTACHMENTS:

1. Resolution No. F2016-07
2. Regional Map of the subject area
3. Right of Way Map for RCFC Parcels 4310-28B, 28C, 29, 30, 31 and 32

BOARD OF SUPERVISORS

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

RESOLUTION NO. F2016-07

NOTICE OF INTENT TO SUMMARILY VACATE DISTRICT RIGHT OF WAY
AND DECLARE THE RIGHT OF WAY AS SURPLUS,
RCFC PARCELS 4310-28B, 28C, 29, 30, 31 and 32,
LOCATED IN THE CITY OF MENIFEE, COUNTY OF RIVERSIDE
ROMOLAND MDP LINE A, STAGES 5 AND 6, PROJECT 4-0-00310

WHEREAS, the Riverside County Flood Control and Water Conservation District
(District) is the owner of certain real property right of way easement interests, over portions of
land identified with Assessor's Parcel Numbers 331-230-003, 331-260-009, 331-270-005, 331-
300-002 and 331-300-007, known as RCFC Parcel Numbers 4310-28B, 28C, 29, 30, 31 and 32,
located in the city of Menifee, County of Riverside; 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 May 3, 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 ("ROW"), located in the city of Menifee,
County of Riverside, State of California, more particularly described in Attachment "1", attached
hereto and by this reference incorporated herein, are 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,

FORM APPROVED COUNTY COUNSEL
BY: *Synthia M. Gunzel* 4-30-16
SYNTHIA M. GUNZEL DATE

1 NOTICE IS HEREBY GIVEN that this Board intends to summarily vacate the ROW
2 when the Board meets to conclude the proposed transaction on or after May 17, 2016, at 9:00
3 a.m. or soon thereafter, at the meeting room of the Board of Supervisors.

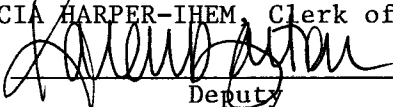
4 BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors is directed to
5 give notice pursuant to Section 6061 of the Government Code.
6

7
8 AU:rlp

9 ROLL CALL:

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

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

15 KECIA HARPER-IHEM, Clerk of said Board
16 By  Deputy
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ATTACHEMENT "1"

RCFC PARCEL 4310-28B:

Easement Deed recorded on August 16, 2007, as Instrument No. 2007-0529484, records of the Recorder's Office, Riverside County, State of California.

APN 331-230-003

RCFC PARCEL 4310-28C:

Easement Deed recorded on August 16, 2007, as Instrument No. 2007-0529485, records of the Recorder's Office, Riverside County, State of California.

APN 331-230-003

RCFC PARCEL 4310-29:

Quitclaim Deed recorded on November 14, 2014, as Instrument No. 2014-0436997, records of the Recorder's Office, Riverside County, State of California.

APN 331-260-009

RCFC PARCEL 4310-30:

Quitclaim Deed recorded on November 14, 2014, as Instrument No. 2014-0436998, records of the Recorder's Office, Riverside County, State of California.

APN 331-270-005

RCFC PARCEL 4310-31:

Quitclaim Deed recorded on November 14, 2014, as Instrument No. 2014-0436999, records of the Recorder's Office, Riverside County, State of California.

APN 331-300-002

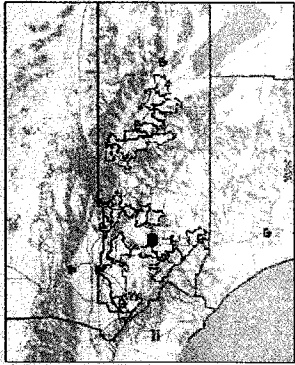
RCFC PARCEL 4310-31:

Quitclaim Deed recorded on November 14, 2014, as Instrument No. 2014-0437000, records of the Recorder's Office, Riverside County, State of California.

APN 331-300-007

Subject: Res F2016-07 NOI to Summarily Vacate & Declare District ROW Surplus

Location: City of Menifee - Romoland MDP Line A, Stg. 5 & 6



Legend



0 1,579

3,159 Feet



REPORT PRINTED ON... 3/24/2016 11:44:56 AM

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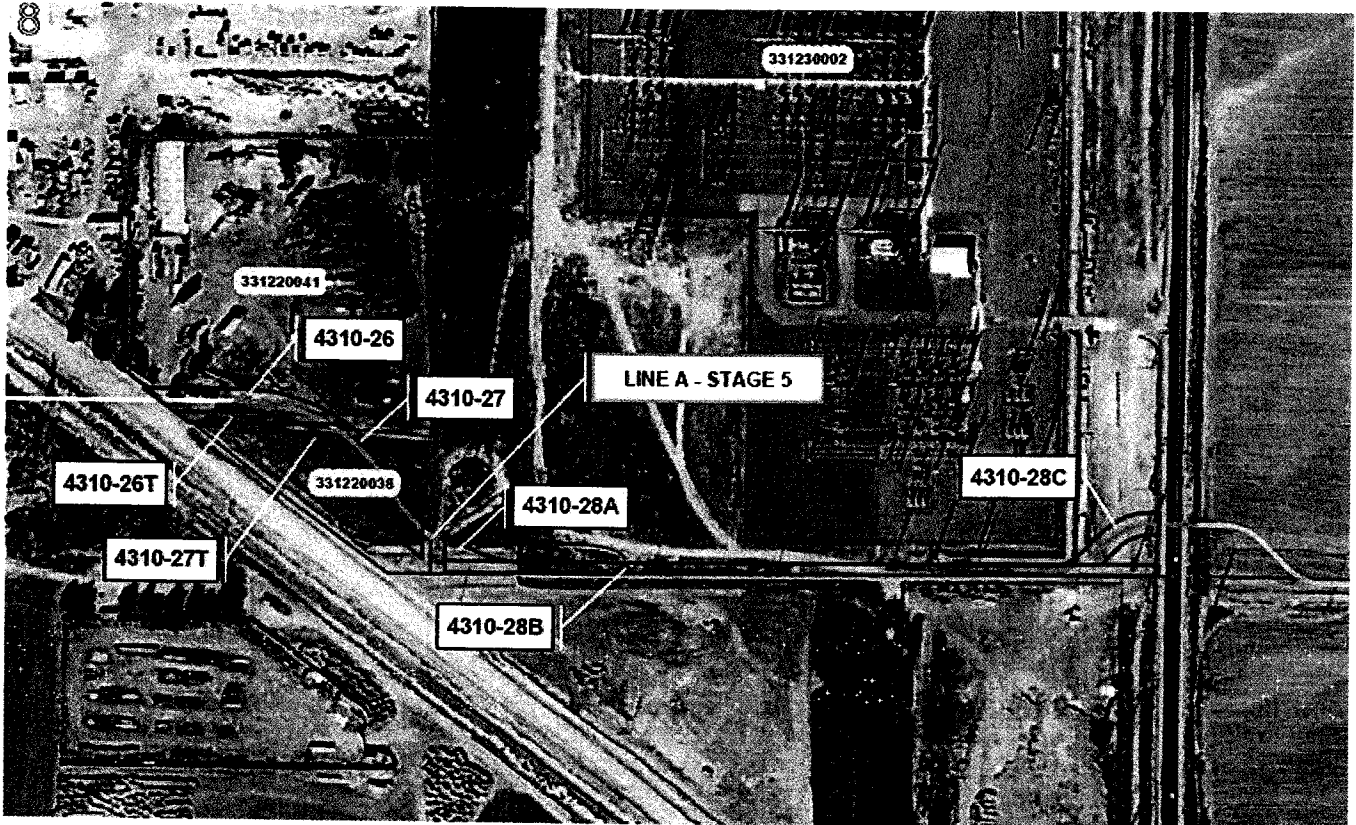
IMPORTANT Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or 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.

Notes

APNS 331-230-003, 331-260-009,
331-270-005, 331-330-002 and
331-300-007
District: 5

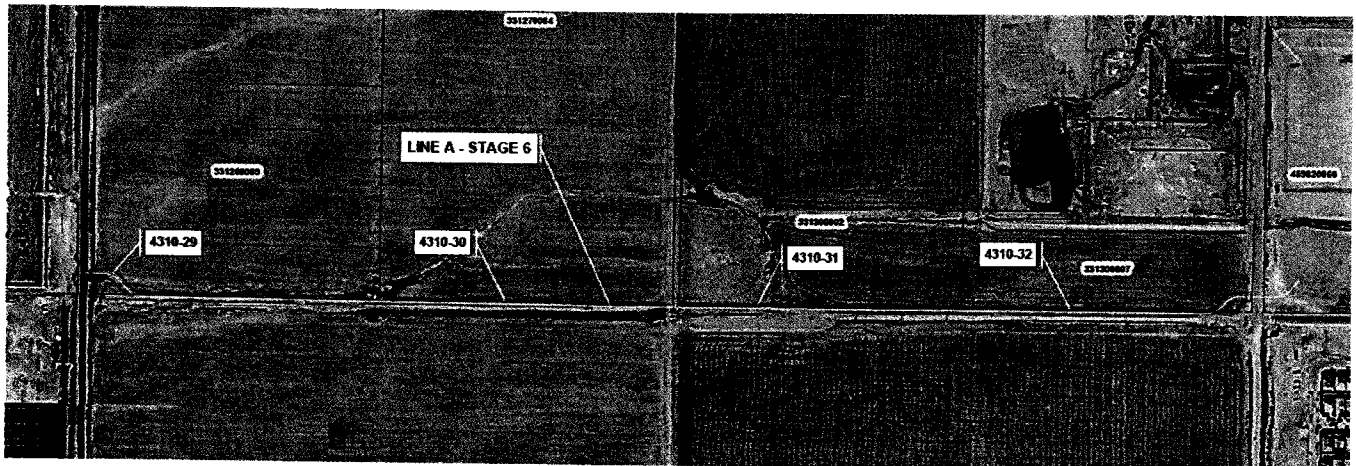
RIGHT OF WAY MAP

Romoland MDP Line A, Stage 5



RCFC PARCELS 4310-28B & 4310-28C

Romoland MDP Line A, Stage 6



RCFC PARCELS 4310-29, 4310-30, 4310-31 & 4310-32