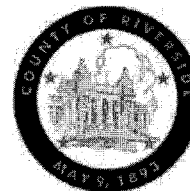


SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM
2.8
(ID # 3315)

MEETING DATE:

Tuesday, February 7, 2017

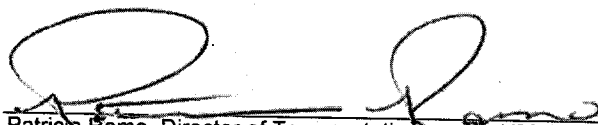
FROM : TLMA-TRANSPORTATION:

SUBJECT: TLMA TRANSPORTATION: Adopt Resolution No. 2017-023, Summarily Vacating a Portion of the Restricted Abutters' Rights of Access Along De Portola Road in the Temecula Area, California Environmental Quality Act (CEQA) Exempt. 3rd District; [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that the Vacation of a Portion of the Restricted Abutters' Rights of Access along De Portola Road in the Temecula area is categorically exempt from CEQA pursuant to Section 15060(c)(2) and 15061(b)(3) of the State CEQA Guidelines; and
2. Adopt Resolution No. 2017-023, Summarily Vacating a Portion of the Restricted Abutters' Rights of Access along De Portola Road in the Temecula area; and
3. Direct the Clerk of the Board to deliver the Notice of Exemption to the Office of the County Clerk for filing within five (5) working days of this Board hearing.

ACTION: Consent

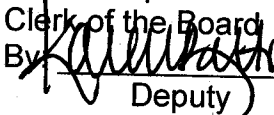


Patricia Romo, Director of Transportation 1/26/2017

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Washington and Ashley
Nays: None
Absent: None
Date: February 7, 2017
xc: Transp., Recorder

Kecia Harper-Ihem
Clerk of the Board
By 
Deputy

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

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

BACKGROUND:

Summary

The applicant is requesting a vacation of abutters rights on De Portola Rd. to obtain an address. The addressing will be consistent with other wineries in the area and this opening will not be used for access. The County of Riverside Transportation Department has reviewed this vacation request and has no objections. As determined in the attached CEQA Notice of Exemption, the vacation is exempt from the provisions of CEQA pursuant to Categorical Exemption 15060 and 15061 of the State CEQA Guidelines. The vacation will not result in any specific or general exceptions to the use of the categorical exemption and will not cause any direct or indirect physical environmental impacts.

County Counsel has approved Resolution No. 2017-023 as to form.

Impact on Residents and Businesses

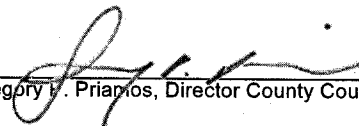
The vacation of restricted abutters' access rights provides the client with an additional entrance to his property. This vacation has no other impact. There are no General funds used in this project.

ATTACHMENTS:

Vicinity Map

Resolution No. 2017-023 with Exhibit "A" and "B"

Notice of Exemption



 Gregory I. Priamos, Director County Counsel 1/27/2017

TO BE REMOVED BEFORE RECORDING



VICINITY MAP

N.T.S.

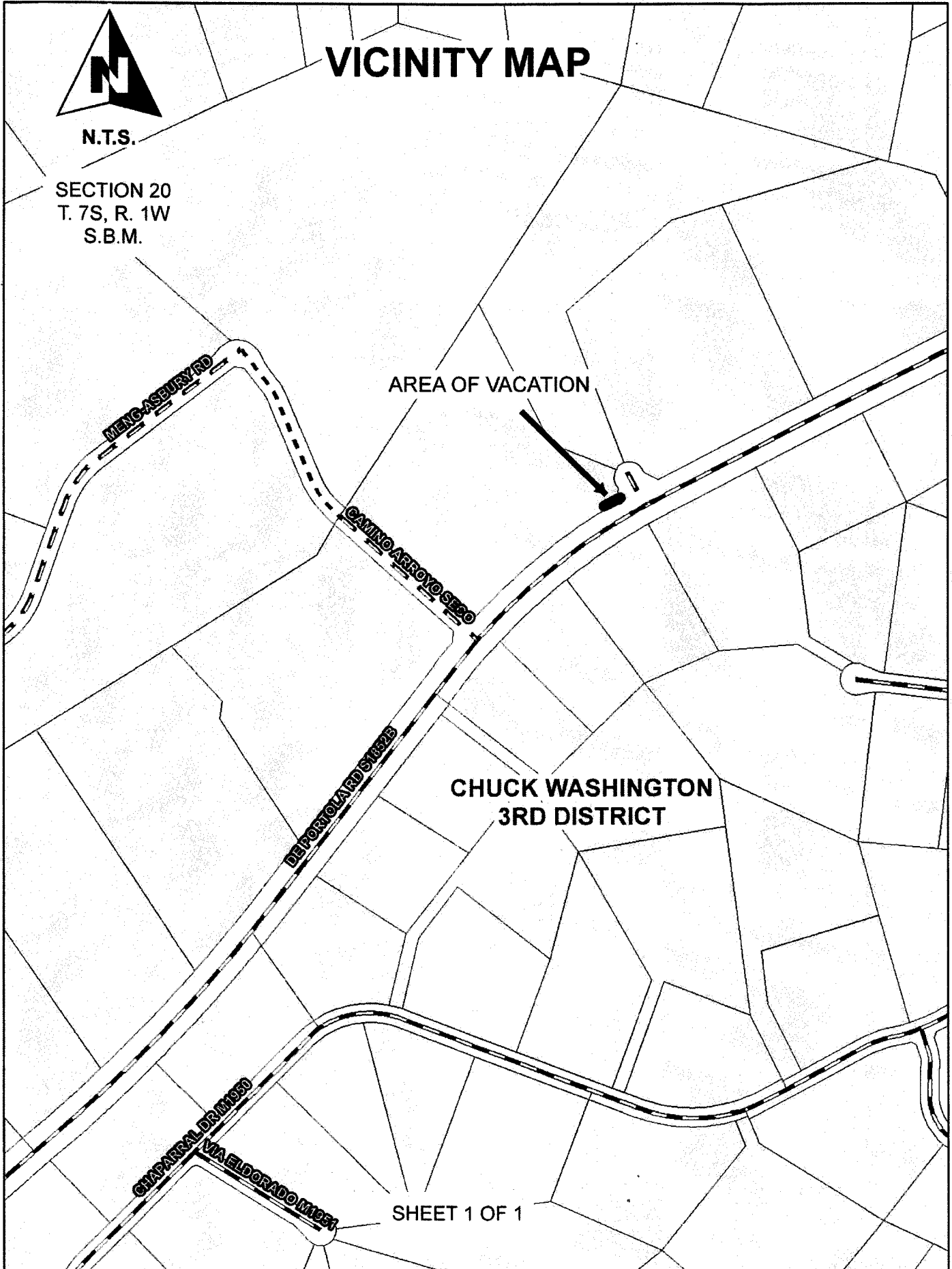
SECTION 20
T. 7S, R. 1W
S.B.M.

AREA OF VACATION

CHUCK WASHINGTON
3RD DISTRICT

SHEET 1 OF 1

TO BE REMOVED BEFORE RECORDING



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

2017-0064736

02/14/2017 02:46 PM

*****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. 2017-023

Title of Document

**SUMMARILY VACATING A PORTION OF THE RESTRICTED ABUTTERS' RIGHTS
OF ACCESS ALONG DE PORTOLA ROAD IN THE TEMECULA AREA
(AB 16008)**

(THIRD SUPERVISORIAL DISTRICT)

(Transportation Department ~ Item 2.8 of 02/07/17)

2
3 **RESOLUTION NO. 2017-023**

4 **SUMMARILY VACATING A PORTION OF THE RESTRICTED ABUTTERS' RIGHTS**
5 **OF ACCESS ALONG DE PORTOLA ROAD IN THE TEMECULA AREA**

6 (AB 16008)

7 (Third Supervisorial District)

8
9 **WHEREAS**, the Restricted Abutters' Rights of Access along De Portola Road were
10 dedicated to the public on Parcel Map 27151, filed in Book 195, Pages 1 through 2, of
11 Parcel Maps, Records of Riverside County, California;

12 **WHEREAS**, the described Portion of the Restricted Abutters' Rights of Access
13 along De Portola Road as shown on said Parcel Map is no longer necessary;

14 **WHEREAS**, applicable procedures pertaining to summary vacations were
15 followed pursuant to the County's adopted Resolutions for fixing procedures to vacate and
16 accept county highways and property offered for dedication, now therefore;

17
18 **BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the Board of
19 Supervisors of the County of Riverside, State of California, in regular session assembled
20 on February 7, 2017, as follows:

- 21 1. That the hereinafter-described Portion of the Restricted Abutters' Rights
22 of Access is unnecessary for present or prospective use.

23
24
25 SEE LEGAL DESCRIPTION AND PLAT ATTACHED HERETO
26 AS EXHIBITS "A" AND "B" AND MADE A PART HEREOF

- 27 2. Pursuant to Section 8334(a) of the Streets and Highways Code that
28 the hereinafter-described Portion of the Restricted Abutters' Rights of

FORM APPROVED COUNTY COUNSEL
BY: Synthia M. Gunzel 1-27-17
DATE
SYNTHIA M. GUNZEL

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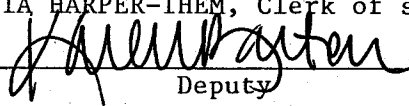
Access is determined to be excess and is no longer needed and is hereby summarily vacated.

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

ROLL CALL:

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

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

KECIA HARPER-IHEM, Clerk of said Board
By  Deputy

BCIII W.O. # AB16008

EXHIBIT "A"
VACATING A PORTION OF THE RESTRICTED ABUTTERS
RIGHTS OF ACCESS ALONG DE PORTOLA ROAD

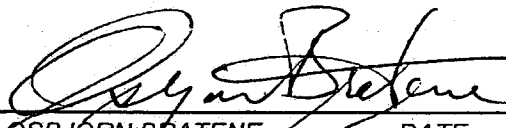
LEGAL DESCRIPTION

1 OF 1

A 10.00 FOOT PORTION OF THE ABUTTERS ACCESS RESTRICTION ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF DE PORTOLA ROAD AT PARCEL 1 OF PARCEL MAP 27151, AS SHOWN BY MAP ON FILE IN BOOK 195, PAGES 1 AND 2 OF PARCEL MAPS ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN PROTRACTED SECTION 20, T.7 S., R.1 W., SAN BERNARDINO BASE AND MERIDIAN, SEE EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EASTERLY CORNER OF SAID PARCEL 1 OF SAID PARCEL MAP 27151, WHICH IS ALSO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF DE PORTOLA ROAD WHICH IS A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 2055.00 FOOT, AT A RADIAL BEARING OF N30°47'21"W, AND THE BEGINNING OF THE CUTBACK TO CUSHMAN CIRCLE, WHICH IS ALSO THE **TRUE POINT OF BEGINNING** OF A 10.00 FOOT LONG ACCESS OPENING;

THENCE SOUTHWESTERLY ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF DE PORTOLA ROAD, WHICH IS A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS 2055.00 FEET, THENCE WESTERLY THROUGH A CENTRAL ANGLE OF 00°16'44" A DISTANCE OF 10.00 FEET TO A POINT ON SAID RIGHT-OF-WAY LINE, AT A RADIAL BEARING OF N30°13'34"W, WHICH IS THE POINT OF TERMINUS.


OSBJORN BRATENE DATE 9/7/16
RCE 21873

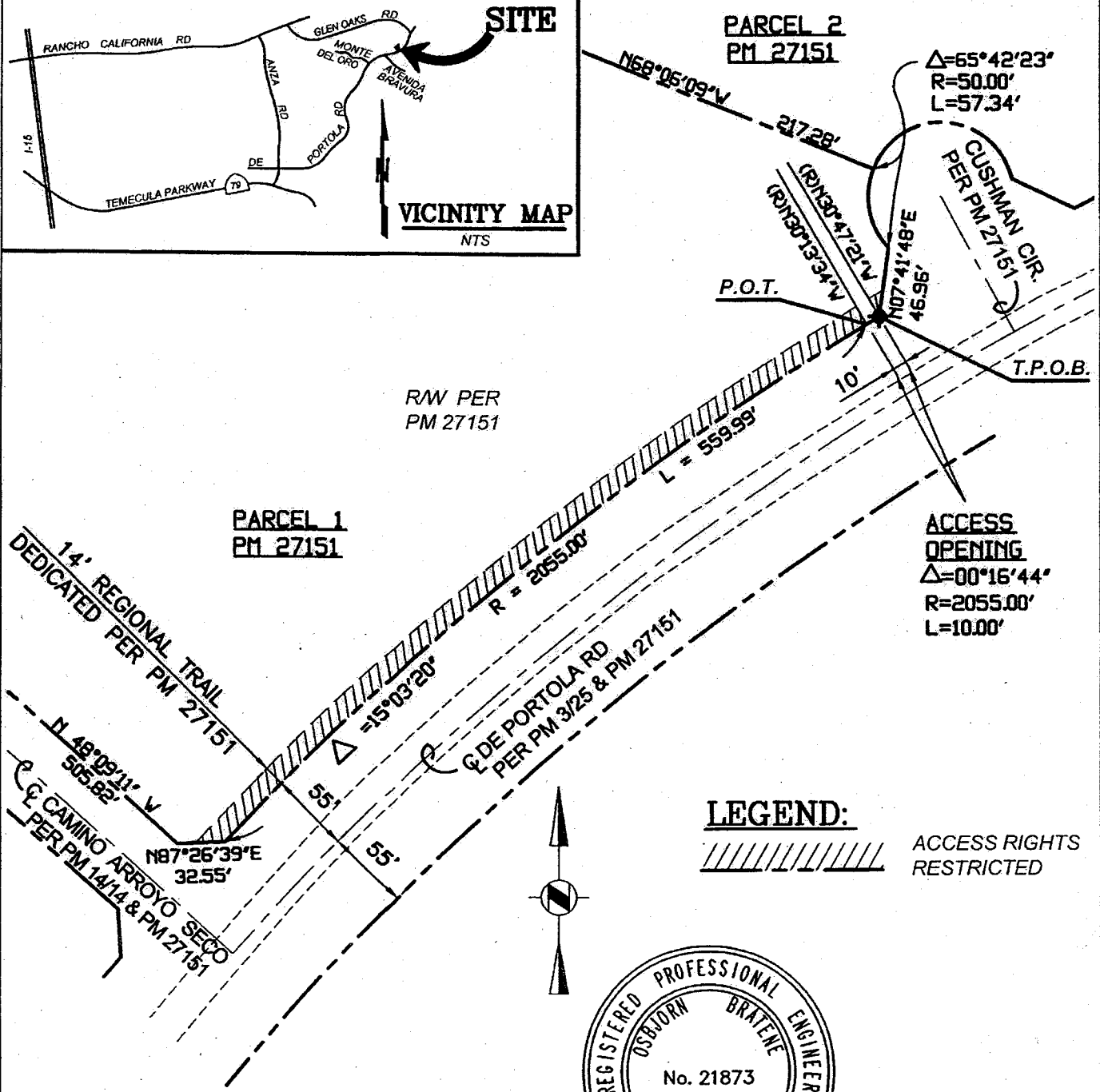
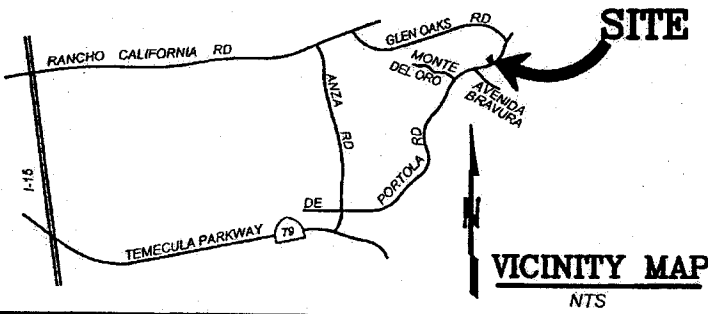


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EXHIBIT "B"

VACATING A PORTION OF THE RESTRICTED ABUTTERS RIGHTS OF ACCESS ALONG DE PORTOLA ROAD

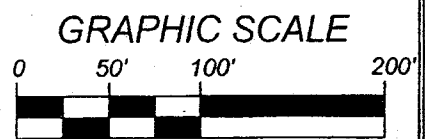
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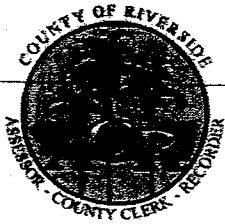


Osbjorn Bratene
 OSBJORN BRATENE
 RCE 21873

DATE 9/7/16

20-7s-1W





PETER ALDANA
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

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

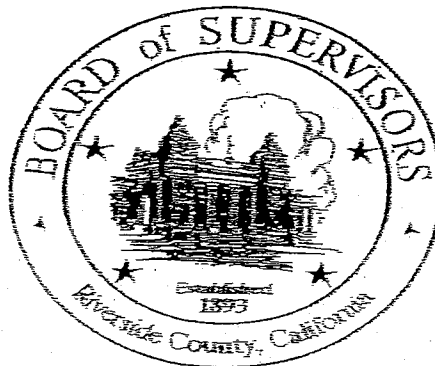
www.riversideacr.com

CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

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



Date:

2-7-17

Signature:

Karen Barton

Print Name:

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

NOTICE OF EXEMPTION

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

2/14/17
Date

KB
Initial

Project Name: Resolution No. 2017-023 Summarily Vacating a Portion of the Restriction of Abutters Access Rights along De Portola Road.

Project Number: ZAB16008 SU14

Project Location- See Exhibits "A" and "B"

Description of Project: Resolution No. 2017-023 Summarily Vacating a Portion of the Restriction of Abutters Access Rights along De Portola Road.

Name of Public Agency Approving Project: Riverside County Transportation Department, Survey Division, County of Riverside.

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

Exempt Status: California Environmental Quality Act (CEQA) Guidelines, Section 15061(b)(3), General Rule "Common Sense" Exemption. Not a "project" as defined under State CEQA Guidelines, Section 15060(c)(2).

Reasons Why Project is Exempt: The vacation of a Portion of the Restriction of Abutters Access Rights has been determined to not be a "project" as defined under State CEQA Guidelines section 15060(c)(2). However, even if it was determined to be a project under CEQA for analysis purposes, the project is exempt from the provisions of CEQA specifically by the State CEQA Guidelines as identified below. The vacation of the existing Portion of the Restriction of Abutters Access Rights will not result in any specific or general exceptions to the use of the categorical exemption as detailed under State CEQA Guidelines Section 15300.2. The project will not cause any impacts to scenic resources, historic resources, or unique sensitive environments. Further, no unusual circumstances or potential cumulative impacts would occur that may reasonably create an environmental impact. The vacation of this Portion of the Restriction of Abutters Access Rights will not have an effect on the environment; thus, the County has deemed this does not meet the definition of a "project" under CEQA and no environmental impacts are anticipated to occur.

- Section 15061(b)(3) - General Rule "Common Sense" Exemption. With certainty, there is no possibility that the proposed project may have a significant effect on the environment. The vacation of a Portion of the Restriction of Abutters Access Rights will not require any construction activities, change the use or intensity of the existing site to create a physical environmental impact, and would not lead to any direct or reasonably

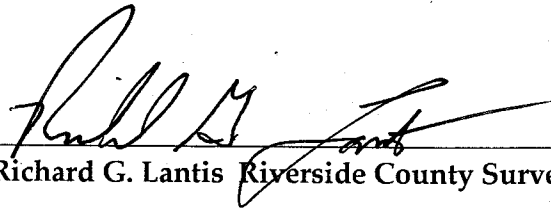
2.7.17 2.8

foreseeable indirect physical environmental impacts. Therefore, in no way would the project as proposed have the potential to cause a significant environmental impact and the project is exempt from further CEQA analysis.

- Section 15060(c)(2) – for purposes of analysis under CEQA, the vacation of the Portion of the Restriction of Abutters Access Rights is not a “project” under CEQA pursuant to Section 15060(c)(2). An action by a public agency is only a “project” subject to CEQA if the action might result in a physical change in the environment. Based upon a review of the whole action undertaken, supported, or authorized by the County, in no way will the vacation of the Portion of the Restriction of Abutters Access Rights increase the use of the site, result in increased development or construction impacts, or lead to any direct, indirect, or cumulative physical environmental impacts.

Based upon the identified exemptions above, the County of Riverside hereby concludes that no physical environmental impacts are anticipated to occur and the project as proposed is exempt under CEQA. No further environmental analysis is warranted.

Signed: _____


Richard G. Lantis

Date: 12-29-16

Riverside County Surveyor

EXHIBIT "A"
VACATING A PORTION OF THE RESTRICTED ABUTTERS
RIGHTS OF ACCESS ALONG DE PORTOLA ROAD

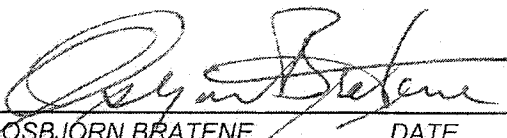
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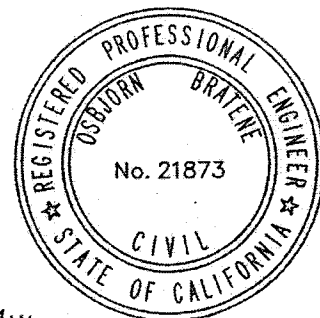
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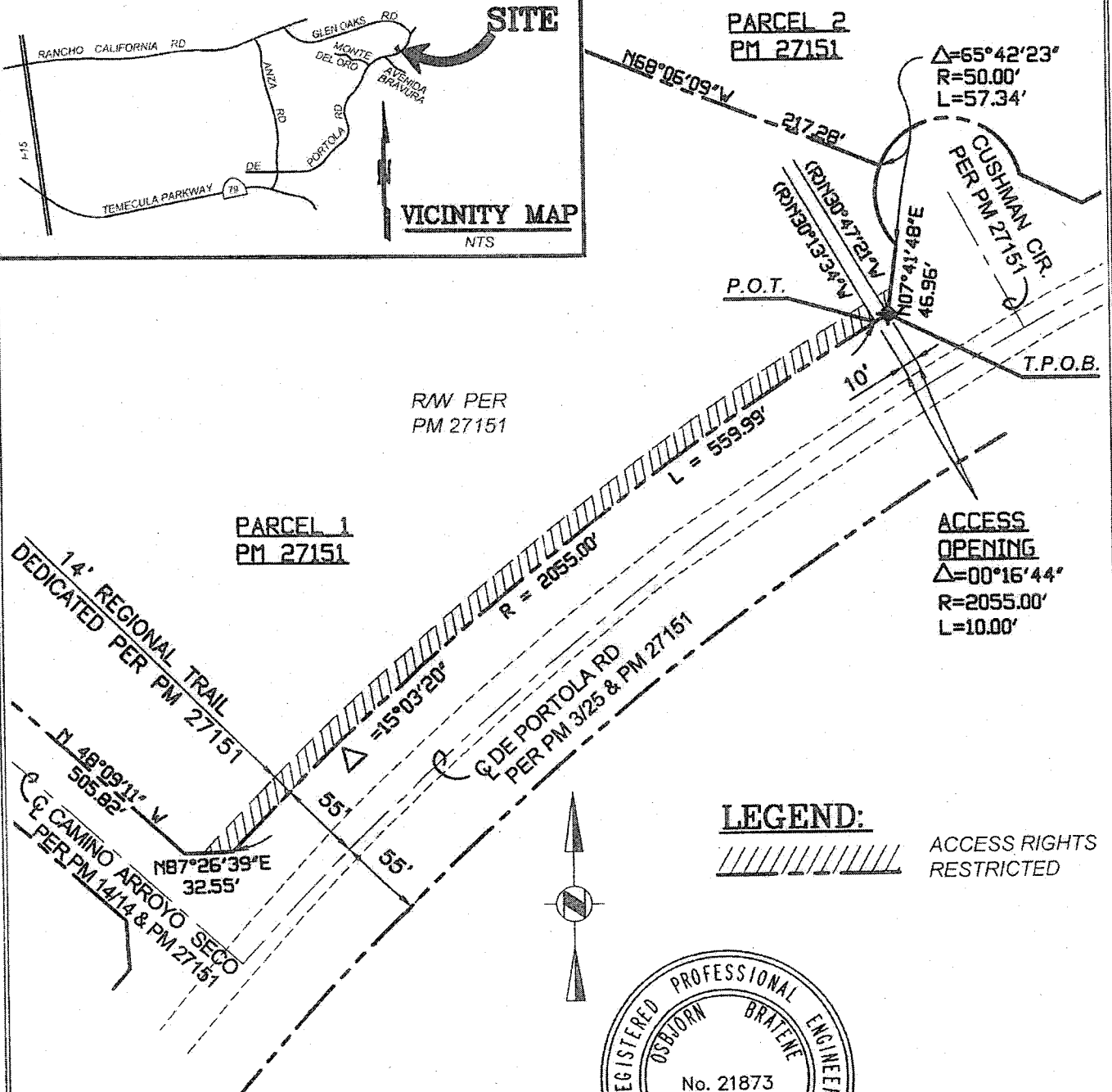
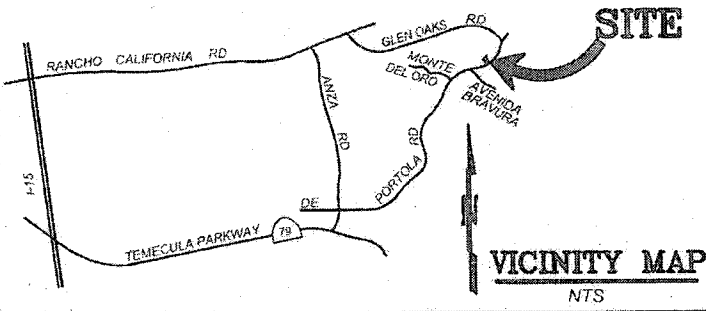


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EXHIBIT "B"

VACATING A PORTION OF THE RESTRICTED ABUTTERS RIGHTS OF ACCESS ALONG DE PORTOLA ROAD

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DATE 9/7/16

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