

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



ITEM  
11.3  
(ID # 4119)

**MEETING DATE:**  
Tuesday, May 2, 2017

**FROM :** FLOOD CONTROL DISTRICT:

**SUBJECT:** FLOOD CONTROL DISTRICT: Adopt Resolution No. F2017-05 Authorization to Surplus and Sell a Portion of District Owned Real Property Located in the City of Lake Elsinore, County of Riverside, Lake Elsinore Outlet Channel (Portion of APN 377-360-022) to California Department of Transportation (Identified as Caltrans Parcel No. 24124-1); Approval of Right of Way Contract with Caltrans; Project No. 3-0-00040; CEQA Findings of Exemption; 1st District; [\$0] (Clerk to file Notice of Exemption)

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

1. Find that the Project is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Sections 15301(c), 15312, and 15061(b)(3); and
2. Adopt Resolution No. F2017-05 Authorization to Surplus and Sell A Portion of District Owned Real Property located in the City of Lake Elsinore, County of Riverside, State of California, Lake Elsinore Outlet Channel (Portion of APN 377-360-022) to State of California, Department of Transportation ("Caltrans") by Right of Way Contract and Grand Deed; and
3. Approve that certain Right of Way Contract – State Highway between Caltrans and the District for the subject property interest and authorize the Chairman of the Board for the District to execute the same on behalf of the District; and
4. Authorize the Chairman of the Board of Supervisors for the District to execute the Grant Deed in favor of Caltrans; and
5. Authorize the General Manager-Chief Engineer or his designee to execute any other related documents, and administer all action necessary to complete this transaction; and
6. Direct the Clerk of the Board to file the Notice of Exemption with the County Clerk within five (5) days of approval by the Board of the conveyance of the property interest in real property.


**ACTION:** Policy

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Ashley, seconded by Supervisor Tavaglione 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: May 2, 2017  
xc: Flood, Recorder

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

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

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

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

Caltrans contacted the District in an effort to purchase 950 square feet of District-owned real property, a portion of land identified with Assessor's Parcel Number 377-360-022, located adjacent to State Route 74 (SR-74) at the intersection of SR-74 and Gunnerson Street/Strickland Avenue in the city of Lake Elsinore, County of Riverside, State of California. Caltrans proposes to install one (1) left turn lane to improve the safety and function of the existing intersection. The addition of a left turn lane will improve safety characteristics. Vehicles turning left from SR-74 onto Gunnerson Street/Strickland Avenue are not currently provided with a separate turning lane and must wait for an opening in traffic. This condition has resulted in vehicle collisions involving vehicles traveling in the same direction, as well as vehicles traveling in opposing directions. The affected District property is an unimproved remnant of the Lake Elsinore Outlet Channel. The subject parcel, APN 377-360-022 totals 4.38 acres, whereas the property interest to be granted to Caltrans consists of a 950 square foot portion of the parcel and is unused, undeveloped and not needed by the District.

Caltrans provided the District with an appraisal establishing the fair market value. Staff has reviewed the appraisal of the District-owned parcel and concurs with the conclusion of value. Caltrans will be purchasing the real property portion in fee for \$900.00 plus costs and fees for the District to process this transaction for a total amount of \$7,984.09. Caltrans and the District desire to enter into a Right of Way Contract and convey the interest being sought in the District-owned parcel to Caltrans.

Pursuant to the California Water Code Appendix §48-9, the Board of Supervisors for the District has the power to grant any interest in real property which it owns to public agencies where such grant does not interfere with the use of the real property for the purposes of the District. Staff has evaluated and determined that the conveyance of the portion of real property to Caltrans will not interfere with the use of the property for the intended purposes of the District.

Pursuant to the California Environmental Quality Act (CEQA), the "Project" was reviewed and determined to be categorically exempt. The Project is the conveyance of 950 square feet of District-owned real property to Caltrans for a minor intersection improvement. The Project is consistent with a "Class 1 Categorical Exemption" pursuant to CEQA Guidelines § 15301(c), which includes "Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails,

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

and similar facilities.” In addition, the Project qualifies as a “Class 12 Categorical Exemption” pursuant to CEQA Guidelines Section 15312 for surplus government property sales, and is consistent with the “General Rule Exemption” pursuant to CEQA Guidelines Section 15061(b)(3), as it can be seen with certainty that the project will not have significant effect on the environment.

Resolution No. F2017-05, Right of Way Contract and Grant Deed have been approved as to form by County Counsel.

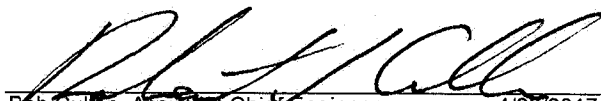

**Impact on Residents and Businesses**

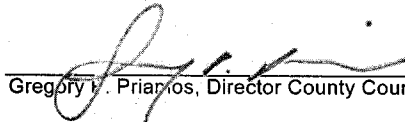
This project is a conveyance of a portion of real property to the State, and there is no impact to the Residents or Businesses.

**ATTACHMENTS:**

- ATTACHMENT 1 - Resolution No. F2017-05
- ATTACHMENT 2 - Site Map
- ATTACHMENT 3 - Right of Way Contract with Caltrans
- ATTACHMENT 4 - Grant Deed to Caltrans for a Portion of District-Owned Real Property  
APN 377-360-022 for State highway purposes
- ATTACHMENT 5 - Notice of Exemption (NOE)
- ATTACHMENT 6 - Authorization to Bill to pay NOE filing fee

P8\211779  
MT\4119

 _____ Bob Cullen, Assistant Chief Engineer	4/20/2017	 _____ Steve C. Horn	4/24/2017
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 _____ Gregory V. Priarios, Director County Counsel	4/20/2017
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BOARD OF SUPERVISORS RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

RESOLUTION NO. F2017-05

AUTHORIZATION TO SURPLUS AND SELL A PORTION OF DISTRICT OWNED REAL PROPERTY AT LOCATED IN THE CITY OF LAKE ELSINORE, COUNTY OF RIVERSIDE, LAKE ELSINORE OUTLET CHANNEL (PORTION OF APN 377-360-022) TO CALIFORNIA DEPARTMENT OF TRANSPORTATION (IDENTIFIED AS CALTRANS PARCEL NO. 24124-1); PROJECT NO. 3-0-00040

WHEREAS, the Riverside County Flood Control and Water Conservation District ("District") owns certain real property in fee title within the City of Lake Elsinore, County of Riverside, State of California, identified with Assessor's Parcel Number 377-360-022 whereby the respective facility and parcel is referenced as the Lake Elsinore Outlet Channel; and

WHEREAS, Caltrans has requested to purchase a 950 square foot portion of real property from the approximately 4.38 acres of District-owned property that is adjacent to the state highway to enable the installation of a left-turn lane on SR-74 where it intersects with Gunnerson Street/Strickland Avenue, which will assist in expediting the movement of through traffic by controlling the movement of turning traffic thereby increasing the capacity of the intersection and improve safety characteristics; and

WHEREAS, pursuant to the California Water Code Appendix Ch. 48, Section 9, the Board of Supervisors for the District has the power to grant any interest in real property it owns to other public agencies where such grant does not interfere with the use of the real property for the purposes of the District and staff has evaluated and determined that the conveyance of the real property interest to Caltrans will not interfere with the use of the property for the intended purposes of the District.

WHEREAS, the District has reviewed the "Project" and determined that the conveyance of the real property interest to Caltrans to improve the function and safety of the existing intersection is consistent with a "Class 1 Categorical Exemption" pursuant to CEQA Guidelines Section 15301(c), which includes "Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of

FORM APPROVED COUNTY COUNSEL  
BY: *Synthia M. Gunzel* 4-20-17  
DATE: SYNTHIA M. GUNZEL

1 public safety)"; the Project also qualifies for a "Class 12 Categorical Exemption" pursuant to  
2 CEQA Guidelines Section 15312 for surplus government property sales, and is consistent with the  
3 "General Rule Exemption" pursuant to CEQA Guidelines Section 15061(b)(3), as it can be seen  
4 with certainty that the project will not have significant effect on the environment and because the  
5 proposed sale of real property involving the transfer of title to the real property to Caltrans does  
6 not interfere with the use and purposes of the District, does not have significant values for wildlife  
7 habitat or other environmental purposes, and the use of the property and adjacent property has not  
8 changed since the time of acquisition by the District;

9 NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the  
10 Board of Supervisors ("Board") of the Riverside County Flood Control and Water Conservation  
11 District, in regular session assembled on or after May 2, 2017, at or after 9:00 a.m., in its meeting  
12 room located on the 1st Floor of the County Administrative Center, 4080 Lemon Street, Riverside,  
13 California, finds that the environmental impacts of the project have been sufficiently assessed and  
14 have been determined that the activity in question qualifies for a "Class 1 Categorical Exemption"  
15 pursuant to Article 19 of the CEQA, State CEQA Guidelines: Sections 15301(c), and a "Class 12  
16 Categorical Exemption" pursuant to Article 19 of the CEQA, State CEQA Guidelines: Section  
17 15312; and is consistent with the "General Rule Exemption" pursuant to CEQA Guidelines Section  
18 15061(b)(3), as it can be seen with certainty that the project will not have significant effect on the  
19 environment, the transfer of title to the real property to Caltrans does not interfere with the use and  
20 purposes of the District, does not have significant values for wildlife habitat or other environmental  
21 purposes, and the use of the property and adjacent property has not changed since the time of  
22 acquisition by the District.

23 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED by a vote of this Board  
24 that this Board finds that the proposed real property conveyance would not unreasonably interfere  
25 with the use of the Property for the District's purposes.

26 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Board  
27 authorizes the sale and conveyance of the portion of real property for a state highway improvement  
28

1 to Caltrans, affecting the District real property parcel identified as Assessor's Parcel Number 377-  
2 360-022, and the portion is more particularly described in Exhibits "A" and "B".

3 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Board  
4 approves the Right of Way Contract with Caltrans and the Chairman of the Board of Supervisors  
5 of the District is authorized to execute the Right of Way Contract and Grant Deed on behalf of the  
6 District.

7 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the General  
8 Manager-Chief Engineer or his designee is authorized to execute any other documents and  
9 administer all actions necessary to complete the purchase of the real property and this transaction.

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

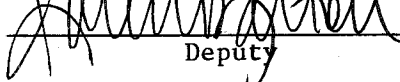
13  
14  
15  
16 RD:rlp

17  
18  
19 ROLL CALL:

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

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

25 KECIA HARPER-IHEM, Clerk of said Board

26 By  Deputy  
27  
28

**EXHIBIT "A"**

For highway purposes, that portion of that certain parcel of land as described in a Final Order of Condemnation recorded October 22, 2004 as Document No. 2004-0837066 of Official Records of the County of Riverside, State of California, more particularly described as follows:

**BEGINNING** at the most westerly corner of said certain parcel of land, thence northeasterly along the northwesterly line of said parcel of land, also being the southeasterly line of Riverside Street (30.00 feet half width), North 77°07'22" East, 70.00 feet; thence leaving said southeasterly line South 44°14'45" West, 50.01 feet to a point on the southwesterly line of said parcel of land, also being the northeasterly line of Strickland Avenue (10.00 feet half width); thence northwesterly along said southwesterly line of said parcel of land North 58°45'56" West, 39.00 feet to the **POINT OF BEGINNING**.

Together with underlying fee interest, if any, contiguous to the above-described property in and to the adjoining public way.

The bearings and distances used in the above description are on the California Coordinate System of 1983 (Epoch 2007.00), Zone 6. Divide the above distances by 0.999918265 to obtain ground level distances.

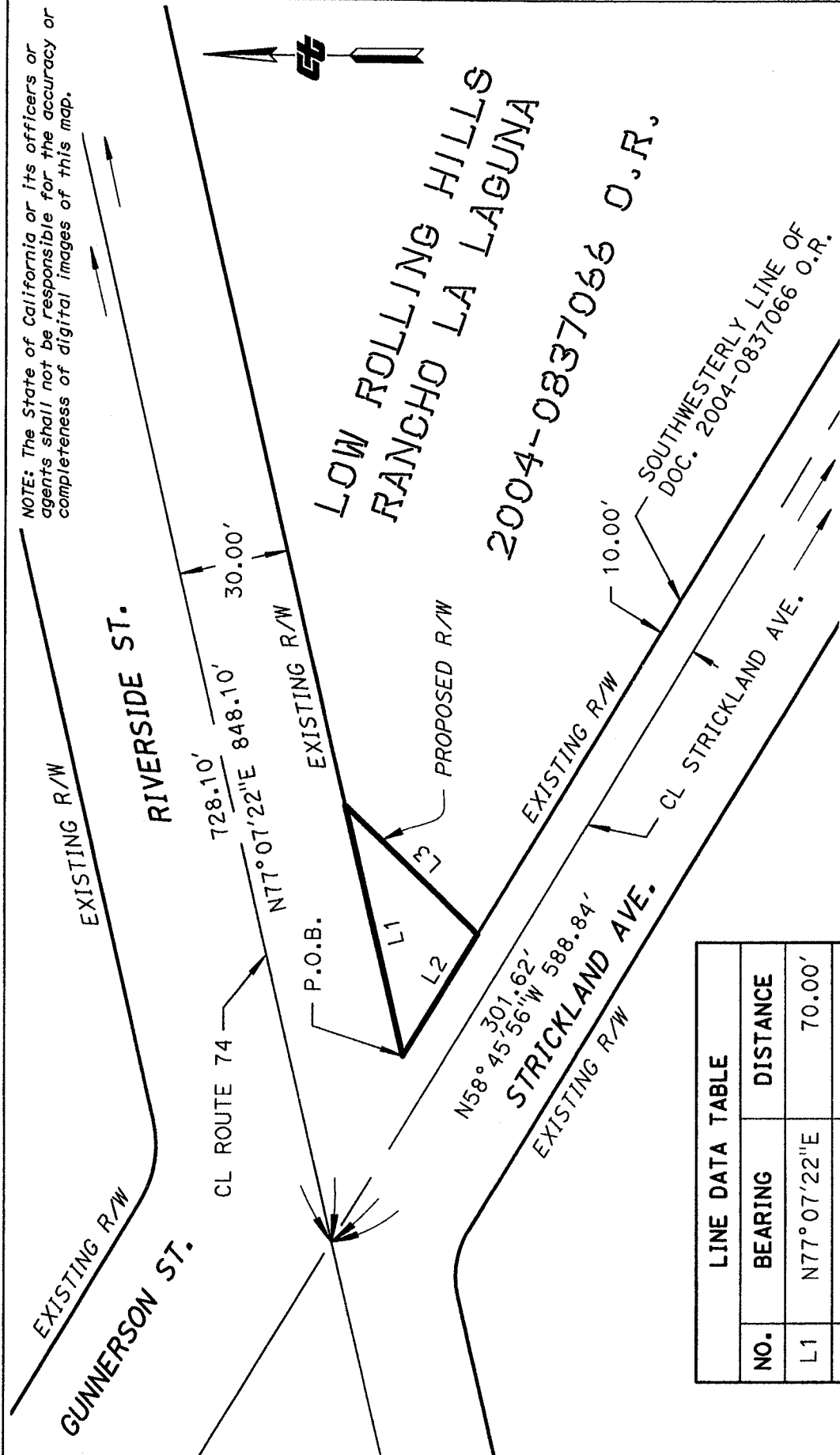
The attached real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Signature: Geoffrey L. Grounds  
Professional Land Surveyor

Date: 9-29-16



NOTE: The State of California or its officers or agents shall not be responsible for the accuracy or completeness of digital images of this map.



LOW ROLLING HILLS  
RANCHO LA LAGUNA  
2004-0837066 O.R.

SOUTHWESTERLY LINE OF  
DOC. 2004-0837066 O.R.

LINE DATA TABLE		
NO.	BEARING	DISTANCE
L1	N77°07'22"E	70.00'
L2	N58°45'56"W	39.00'
L3	S44°14'45"W	50.01'

NOTES

Coordinates and bearings are on CCS 83 Zone 6. Distances and stationing are grid distances. Divide by 0.999918265 to obtain ground distances. All distances are in feet unless otherwise noted.

STATE OF CALIFORNIA  
CALIFORNIA STATE TRANSPORTATION AGENCY  
DEPARTMENT OF TRANSPORTATION  
RIGHT OF WAY  
PLAT  
EXHIBIT "B"  
24124-1  
SCALE: 1" = 40'

FEET	0	20	40	80
SHEET	PM			
DISTRICT	COUNTY	ROUTE	SHEET NO.	TOTAL SHEETS
08	RIV	74	1	1



**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.

5/3/17      KD  
Date                      Initial

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

**Project Title:** Lake Elsinore Outlet Channel Sale of Surplus Land

**Project Location – City:** Lake Elsinore

**Project Location – County:** Riverside

The project is located adjacent to State Route 74 (SR 74) at the intersection of SR 74 and Gunnerson Street/Strickland Avenue in the city of Lake Elsinore, Riverside County, California. The project is sited near the Riverside County Flood Control and Water Conservation District (District) Lake Elsinore Outlet Channel flood control facility. The project includes 950 square feet of unused and undeveloped land within Assessor's Parcel Number (APN) 377-360-022. The project is within Township 5 South, Range 5 West, Section 36 of the Lake Elsinore 7.5 Minute U.S. Geological Survey Topographic Quadrangle. The subject parcel is located at 33.6886/-117.3468 (lat./long.).

**Project Description:**

The District owns certain fee interest in real property related to the Lake Elsinore Outlet Channel flood control facility. The District proposes to sell 950 square feet of fee title to Caltrans. Caltrans proposes to add a left turn lane at the intersection of SR 74 and Gunnerson Street/Strickland Avenue in the city of Lake Elsinore. The minor intersection improvement will improve the safety and function over the existing intersection. The property interest 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:** Caltrans and Riverside County Flood Control and Water Conservation District

**Exempt Status:** Categorical Exemption Pursuant to State CEQA Guidelines §§ 15301(c), 15312 and 15061(b)(3)

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

*Section 15301(c):* Class 1 Categorical Exemption, which includes "Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety)."


*Section 15312:* Class 12 Categorical Exemption, "Surplus Government Property Sales", consists of sales of surplus government property except for parcels of land located in an area of statewide, regional or area-wide concern identified in Section 15206(b)(4). The Lead Agency (District) has determined that the proposed project is not of statewide, regional or area-wide significance.

*Section 15061(b)(3):* The project qualifies for the "General Rule" or "Common Sense Exemption" because it can be seen with certainty that the proposed project will not have a significant effect on the environment.

The project does not substantially 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:**

  
KRIS FLANIGAN  
Engineering Project Manager  
Riverside County Flood Control  
and Water Conservation District

**Date:**

4/17/17

**RIVERSIDE COUNTY CLERK-RECORDER**

**AUTHORIZATION TO BILL**

**TO BE FILLED OUT BY SUBMITTING AGENCY**

DATE: 4/18/2017 BUSINESS UNIT/AGENCY: FLOOD CONTROL - FCARC

ACCOUNTING STRING:


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

AMOUNT: \$50.00

REF: Final CEQA posting Notice of Exemption for Lake Elsinore Outlet Ch Sale of Surplus Land Proj 3-6-00040-00-28-8000-835

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 

PRESENTED BY: Joan Valle EXT 58856

CONTACT: Michael Reyes

**TO BE FILLED OUT BY COUNTY CLERK**

ACCEPTED BY: \_\_\_\_\_

DATE: \_\_\_\_\_

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

RECORDING REQUESTED BY

When Recorded Mail To

STATE OF CALIFORNIA  
DEPARTMENT OF TRANSPORTATION  
464 W. 4th STREET, 6th FLOOR  
SAN BERNARDINO, CA 92401-1400  
Attention Record Maps- MS 980

FREE RECORDING:

This instrument is for the benefit of The State of California, and is entitled to be recorded without fee or tax. (Govt. Code 6103, 27383 and Rev. & Tax Code 11922)

Space above this line for Recorder's Use

## GRANT DEED

Portion of APN 377-360-022

District	County	Route	Postmile	Number
08	RIV	74	R15.0	24124

### RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT,

a body politic and existing under and by virtue of the laws of the State of California,

hereinafter called GRANTOR, hereby grants to the State of California, Department of Transportation, hereinafter called STATE, all that real property in the City of Lake Elsinore, County of Riverside, State of California, described as follows:

See Exhibit "A", attached.

The GRANTOR further understands that the present intention of the STATE is to construct and maintain a public highway on the lands hereby conveyed in fee and the GRANTOR, for itself and its successors and assigns, hereby waives any claim for any and all damages to GRANTOR's remaining property contiguous to the property hereby conveyed by reason of the location, construction, landscaping or maintenance of the highway.

08-RIV-74-PM R15.0-24124 (24124-1)

MAY 02 2017 11:3

Number
24124

FORM APPROVED COUNTY COUNSEL  
 BY: Syathia M. Gunzel 4-20-17  
 SYATHIA M. GUNZEL DATE

**RIVERSIDE COUNTY FLOOD CONTROL  
 AND WATER CONSERVATION DISTRICT**

Dated: May 2, 2017

Marion Ashley  
**MARION ASHLEY**  
 Chairman, Board of Supervisors  
 for the District

ATTEST:  
 KECIA HARPER-IHEM, Clerk  
 By Kecia Harper-Ihem  
 DEPUTY

This is to certify that the State of California, acting by and through the Department of Transportation (according to Section 27281 of the Government Code), accepts for public purposes the real property described in this deed and consents to its recordation.

Dated \_\_\_\_\_

By \_\_\_\_\_  
 Director of Transportation

By \_\_\_\_\_  
 Attorney in Fact

**EXHIBIT "A"**

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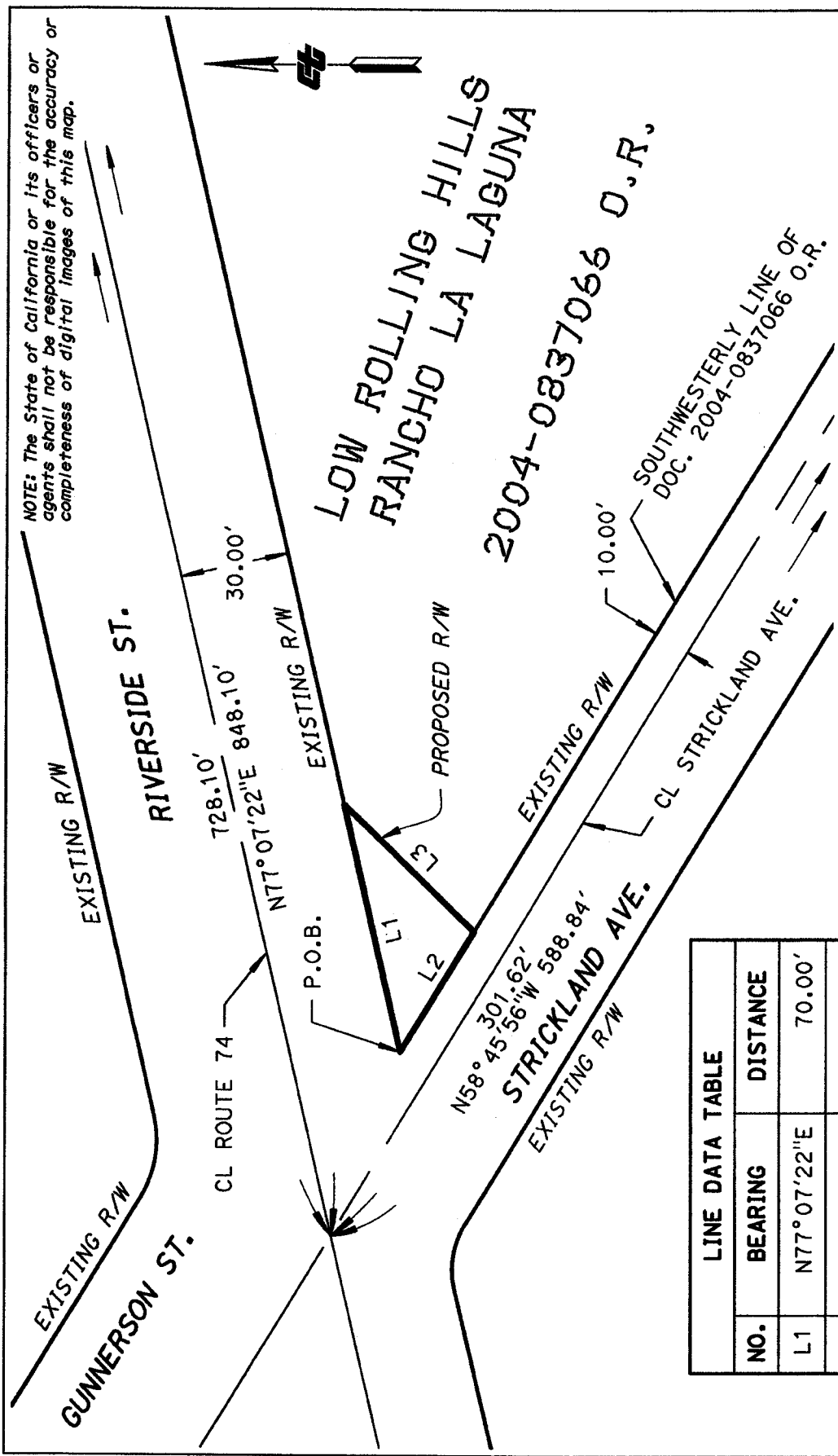
The attached real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Signature: Geoffrey L. Grounds  
Professional Land Surveyor

Date: 9-29-16



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STATE OF CALIFORNIA  
CALIFORNIA STATE TRANSPORTATION AGENCY  
DEPARTMENT OF TRANSPORTATION  
RIGHT OF WAY  
PLAT  
EXHIBIT "B"  
24124-1  
SCALE: 1" = 40'

FEET	0	20	40	80
DISTRICT	COUNTY	ROUTE	SHEET	PM
08	RIV	74	15.0	1
TOTAL SHEETS			1	

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION  
**RIGHT OF WAY CONTRACT - STATE HIGHWAY**  
RW 8-3 (Rev. 6/95)

RIVERSIDE, California

MAY 2, 2017

RIVERSIDE COUNTY FLOOD CONTROL AND WATER  
CONSERVATION DISTRICT

Grantor(s)

DISTRICT	COUNTY	ROUTE	POST MILE	R/W E.A./PROJ. #
08	RIV	74	15.00	1E050 0813000139

WHEN DOCUMENT IS FULLY EXECUTED RETURN  
**CLERK'S COPY**  
to Riverside County Clerk of the Board, Stop 1010  
Post Office Box 1147, Riverside, Ca 92502-1147  
Thank you.

THIS Document, Numbers (Nos.) 24124-1 in the form of a **Grant Deed**, covering the property particularly described in the above instrument and a copy is incorporated herein as Exhibit A, has been executed and delivered to **Aidee Arpon**, Right of Way Agent for the State of California.

In consideration of which, and the other considerations hereinafter set forth, it is mutually agreed as follows:

1. (A) The parties have herein set forth the whole of their agreement. The performance of this agreement constitutes the entire consideration for said document and shall relieve the State of all further obligation or claims on this account, or on account of the location, grade or construction of the proposed public improvement.
- (B) Grantee requires said property described in Document Nos. 24124-1 for State highway purposes, a public use for which Grantee has the authority to exercise the power of eminent domain. Grantor(s) is compelled to sell, and Grantee is compelled to acquire the property.
- (C) Both Grantor(s) and Grantee recognize the expense, time, effort, and risk to both parties in determining the compensation for the property by eminent domain litigation. The compensation set forth herein for the property is in compromise and settlement, in lieu of such litigation.
2. The State shall:
  - (A) Pay the undersigned grantor(s) the sum of \$7,984.09 for the property or interest conveyed by the above document, when title to said property vests in the State free and clear of all liens, encumbrances, assessments, easements, leases (recorded and/or unrecorded) and taxes, except:
    - a. Taxes for the tax year in which this escrow closes shall be cleared and paid in the manner required by Section 5086 of the Revenue and Taxation Code, if unpaid at the close of escrow.
    - b. Covenants, conditions, restrictions and reservations of record, or contained in the above-referenced document.
    - c. Easements or rights of way over said land for public or quasi-public utility or public street purposes, if any.
  - (B) Have the authority to deduct and pay from the amount shown in clause 2(A) above, any amount necessary to satisfy any bond demands and delinquent taxes due in any year except the year in which this escrow closes, together with penalties and interest thereon, and/or delinquent and unpaid non-delinquent assessments which have become a lien at the close of escrow.
3. Grantor(s) warrants (warrant) that there are no oral or written leases on all or any portion of the property exceeding a period of one month.
4. State agrees to indemnify and hold harmless the Grantor(s) from any liability arising out of State's operations under this agreement. State further agrees to assume responsibility for any damages proximately caused by reason of State's operations under this agreement and State will, at its option, either repair or pay for such damage.
5. State shall pay all escrow, notary and recording fees incurred in this transaction, and if title insurance is desired by the State, the premium charged therefor.

MAY 02 2017 11:3  
2017-0-135124

## RIGHT OF WAY CONTRACT - STATE HIGHWAY (Cont.)

RW 8-3 (Rev. 6/95)

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6. It is agreed and confirmed by the parties hereto that notwithstanding other provisions in this contract, the right of possession and use of the subject property by the State, including the right to remove and dispose of improvements, shall commence on the date the amount of funds as specified in Clause 2(A) herein are paid to the grantor(s). The amount shown in Clause 2(A) herein includes, but not limited to, full payment for such possession and use, including damages, if any, from said date.
7. It is understood and agreed by and between the parties hereto that payment in Clause 2(A) above includes, but is not limited to, payment for:
  - a. Just Compensation (Partial Take) - \$900.00 (Nominal)
  - b. Board Action Item (FY 16/17) - \$4,434.09
  - c. County Counsel (Review and approve the documents as to form; 1-Hour @ \$300.00 per hour): \$300.00
  - d. Right of Way Engineering Support (5-Hours @ \$100.00 per hour): \$500.00
  - e. Right of Way Acquisition Support (Coordinating the acquisition including preparing the item for the Board Agenda; 25 Hours @ \$74.00 per hour): \$1,850.00

**Total for fees: \$7,984.09**

8. The acquisition price of the property being acquired in this transaction reflects the fair-market value of the property without the presence of contamination. If the property being acquired is found to be contaminated by the presence of hazardous waste which requires mitigation under Federal or State law, the State may elect to recover its cleanup costs from those who caused or contributed to the contamination.
9. This transaction will be handled through an internal escrow with **State of California, 464 W. 4<sup>th</sup> Street, 6<sup>th</sup> Floor, MS-950, San Bernardino, CA 92401.**
10. Any or all monies payable under this contract, up to and including the total amount of unpaid principal and interest on note(s) secured by mortgage(s) or deed(s) of trust, if any, and all other amounts due and payable in accordance with the terms and conditions of said trust deed(s) or mortgage(s), shall upon demand(s), be made payable to the mortgagee(s) or beneficiary(ies) entitled thereunder; said mortgagee(s) or beneficiary(ies) to furnish Grantor(s) with good and sufficient receipt showing said monies credited against the indebtedness secured by said mortgage(s) or deed(s) of trust.

In the event this information changes or the property transfers, the owner shall notify the State in writing of such occurrence at:

STATE OF CALIFORNIA  
DEPARTMENT OF TRANSPORTATION  
464 W. 4<sup>th</sup> Street, 9<sup>th</sup> Floor, MS-950  
San Bernardino, CA 92401-1400

Attn: Aidee Arpon  
Office of Right of Way  
(909) 888-4690

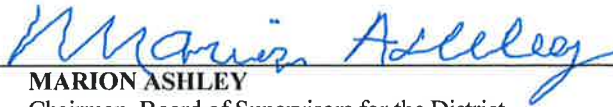


**RIGHT OF WAY CONTRACT - STATE HIGHWAY (Cont.)**

RW 8-3 (Rev. 6/95)

In Witness Whereof, the parties have executed this agreement the day and year first above written.

**RIVERSIDE COUNTY FLOOD CONTROL AND WATER  
CONSERVATION DISTRICT**


By   
**MARION ASHLEY**  
Chairman, Board of Supervisors for the District

FORM APPROVED COUNTY COUNSEL  
BY:  4-20-17  
SYNTHIA M. GUNZEL DATE

ATTEST:  
KECIA HARPER-IHEM, Clerk  
BY:   
DEPUTY

**RECOMMENDED FOR APPROVAL:**

**STATE OF CALIFORNIA  
DEPARTMENT OF TRANSPORTATION**

By:   
**AIDEE ARPON**  
Associate Right of Way Agent  
District 8

Approved By:   
By:   
**ANTHONY RIZZI**  
Senior Right of Way Agent  
District 8

Date: 5/8/17

**No Obligations Other Than Those Set Forth Herein Will Be Recognized.**



BUNKER ST

STRICKLAND AVE

Portion to be conveyed to CalTrans

APN: 377-360-022

ILLINOIS ST

STRICKLAND AVE

RED ST



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



RECORDING REQUESTED BY

When Recorded Mail To

STATE OF CALIFORNIA  
DEPARTMENT OF TRANSPORTATION  
464 W. 4th STREET, 6th FLOOR  
SAN BERNARDINO, CA 92401-1400  
Attention Record Maps- MS 980

FREE RECORDING:

This instrument is for the benefit of The State of California, and is entitled to be recorded without fee or tax. (Govt. Code 6103, 27383 and Rev. & Tax Code 11922)

**2017-0185077**

05/09/2017 02:24 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

Space above this line for Recorder's Use

## GRANT DEED

Portion of APN 377-360-022

District	County	Route	Postmile	Number
08	RIV	74	R15.0	24124

### RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT,

a body politic and existing under and by virtue of the laws of the State of California,

hereinafter called GRANTOR, hereby grants to the State of California, Department of Transportation, hereinafter called STATE, all that real property in the City of Lake Elsinore, County of Riverside, State of California, described as follows:

See Exhibit "A", attached.

The GRANTOR further understands that the present intention of the STATE is to construct and maintain a public highway on the lands hereby conveyed in fee and the GRANTOR, for itself and its successors and assigns, hereby waives any claim for any and all damages to GRANTOR's remaining property contiguous to the property hereby conveyed by reason of the location, construction, landscaping or maintenance of the highway.

08-RIV-74-PM R15.0-24124 (24124-1)

MAY 02 2017 11.3

2017-0-135995

Number
24124

FORM APPROVED COUNTY COUNSEL

BY: SYNTHIA M. GUNZEL DATE

**RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT**

Dated: May 2, 2017

Marion Ashley  
**MARION ASHLEY**  
 Chairman, Board of Supervisors  
 for the District

ATTEST:  
 KECIA HARPER-IHEM, Clerk  
 By Kecia Harper-Ihem  
 DEPUTY

This is to certify that the State of California, acting by and through the Department of Transportation (according to Section 27281 of the Government Code), accepts for public purposes the real property described in this deed and consents to its recordation.

Dated 5/2/17

By Malcolm Donohue  
 Director of Transportation

By Anthony F. Ricci  
 Attorney in Fact

*Anthony F. Ricci, Jr., Christ  
 Right of Way Acquisition*

**EXHIBIT "A"**

For highway purposes, that portion of that certain parcel of land as described in a Final Order of Condemnation recorded October 22, 2004 as Document No. 2004-0837066 of Official Records of the County of Riverside, State of California, more particularly described as follows:

**BEGINNING** at the most westerly corner of said certain parcel of land, thence northeasterly along the northwesterly line of said parcel of land, also being the southeasterly line of Riverside Street (30.00 feet half width), North 77°07'22" East, 70.00 feet; thence leaving said southeasterly line South 44°14'45" West, 50.01 feet to a point on the southwesterly line of said parcel of land, also being the northeasterly line of Strickland Avenue (10.00 feet half width); thence northwesterly along said southwesterly line of said parcel of land North 58°45'56" West, 39.00 feet to the **POINT OF BEGINNING**.

Together with underlying fee interest, if any, contiguous to the above-described property in and to the adjoining public way.

The bearings and distances used in the above description are on the California Coordinate System of 1983 (Epoch 2007.00), Zone 6. Divide the above distances by 0.999918265 to obtain ground level distances.

The attached real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

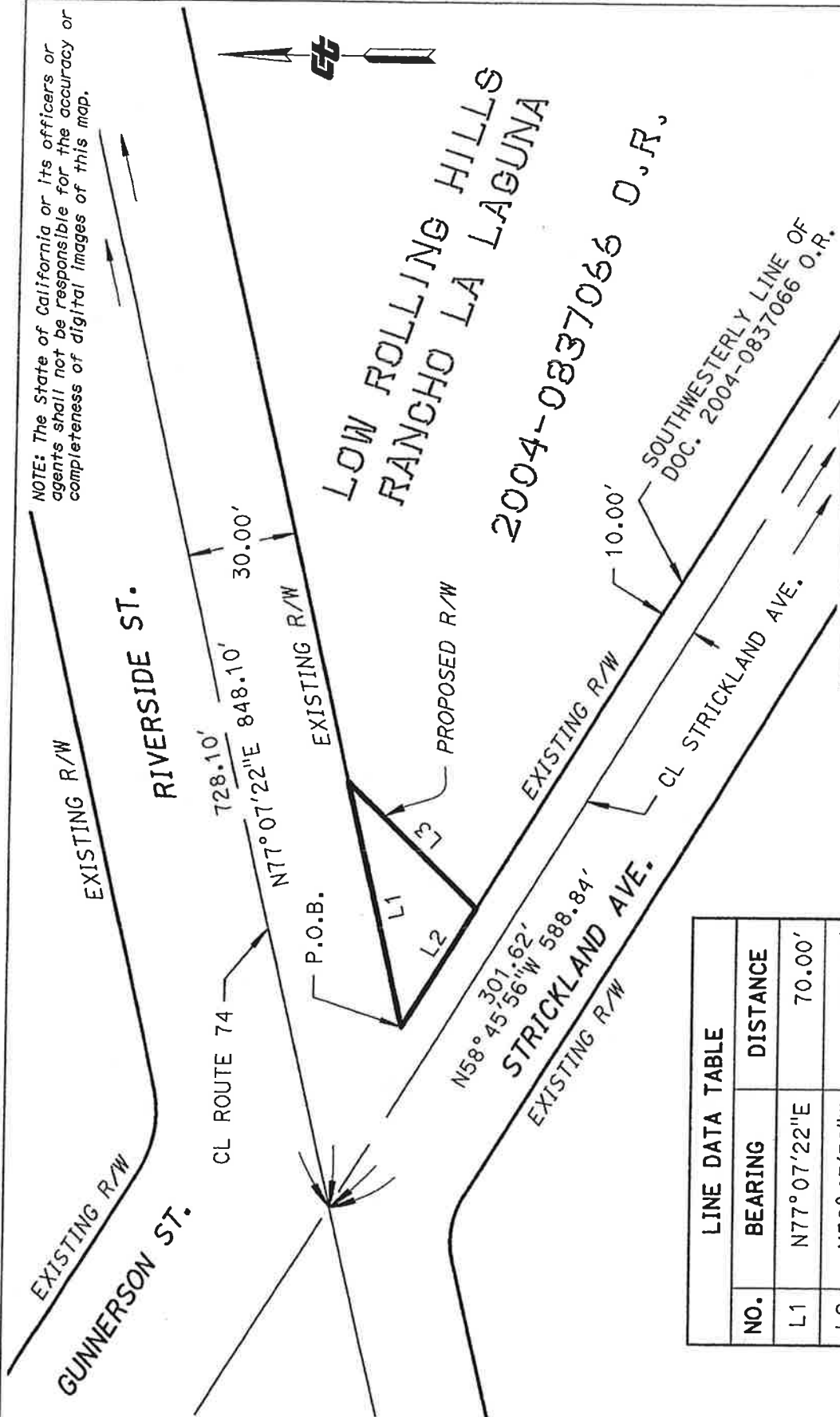
Signature: Geoffrey L. Grounds  
Professional Land Surveyor

Date: 9-29-16





NOTE: The State of California or its officers or agents shall not be responsible for the accuracy or completeness of digital images of this map.



LOW ROLLING HILLS  
RANCHO LA LAGUNA  
2004-0837066 O.R.

LINE DATA TABLE		
NO.	BEARING	DISTANCE
L1	N77°07'22"E	70.00'
L2	N58°45'56"W	39.00'
L3	S44°14'45"W	50.01'

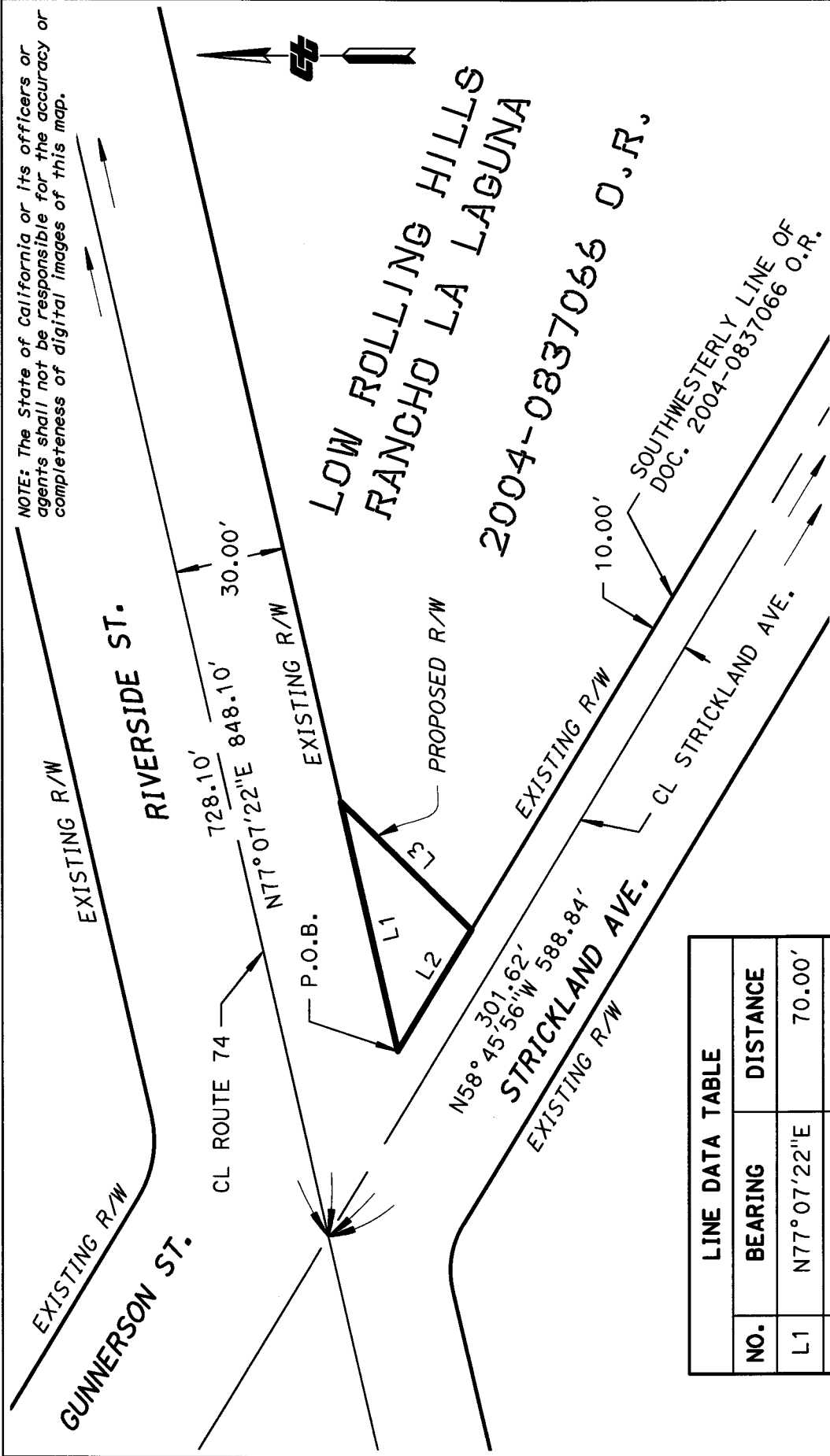
STATE OF CALIFORNIA  
CALIFORNIA STATE TRANSPORTATION AGENCY  
DEPARTMENT OF TRANSPORTATION  
RIGHT OF WAY  
PLAT  
EXHIBIT "B"  
24124-1  
SCALE: 1" = 40'

Coordinates and bearings are on CCS 83 Zone 6. Distances and stationing are grid distances. Divide by 0.999918265 to obtain ground distances. All distances are in feet unless otherwise noted.

DISTRICT	COUNTY	ROUTE	SHEET	TOTAL SHEETS
08	RIV	74	PM	1
			R15.0	1

EXISTING R/W  
ILLINOIS ST.

NOTE: The State of California or its officers or agents shall not be responsible for the accuracy or completeness of digital images of this map.



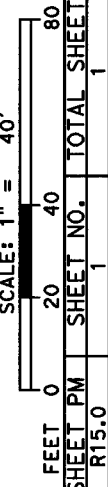
LOW ROLLING HILLS  
RANCHO LA LAGUNA  
2004-0837066 O.R.

SOUTHWESTERLY LINE OF  
DOC. 2004-0837066 O.R.

LINE DATA TABLE		
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STATE OF CALIFORNIA  
CALIFORNIA STATE TRANSPORTATION AGENCY  
DEPARTMENT OF TRANSPORTATION  
RIGHT OF WAY  
PLAT  
EXHIBIT "B"  
24124-1  
SCALE: 1" = 40'



DISTRICT	COUNTY	ROUTE	SHEET NO.	TOTAL SHEETS
08	RIV	74	1	1

EXISTING R/W  
ILLINOIS ST.

\_\_\_\_\_, California

DISTRICT	COUNTY	ROUTE	POST MILE	R/W E.A./PROJ. #
08	RIV	74	15.00	1E050 0813000139

\_\_\_\_\_, 2017

RIVERSIDE COUNTY FLOOD CONTROL AND WATER  
CONSERVATION DISTRICT

Grantor(s)

THIS Document, Numbers (Nos.) **24124-1** in the form of a **Grant Deed**, covering the property particularly described in the above instrument and a copy is incorporated herein as Exhibit A, has been executed and delivered to **Aidee Arpon**, Right of Way Agent for the State of California.

In consideration of which, and the other considerations hereinafter set forth, it is mutually agreed as follows:

1. (A) The parties have herein set forth the whole of their agreement. The performance of this agreement constitutes the entire consideration for said document and shall relieve the State of all further obligation or claims on this account, or on account of the location, grade or construction of the proposed public improvement.
  - (B) Grantee requires said property described in Document Nos. **24124-1** for State highway purposes, a public use for which Grantee has the authority to exercise the power of eminent domain. Grantor(s) is compelled to sell, and Grantee is compelled to acquire the property.
  - (C) Both Grantor(s) and Grantee recognize the expense, time, effort, and risk to both parties in determining the compensation for the property by eminent domain litigation. The compensation set forth herein for the property is in compromise and settlement, in lieu of such litigation.
2. The State shall:
    - (A) Pay the undersigned grantor(s) the sum of **\$7,984.09** for the property or interest conveyed by the above document, when title to said property vests in the State free and clear of all liens, encumbrances, assessments, easements, leases (recorded and/or unrecorded) and taxes, except:
      - a. Taxes for the tax year in which this escrow closes shall be cleared and paid in the manner required by Section 5086 of the Revenue and Taxation Code, if unpaid at the close of escrow.
      - b. Covenants, conditions, restrictions and reservations of record, or contained in the above-referenced document.
      - c. Easements or rights of way over said land for public or quasi-public utility or public street purposes, if any.
    - (B) Have the authority to deduct and pay from the amount shown in clause 2(A) above, any amount necessary to satisfy any bond demands and delinquent taxes due in any year except the year in which this escrow closes, together with penalties and interest thereon, and/or delinquent and unpaid non-delinquent assessments which have become a lien at the close of escrow.
  3. Grantor(s) warrants (warrant) that there are no oral or written leases on all or any portion of the property exceeding a period of one month.
  4. State agrees to indemnify and hold harmless the Grantor(s) from any liability arising out of State's operations under this agreement. State further agrees to assume responsibility for any damages proximately caused by reason of State's operations under this agreement and State will, at its option, either repair or pay for such damage.
  5. State shall pay all escrow, notary and recording fees incurred in this transaction, and if title insurance is desired by the State, the premium charged therefor.

MAY 02 2017 11.3



## RIGHT OF WAY CONTRACT - STATE HIGHWAY (Cont.)

RW 8-3 (Rev. 6/95)

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6. It is agreed and confirmed by the parties hereto that notwithstanding other provisions in this contract, the right of possession and use of the subject property by the State, including the right to remove and dispose of improvements, shall commence on the date the amount of funds as specified in Clause 2(A) herein are paid to the grantor(s). The amount shown in Clause 2(A) herein includes, but not limited to, full payment for such possession and use, including damages, if any, from said date.
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Attn: Aidee Arpon  
Office of Right of Way  
(909) 888-4690

**RIGHT OF WAY CONTRACT - STATE HIGHWAY (Cont.)**

RW 8-3 (Rev. 6/95)

---

In Witness Whereof, the parties have executed this agreement the day and year first above written.

**RIVERSIDE COUNTY FLOOD CONTROL AND WATER  
CONSERVATION DISTRICT**

By \_\_\_\_\_

**JASON E. UHLEY**  
General Manager-Chief Engineer

**RECOMMENDED FOR APPROVAL:**

**STATE OF CALIFORNIA  
DEPARTMENT OF TRANSPORTATION**

By: \_\_\_\_\_

**AIDEE ARPON**  
Associate Right of Way Agent  
District 8

**Approved By:**

By: \_\_\_\_\_

**ANTHONY RIZZI**  
Senior Right of Way Agent  
District 8

Date: \_\_\_\_\_

**No Obligations Other Than Those Set Forth Herein Will Be Recognized.**

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