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



ITEM 2.30 (ID # 1893)

#### **MEETING DATE:**

Tuesday, July 25, 2017

FROM: TLMA-TRANSPORTATION

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/ TRANSPORTATION:
Adopt Resolution No. 2017-096 Summarily Vacating and Approve Execution of
Quit Claim Deed for a Portion of Leon Road in the French Valley Area. This
Vacation is Exempt Pursuant to the California Environmental Quality Act. 3rd
District. (Clerk to File Notice) [Applicant Fees 100%]

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

- 1. Find that the Vacation of a Portion of Leon Road is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15060 (c) (2), and 15061 (b)(3) of the State CEQA Guidelines; and
- 2. Adopt Resolution No. 2017-096, Summarily vacating a portion of Leon Road and approve execution of the Quitclaim Deed by the Chairman of the Board of Supervisors on behalf of the County;
- 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 Agenda meeting.

**ACTION: Consent** 

Patricia Romo, Director of Transportation

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes:

Jeffries, Tavaglione, Washington, Perez and Ashley

Nays:

None

Absent:

None

Date:

July 25, 2017

XC:

Transp., Recorder

Keqia Harper-Ihem

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

FINANCIAL DATA	Current Fiscal Year:		Next Fi	Next Fiscal Year:		Total Cost:		Ongoing Cost:	
COST	\$	N/A	\$	N/A	\$	N/A	\$	N/A	
NET COUNTY COST	\$	N/A	\$	N/A	\$	N/A	\$	N/A	
SOURCE OF FUNDS used.	: Appli	cant Fees 100	% No Ge	neral Funds w	ill be	Budget Ad	justmen		
						For Fiscal	Year: 2	2017/2018	

C.E.O. RECOMMENDATION: Approve

#### **BACKGROUND:**

#### **Summary**

As a condition of approval for Tract Map 36536 the client has requested that this portion of Leon Road be vacated. Leon Road will be realigned on Tract Map 36536 making this portion of Leon Road unnecessary. The County of Riverside Transportation Department has reviewed this vacation request and has no objection. This vacation is conditional and will go into effect after the new alignment of Leon Road is improved by the developers of Tract Map 36536. This vacation will not remove access to any adjacent parcels. In addition, The Transportation Department owns in fee title, the area of Leaon Road within Tract Map 36536. As a result of the fee title ownership, A Quit Claim is required prior to recording Final Tract Map 36536. 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.

## **Impact on Residents and Businesses**

This vacation has no impact on any local businesses and there are no existing residents at this site.

#### **Additional Fiscal Information**

All fees are paid by the applicant. There is no General Fund obligation.

#### **ATTACHMENTS**:

Vicinity Map Resolution No. 2017-096 Notice of CEQA Exemption QuitClaim Deed Exhibit "A" & "B"

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

Synthia M Sunzel, Supervising Deputy County County County Tina Grande, Principal Management Analyst 7/17/2017

Gregory V. Prianos, Director County Counsel 7/6/2017

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

KECIA HARPER-IHEM, CLERK OF THE BOARD RIVERSIDE CO. CLERK OF THE BOARD 4080 LEMON STREET, 1<sup>ST</sup> FLOOR CAC P O BOX 1147 – RIVERSIDE, CA 92502

**MAIL STOP # 1010** 

AND WHEN RECORDED MAIL TO:

**RETURN TO:** 

**STOP #1010** 

P. O. BOX 1147 – RIVERSIDE, CA 92502

2017-0305911

07/26/2017 04:06 PM

\*\*\*Customer Copy Label\*\*\*

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Peter Aldana County Of Riverside Assessor-County Clerk-Recorder

THIS SPACE FOR RECORDERS USE ONLY

# **RESOLUTION NO. 2017-096**

Title of Document

SUMMARILY VACATING A PORTION OF LEON ROAD AND EXECUTION OF QUIT CLAIM DEED FOR A PORTION OF LEON ROAD
IN THE FRENCH VALLEY AREA
(AB16001)

(THIRD SUPERVISORIAL DISTRICT)

(Transportation Department ~ Item 2.30 of 07/25/17)



SYNTHIA M. GUNZEL

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#### 1 **Board of Supervisors** County of Riverside 2 3 **RESOLUTION NO. 2017-096** 4 SUMMARILY VACATING A PORTION OF LEON ROAD AND EXECUTION OF QUIT 5 CLAIM DEED FOR A PORTION OF LEON ROAD 6 IN THE FRENCH VALLEY AREA 7 (AB16001) 8 (Third Supervisorial District) 9 10 WHEREAS, Leon Road was Grant Deeded to the County per Instrument #5718 Recorded January 15, 1974 and Instrument #58524 Recorded May 20, 1975, Records of 11 Riverside County, California; 12 13 WHEREAS, the developer of Tract Map 36536 is conditioned to relocate and improve the realigned portion of Leon Road, and; 14 15 WHEREAS, this portion of Leon Road is not necessary and is excess Right of Way 16: and is not required for public street or highway purposes, and; 17 WHEREAS, applicable procedures pertaining to summary vacations were followed 18 pursuant to the County's adopted "Resolutions for Fixing Procedures to Vacate and 19 Accept County Highways and Property Offered for Dedication," now therefore; 20 WHEREAS, that portion of Leon Road, within the boundary of Final Tract Map 21 36536 is owned by the County in Fee Title, 22 BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of 23 Supervisors of the County of Riverside, State of California, in regular session assembled July 25 24 on , 2017, as follows:

1. Pursuant to Section 8334(a) of the Streets and Highways Code that this portion of Leon Road is excess and is no longer required for public street or highway purposes, and upon completion of the improvements on the portion of Leon Road as re-aligned on tract Map 36536, will be summarily vacated.

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#### **EXHIBIT "A"**

# VACATION OF A PORTION OF LEON ROAD LEGAL DESCRIPTION

THOSE PORTIONS OF LEON ROAD, 88 FEET WIDE, DEDICATED BY DOCUMENTS RECORDED JANUARY 15, 1974 AS INSTRUMENT NO. 1974-5718 AND MAY 20, 1975 AS INSTRUMENT NO. 1975-58524, BOTH OF OFFICIAL RECORDS, AS SHOWN ON LOT LINE ADJUSTMENT NO. 04068, RECORDED APRIL 5, 1999 AS INSTRUMENT NO. 143158 OF OFFICIAL RECORDS, LYING WITHIN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, SECTIONS 5 AND 6, TOWNSHIP 7 SOUTH, RANGE 2 WEST, S.B.M., DESCRIBED AS FOLLOWS;

**BEGINNING** AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF SAID LEON ROAD AND THE NORTHERLY LINE OF PARCEL 1, OF SAID LOT LINE ADJUSTMENT NO. 04068;

THENCE SOUTHEASTERLY ALONG SAID NORTHERLY LINE SOUTH 64°50'42" EAST 97.09 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SAID LEON ROAD;

THENCE SOUTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE SOUTH 00°09'31" WEST 452.40 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 1959.00 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 70°37'34" WEST:

**THENCE** SOUTHWESTERLY ALONG SAID NON-TANGENT CURVE THROUGH A CENTRAL ANGLE OF 05°06'50" AN ARC LENGTH OF 174.85 FEET TO A POINT ON THE SOUTH LINE OF SAID PARCEL 1;

THENCE ALONG SAID SOUTH LINE NORTH 89°50'42" WEST 37.89 FEET TO THE WEST RIGHT-OF-WAY LINE OF LEON ROAD PER TRACT NO. 28092, ON FILE IN BOOK 310, PAGES 5 THROUGH 9 INCLUSIVE, OF MAPS RECORDS OF SAID COUNTY;

**THENCE** ALONG SAID WEST RIGHT-OF-WAY LINE NORTH 00°09'31" EAST 660.89 FEET TO THE **POINT OF BEGINNING**:

LS 7557 EXP. 12/31/17

CONTAINING 51,930 SQUARE FEET OR 1.19 ACRES, MORE OR LESS.

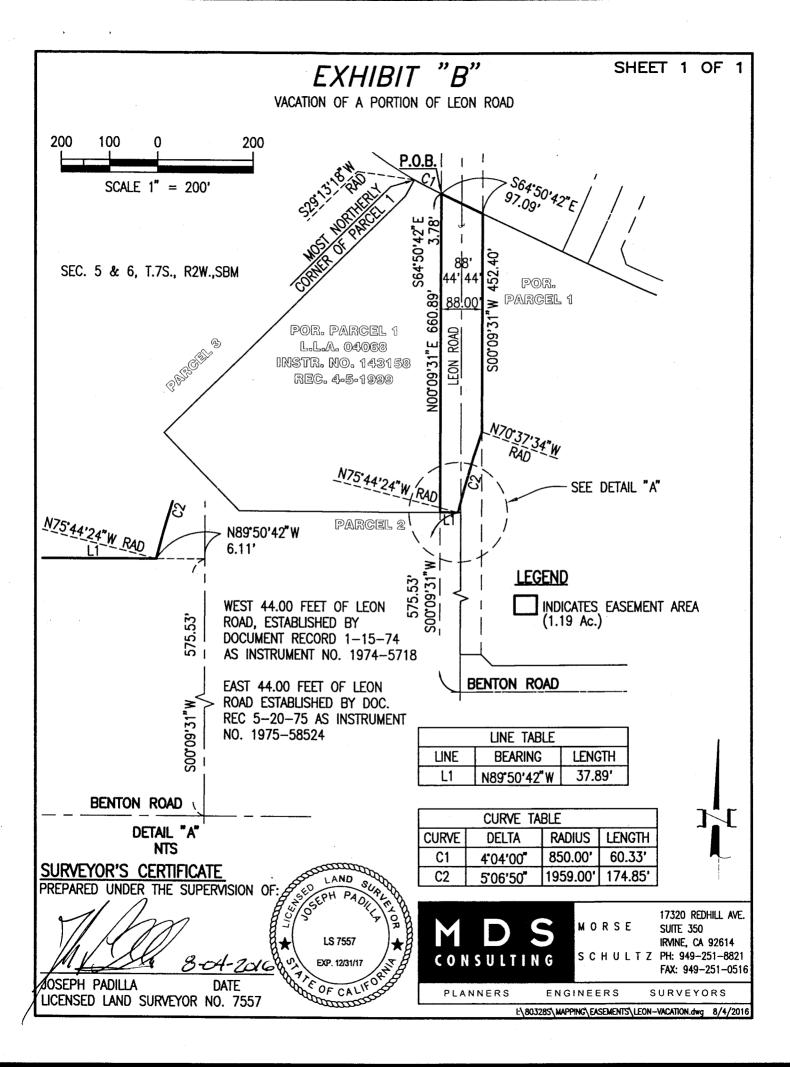
PREPARED UNDER THE SUPERVISION OF:

JOSEPH PADILLA, PLS 7557

D/04120

Page 1 of 1

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# PETER ALDANA COUNTY OF RIVERSIDE ASSESSOR-COUNTY CLERK-RECORDER

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

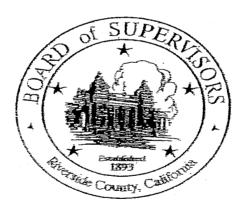
www.riversideacr.com

#### **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)



D-4	
Daie	
Date.	

7-25-17

Signature:

James

Print Name:

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

2017-0305912

07/26/2017 04:06 PM

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Peter Aldana County Of Riverside Assessor-County Clerk-Recorder

S PAGE SIZE DA MISC LONG RFD COPY **EXAM** 465 126 PCOR **NCOR** SMF **NCHG** CTY

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

# RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:

Pardee Homes A California Corporation 1250 Corona Pointe Court, Suite 600 Corona, Ca. 92879

Exempt from Recording Fee Pursuant to Government Code Section 6103

Exempt from Documentary Tax Pursuant to R&T Code § 11922

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The undersigned grantor(s) declare(s	)
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DOCUMENTARY TRANSFER TAX \$\_

- a computed on full value of property conveyed, or
- computed on full value less liens and encumbrances remaining at time of sale.
- Pardee Homes, A California Corporation

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, We THE COUNTY OF RIVERSIDE hereby remise, release and quitclaim to PARDEE HOMES, A CALIFORNIA CORPORATION, the following described real property in the County of Riverside, State of California.

(Insert Legal Description)

Legal Description and Plat attached hereto as Exhibits "A" and "B" a part hereof.

DATED: July 25, 2017

Type/Print Name Here:

Type/Print Name Here

JOHN TAVAGLIONE

CHAIRMAN, BOARD OF SUPERVISORS

STATE OF CALIFORNIA COUNTY OF

COOMITOR

On

before me,

(here insert name and title of the officer)

\_\_, personally appeared

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

(SEAL)

WITNESS my hand and official seal

Signature

MAIL AX STATEMENT AS DIRECTED ABOVE

ATTEST.

KECJĄ HARPĘR, IHEM, Clerk

DEBLITY

COPY

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

§

**COUNTY OF RIVERSIDE** 

On July 25, 2017, before me, Karen Barton, Board Assistant, personally appeared John Tavaglione, Chairman of the Board of Supervisors, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument; and that a copy of this paper, document or instrument has been delivered to the chairperson.

I certify under the penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Kecia Harper-Ihem Clerk of the Board of Supervisors

Deputy Clerk

(SEAL)

# EXHIBIT "A" QUIT CLAIM OF A PORTION OF LEON ROAD LEGAL DESCRIPTION

THOSE PORTIONS OF LEON ROAD, 88 FEET WIDE, GRANT DEEDED BY DOCUMENTS RECORDED JANUARY 15, 1974 AS INSTRUMENT NO. 1974-5718 AND MAY 20, 1975 AS INSTRUMENT NO. 1975-58524, ALSO SHOWN ON LOT LINE ADJUSTMENT NO. 04068, RECORDED APRIL 5, 1999 AS INSTRUMENT NO. 143158 ALL OFFICIAL RECORDS OF THE RECORDER OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, LYING WITHIN SECTIONS 5 AND 6, TOWNSHIP 7 SOUTH, RANGE 2 WEST, S.B.M., DESCRIBED AS FOLLOWS;

BEGINNING AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY OF SAID LEON ROAD AND THE NORTHERLY LINE OF PARCEL 1, OF SAID LOT LINE ADJUSTMENT NO. 04068;

THENCE SOUTHEASTERLY ALONG SAID NORTHERLY LINE SOUTH 64°50′42″ EAST 97.09 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SAID LEON ROAD;

THENCE SOUTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE SOUTH 00°09'31" WEST 1195.39 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID BENTON ROAD;

**THENCE** NORTH 89°50'29" WEST 44.00 FEET ALONG SAID NORTHERLY LINE OF BENTON ROAD, ALSO BEING THE SOUTHERLY LINE OF SAID LEON ROAD TO A POINT ON THE CENTERLINE OF SAID LEON ROAD;

THENCE NORTH 00°09'31 EAST 575.53 FEET ALONG SAID CENTERLINE OF LEON ROAD TO A POINT, SAID POINT BEING AN ANGLE POINT IN THE WESTERLY LINE OF PARCEL 1 OF SAID LOT LINE ADJUSTMENT NO. 04068:

**THENCE** ALONG SAID WESTERLY LINE NORTH 89°50'42" WEST 44.00 FEET TO THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY OF SAID LEON ROAD:

**THENCE** ALONG SAID WESTERLY RIGHT-OF-WAY OF SAID LEON ROAD NORTH 00°09'31" EAST 660.89 FEET TO THE **POINT OF BEGINNING**.

SAID QUIT CLAIM OF A PORTION OF LEON ROAD CONTAINS: 81,676 SQUARE FEET OR 1.88 ACRES, MORE OR LESS

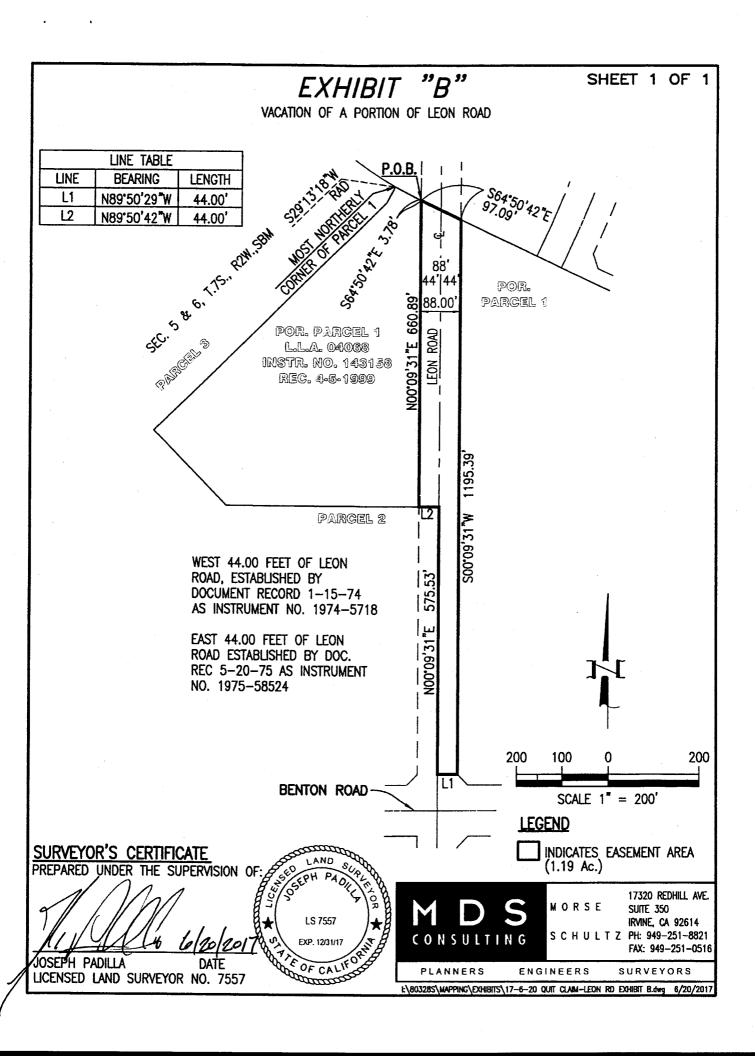
THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS' ACT.

JOSEPH PADILLA, PLS 7557

L/20/2017

DATE

CHK.





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

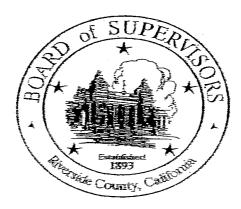
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Date:

7/25-17

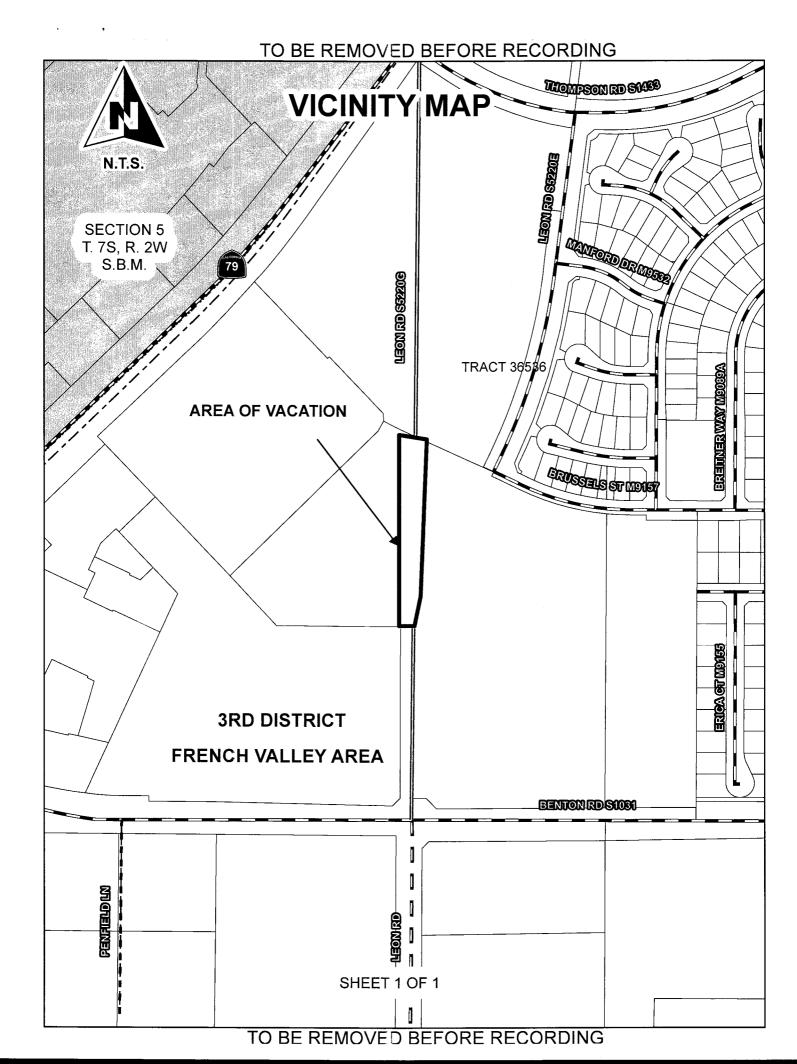
Signature:

Print Name:

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

ACR 601 (Rev. 09/2005)

Available in Alternate Formats



Original Negative Declaration/Notice of Determination was routed to County

NOTICE OF CEQA EXEMPTION for posting on.

Date

Initial

Project Name: Resolution No. 2017-096 Summarily Vacating a portion of Leon Road in the

French Valley area

Project Number: AB16001, SU14

Project Location – See Exhibit "A"

Description of Project: Summarily Vacating a portion of Leon Road in the French Valley area

Name of Public Agency Approving Project: Survey Division, Transportation and Land Management Agency.

**Name of Person or Agency Carrying Out Project:** Richard G. Lantis, Riverside County Transportation Department, 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: Vacating a street 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, Vacating a street is exempt from the provisions of CEQA specifically by the State CEQA Guidelines as identified below. Vacating a street 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. Vacating a street 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. Vacating a street 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 vacation may have a significant effect on the environment. Vacating a street 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 foreseeable indirect physical environmental impacts. Therefore, in no way would Vacating a street have the potential to cause a significant environmental impact and the vacation is exempt from further CEQA analysis.

• Section 15060(c)(2) – for purposes of analysis under CEQA, Vacating a street 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 Vacating the right to accept a street Vacating the right to accept a street 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, Biverside County Surveyor

## RIVERSIDE COUNTY CLERK & RECORDER

### AUTHORIZATION TO BILL BY JOURNAL VOUCHER

## -TO BE FILLED IN BY SUBMITTING AGENCY-

	W.O AB16001 SU14
NUMBER	Accounting String: 537280-20260-3130500000 ZAB16001
AMOUNT:	\$50.00
DATE:	7/29/16
AGENCY:	Riverside County Transportation DeptSurvey Division
	THE COUNTY CLERK & RECORDER TO ISSUE A VOUCHER FOR L FILING AND HANDLING FEES FOR THE ACCOMPANYING
NUMBER OF DOCU	MENTS INCLUDED: One (1)
AUTHORIZED BY:	Ed Hunt, Supervising Land Surveyor
Signature:	El Human
PRESENTED BY:	Ed Hunt
ACCOUNTING CON	TTACT PERSON: Rachelle Daaca 955-6852
	-TO BE FILLED IN BY COUNTY CLERK-
ACCEPTED BY:	——————————————————————————————————————
DATE:	
RECEIPT # (S)	_