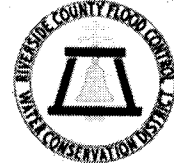


**SUBMITTAL TO THE FLOOD CONTROL AND
WATER CONSERVATION DISTRICT
BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM
11.3
(ID # 3252)

MEETING DATE:
Tuesday, January 17, 2017

FROM: FLOOD CONTROL DISTRICT:

SUBJECT: FLOOD CONTROL DISTRICT - Adopt Resolution No. F2017-02; Declaration of Exempt Surplus Real Property and Notice of Intent to Sell Fee Title Interest of District-Owned Real Property located in the city of Desert Hot Springs, County of Riverside, State of California; APNs 665-050-027 and 665-050-030; Mission Creek Channel, Project No. 6-0-00090; 4th District; [\$0 District Funds]

RECOMMENDED MOTION: That the Board of Supervisors:
Adopt Resolution No. F2017-02, Declaration of Exempt Surplus Real Property and Notice of Intent to Sell Fee Title Interest of District-Owned Real Property located in the city of Desert Hot Springs, County of Riverside, State of California; RCFC Parcel Numbers 6090-12E and 6090-13.

Jason Utley
12/27/2016

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$0	\$0	\$0	\$0
NET COUNTY COST	\$0	\$0	\$0	\$0
SOURCE OF FUNDS: N/A			Budget Adjustment: No	
			For Fiscal Year: 16/17	

C.E.O. RECOMMENDATION: APPROVE

MINUTES OF THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT

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

Ayes: Jeffries, Tavaglione, Washington and Ashley
Nays: None
Absent: None
Date: January 17, 2017
xc: Flood

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

11.3

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

BACKGROUND:

Summary

The District acquired real property interest for the Mission Creek Channel project which consisted of the construction and subsequent operation and maintenance of an earthen channel. The District owns the land known as RCFC Parcel Numbers 6090-12E and 6090-13. The District requests that these parcels be declared surplus as the parcels are no longer needed for District purposes, and authorizes staff to negotiate with the adjacent property owner for the conveyance of these parcels to them. The sale of these parcels will remove both a maintenance and potential liability problem for the District, and will place these parcels back onto the tax roll. After negotiations have been finalized, the individual agreements for the disposition of these parcels will be brought to the Board for approval.

Pursuant to California Surplus Lands Act (Government Code Section 54220 et seq.) and prior to disposing of any real property declared as surplus, local agency shall send written offers to sell the property to other public agencies who may be interested in acquiring such surplus real property unless it is deemed exempt from this requirement. Surplus property as such is defined in California Government Code Section 54221 is exempt from this requirement, and may be disposed of without sending out any written offers to sell to other public agencies. These District-owned parcels (APNs 665-050-027 and 665-050-030) consist of approximately 3,920 and 436 square feet of land, respectively, (Exempt Property), are irregular in shape, are undevelopable by themselves, and are remnant parcels with very low values. As a result, the District is not required to send written offers to other public agencies and may proceed with disposing of these properties. As to California Water Code Appendix Sections 48-9 and 48-13, the Board of Supervisors of the Riverside County Flood Control and Water Conservation District is authorized to dispose of real property that is no longer necessary to be retained for the uses and purposes of the District. This Exempt Property is no longer necessary to be retained for the Mission Creek Channel or any District uses or purposes; therefore, staff is recommending the adoption of Resolution No. F2017-02 to declare this property surplus and dispose of the Exempt Property.

Resolution No. F2017-02 has been approved as to form by County Counsel.

Impact on Residents and Businesses

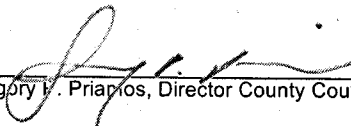
Increase in private property ownership.

- ATTACHMENT A. Regional Map of Subject Area**
- ATTACHMENT B. Exhibit A – Legal Parcel 6090-12E**
- ATTACHMENT C. Exhibit B – Plat 6090-12E**
- ATTACHMENT D. Exhibit A – Legal Parcel 6090-13**
- ATTACHMENT E. Exhibit B – Plat 6090-13**

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

ATTACHMENT F. Resolution No. F2017-02

MT: 3252
P8\209374



Gregory V. Priamos, Director County Counsel 12/21/2016

1
2 BOARD OF SUPERVISORS

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

3 RESOLUTION NO. F2017-02

4 DECLARATION OF EXEMPT SURPLUS REAL PROPERTY AND NOTICE OF INTENT
5 TO SELL FEE TITLE INTEREST OF DISTRICT-OWNED REAL PROPERTY
6 LOCATED IN THE CITY OF DESERT HOT SPRINGS,
7 COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
8 MISSION CREEK CHANNEL
9 PROJECT NO. 6-0-00090

8 WHEREAS, the Riverside County Flood Control and Water Conservation District
9 (District) is the owner of certain real properties referred to as RCFC Parcel Nos. 6090-12E and
10 6090-13, also known as Assessor's Parcel Nos. 665-050-027 and 665-050-030 consisting of
11 approximately 0.09 acre (3,920± sq. ft.) and 0.01 acre (436± sq. ft.) of land, respectively, located
12 in the city of Desert Hot Spring, County of Riverside, (Exempt Properties); and

13 WHEREAS, pursuant to the California Surplus Lands Act (the "Act", Government Code
14 Section 54220, et seq.) any real property declared as surplus is exempt from the requirements of
15 the Act if such real property is: i) less than 5,000 square feet in area; or ii) less than the
16 minimum legal residential building lot size for the jurisdiction in which the parcel is located, or
17 5,000 square feet in area, whichever is less; or iii) has no record access and is less than 10,000
18 square feet in area; and is not contiguous to land owned by a state or local agency that is used for
19 park, recreation, open-space, or low and moderate income housing purposes, and is located
20 neither within an enterprise zone pursuant to the Government Code Section 7073, nor a
21 designated program area as defined in Section 7082 of the Government Code; and

21 WHEREAS, if the surplus land that qualifies as exempt is not sold to an owner of
22 contiguous land, then it is not considered exempt surplus land and is subject to requirements of
23 the Act; and

23 WHEREAS, the District may proceed with the sale of these Exempt Properties without
24 first providing written offers to sell to other public agencies or housing sponsors; and

25 WHEREAS, the District may dispose of real property that is no longer necessary to be
26 retained for District uses or purposes after adopting a Resolution declaring that a real property
27 interest is no longer necessary to be retained for District uses or purposes; and

27 WHEREAS, the District further finds that the sale of these Exempt Properties offers the
28 best economic return and reduces the District's real property maintenance and liability
responsibilities.

01.17.17 11.3

FORM APPROVED COUNTY COUNSEL
BY: *Synthia M. Gunzel* 12-19-16 DATE
SYNTHIA M. GUNZEL

1 NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by vote of
2 the Board of Supervisors of the District in regular session assembled on January 17, 2017, in the
3 meeting room of the Board of Supervisors of the District located on the 1st Floor of the County
4 Administrative Center, 4080 Lemon Street, Riverside, California, at 9:00 a.m. or soon thereafter,
5 those certain parcels of real properties located in the city of Desert Hot Springs, County of
6 Riverside, State of California, more particularly described in Exhibits "A" and shown on Exhibit
7 "B" for each parcel, attached hereto and by this reference incorporated herein, are no longer
8 necessary to be retained by the District for public purposes.

9 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the General
10 Manager-Chief Engineer or his designee is authorized to negotiate with the contiguous property
11 owners for the conveyance of these parcels.

12 ROLL CALL:

13 Ayes: Jeffries, Tavaglione, Washington and Ashley
14 Nays: None
15 Absent: None

16 PVV:rlp:bjp
17

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

20 By Kecia Harper-Ihem
21 Deputy
22
23
24
25
26
27
28

Exhibit "A"

Mission Creek Channel
Parcel 6090-12E

Being a portion of Parcel 56 as shown on Record of Survey filed in Book 21, Page 55, records of Riverside County, lying within Section 1, Township 3 South, Range 4 East, San Bernardino Meridian, in the City of Desert Hot Springs, State of California, more particularly described as follows:

All that portion of said Parcel lying northerly of the land described in Quitclaim Deed recorded December 13, 1973, Instrument No. 1973-160691, records of said County.





JAMES R. McNEILL

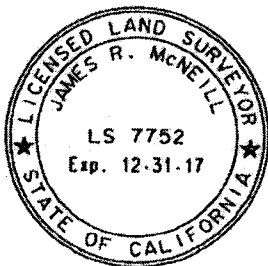
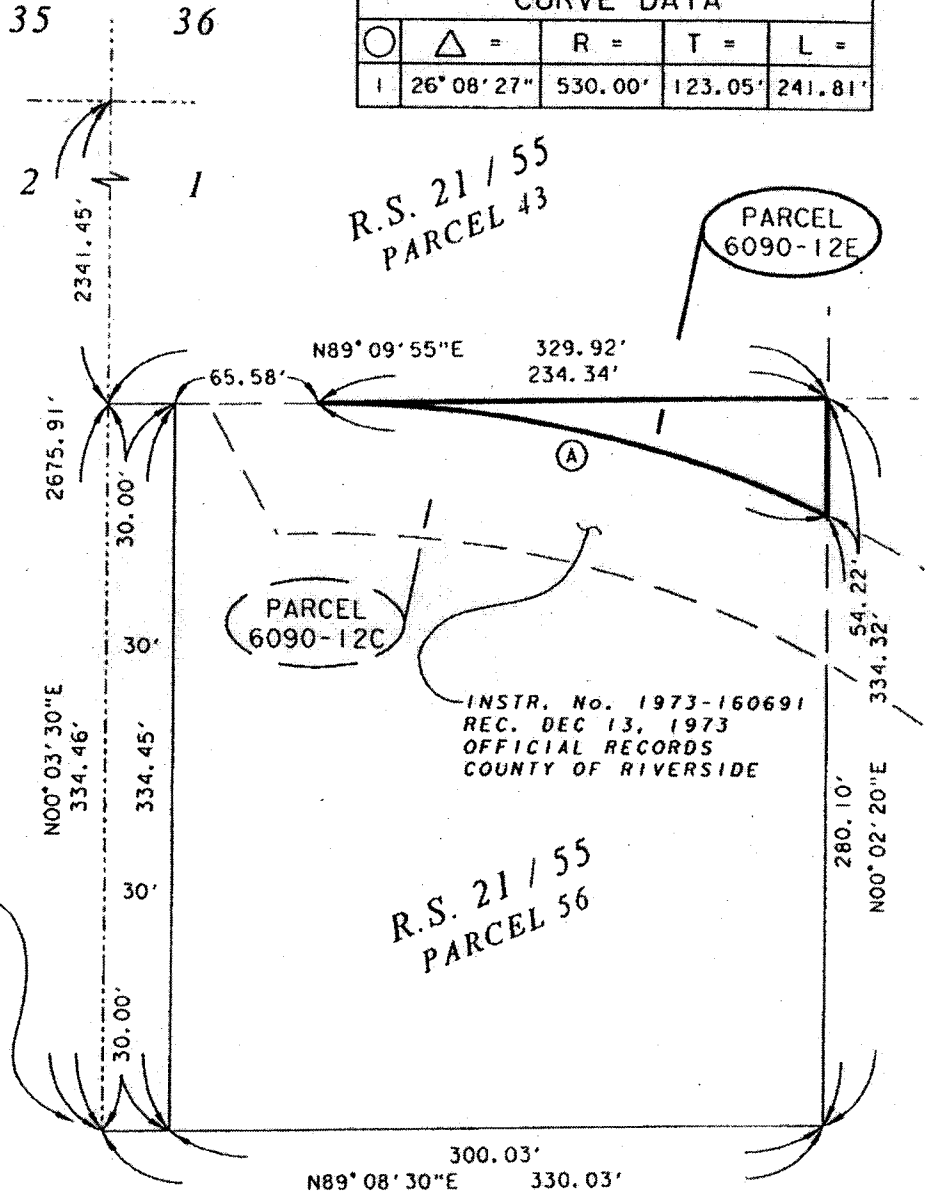
Land Surveyor No. 7752
Signed on Behalf of:
Riverside County Flood Control
and Water Conservation District

Date: 10-4-16

Exhibit "B"

BEING A PORTION OF PARCEL 56 AS SHOWN ON RECORD OF SURVEY FILED IN BOOK 21 PAGE 55, RECORDS OF RIVERSIDE COUNTY, LYING WITHIN SECTION 1, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SAN BERNARDINO MERIDIAN, IN THE CITY OF DESERT HOT SPRINGS, STATE OF CALIFORNIA.

CURVE DATA				
○	△ =	R =	T =	L =
1	26° 08' 27"	530.00'	123.05'	241.81'



W 1/4 COR
SEC 1

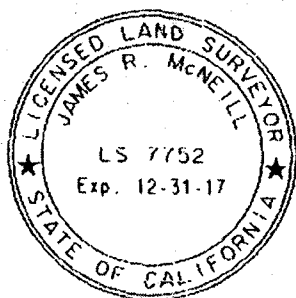
[Signature]
DATE: 10-4-16

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT			
1995 MARKET ST. RIVERSIDE, CA. 92501			
PROJECT NAME:		MISSION CREEK CHANNEL	
THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN.	RCFC PARCEL NUMBER(S):	SCALE:	PREPARED BY:
	PARCEL 6090-12E	NO SCALE	LAH
		OCT-03-2016	SHEET NO. 1 OF 1

Exhibit "A"

Mission Creek Channel
Parcel 6090-13

All of Parcel 6090-13 as shown on Record of Survey filed in Book 59, Pages 1 through 4, described in Instrument No. 1973-34110, recorded March 19, 1973, records of Riverside County, in the City of Desert Hot Springs, State of California.





JAMES R. McNEILL

Land Surveyor No. 7752

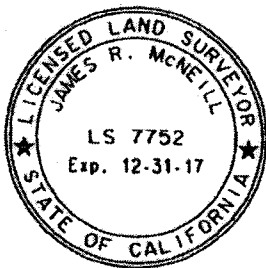
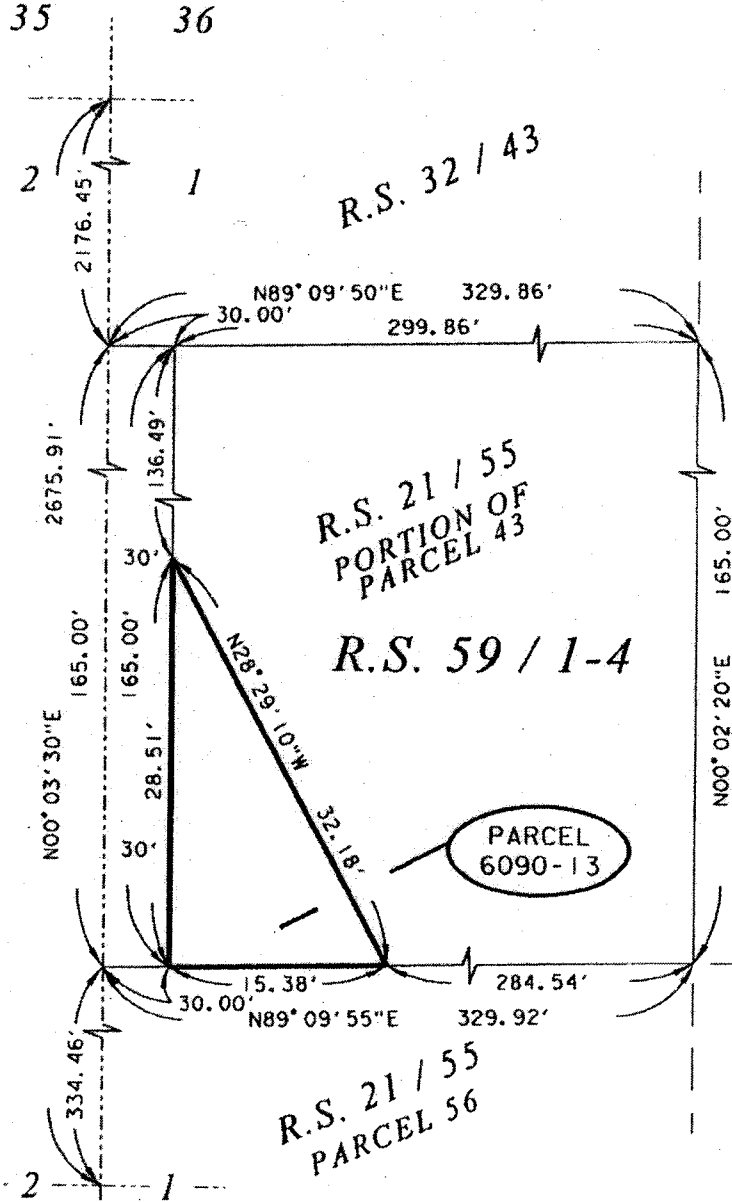
Signed on Behalf of:

Riverside County Flood Control
and Water Conservation District

Date: 10-4-16

Exhibit "B"

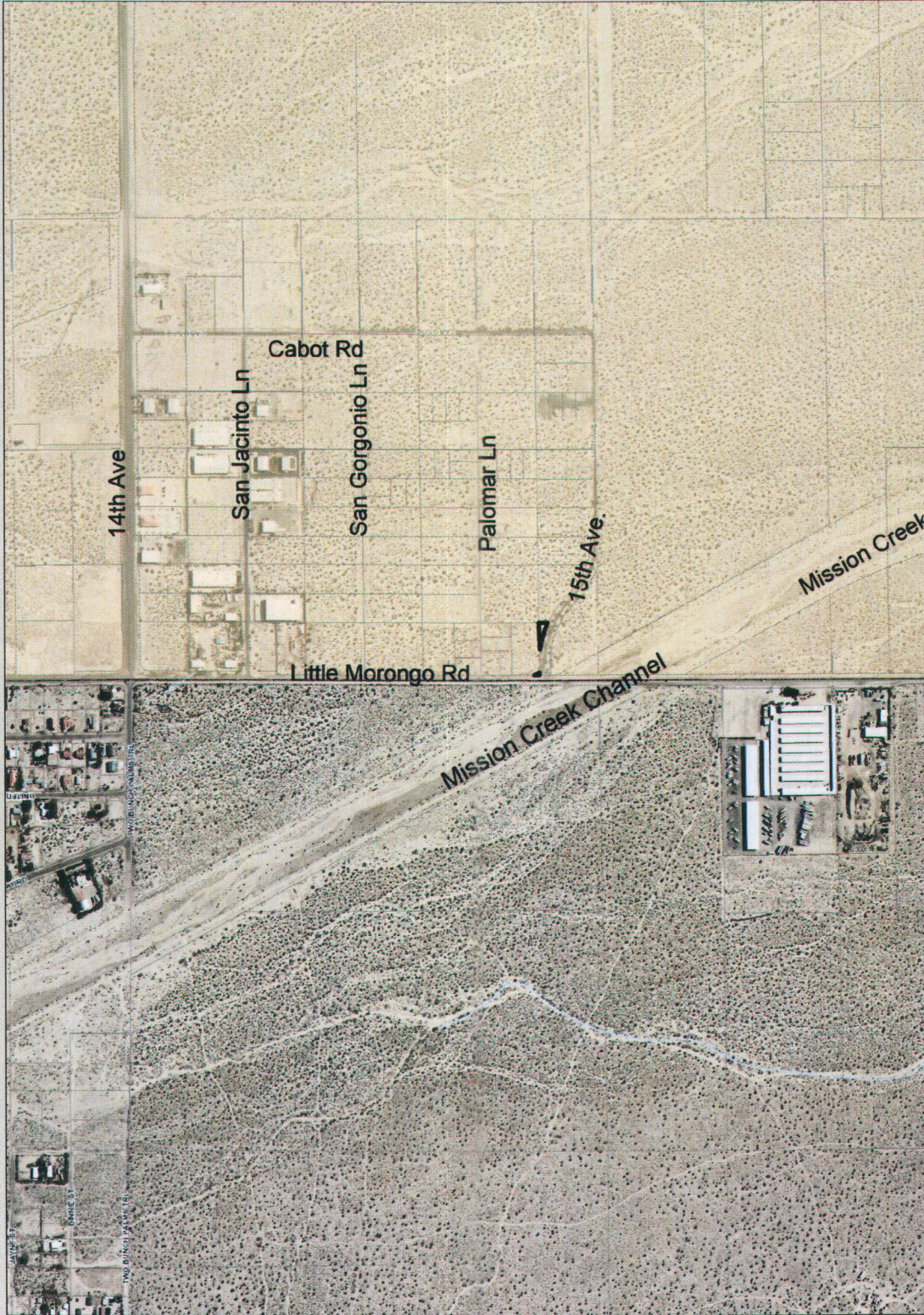
ALL OF PARCEL 6090-13 AS SHOWN ON RECORD OF SURVEY FILED IN BOOK 59, PAGES 1 THROUGH 4, DESCRIBED IN INSTRUMENT NO. 1973-34110, RECORDED MARCH 19, 1973, RECORDS OF RIVERSIDE COUNTY, IN THE CITY OF DESERT HOT SPRINGS, STATE OF CALIFORNIA.



James R. McNeill
DATE: 10-4-16

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT			
1995 MARKET ST. RIVERSIDE, CA. 92501			
PROJECT NAME: MISSION CREEK CHANNEL			
THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN.	RCFC PARCEL NUMBER(S):	SCALE:	PREPARED BY:
	PARCEL 6090-13	NO SCALE	LAH
		OCT-03-2016	SHEET NO. 1 OF 1

Mission Creek Channel Surplus Land



Legend

- Display Parcels
- Cities
- roads
- highways
- HWY
- INTERCHANGE
- INTERSTATE
- OFFRAMP
- ONRAMP
- USHWY
- counties
- cities
- hydrography
- waterbodies
- Lakes
- Rivers



0 1,081 2,162 Feet



REPORT PRINTED ON... 12/14/2016 9:38:19 AM

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Notes

Desert Hot Springs
APNs: 665-050-027 (3,920+/- SF)
665-050-030 (436+/- SF)

