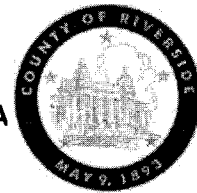


**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM  
2.14  
(ID # 5539)

**MEETING DATE:**

Tuesday, December 12, 2017


**FROM :** TLMA-TRANSPORTATION:

**SUBJECT:** TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:  
Adoption of Resolution No. 2017-220 Summarily Vacating a Portion of the Restricted Abutters' Rights of Access along Van Buren Boulevard in the Riverside Area. This vacation is exempt pursuant to the California Environmental Quality Act. 1st District; [Applicant Fees 100%]

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

1. Find that the Vacation of a Portion of the Restricted Abutters' Rights of Access along Van Buren Boulevard is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060 (c) and 15061 (b)(3) of the State CEQA Guidelines; and
2. Adopt Resolution No. 2017-220, Summarily Vacating a Portion of the Restricted Abutters' Rights of Access along Van Buren Boulevard in the Riverside 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; and
4. Direct the Clerk of the Board to cause a certified copy of this resolution to be recorded in the office of the Recorder of the County of Riverside, California.

**ACTION:**

  
Patricia Romo, Director of Transportation 11/21/2017

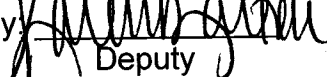
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**MINUTES OF THE BOARD OF SUPERVISORS**

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

Ayes: Jeffries, Tavaglione, Perez and Ashley  
Nays: None  
Absent: Washington  
Date: December 12, 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**

<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:</b> Applicant Fees 100%. There are no General Funds used in this project.			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year:</b>	17/18

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

**BACKGROUND:** The applicant has requested this vacation of the restricted access to create an access opening for a shopping center along Van Buren Boulevard, as shown on tentative Tract Map 37116. The Transportation Department has reviewed this vacation and has no objections. As determined in the attached Notice of Exemption, the vacation is exempt from the provisions of CEQA pursuant to Categorical Exemptions 15060(c) and 15061(b)(3) 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.

**Additional Fiscal Information**

All fees are paid by applicant. There is no general fund obligation.

**Impact on Residents and Businesses**

The Vacation of a Portion of the Restricted Abutters' Rights of Access along Van Buren Boulevard provides the public with an additional entrance to this property. This vacation has no other impact.

**ATTACHMENTS:**

- Resolution No. 2017-220 with Exhibits "A", "B"
- Notice of CEQA Exemption
- Vicinity Map

  
Melissa Noone, Associate Management Analyst 12/6/2017

  
Gregory V. Priapos, Director County Counsel 12/6/2017

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**  
**RIVERSIDE COUNTY CLERK OF THE BOARD**  
**P. O. BOX 1147 – RIVERSIDE, CA 92502**

**2017-0530199**

12/18/2017 04:20 PM Fee: \$ 0.00

Page 1 of 6

Recorded in Official Records  
County of Riverside  
Peter Aidana  
Assessor-County Clerk-Recorder



782-

THIS SPACE FOR RECORDERS USE ONLY

**RESOLUTION NO. 2017-220**

Title of Document

**SUMMARILY VACATING A PORTION OF THE RESTRICTED ABUTTERS' RIGHTS  
OF ACCESS ALONG VAN BUREN BOULEVARD IN THE RIVERSIDE AREA  
(AB 17012)**

(FIRST SUPERVISORIAL DISTRICT)

(Transportation Department ~ Item 2.14 of 12/12/17)

2  
3 **RESOLUTION NO. 2017-220**

4 SUMMARILY VACATING A PORTION OF THE RESTRICTED ABUTTERS' RIGHTS  
5 OF ACCESS ALONG VAN BUREN BOULEVARD IN THE RIVERSIDE AREA

6 (AB 17012)

7 (First Supervisorial District)

8  
9 **WHEREAS**, the hereinafter-described portion of the Restricted Abutters' Rights of  
10 Access along Van Buren Boulevard was granted to the County by Grant Deed recorded  
11 July 18, 2011 as Document 2011-0313443, Official Records of the Recorder of Riverside  
12 County, California;

13 **WHEREAS**, the hereinafter-described Portion of the Restricted Abutters' Rights of  
14 Access along Van Buren Boulevard as described by said Document is no longer  
15 necessary;

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

19  
20 **BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the Board of  
21 Supervisors of the County of Riverside, State of California, in regular session assembled  
22 on December 12, 2017, as follows:

- 23 1. That the hereinafter-described Portion of the Restricted Abutters' Rights  
24 of Access along Van Buren Boulevard is unnecessary for present or  
25 prospective use.

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SEE LEGAL DESCRIPTION AND PLAT ATTACHED HERETO  
AS EXHIBITS "A" AND "B" AND MADE A PART HEREOF

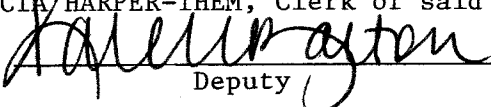
2. Pursuant to Section 8334(a) of the Streets and Highways Code that  
the hereinafter-described Portion of the Restricted Abutters' Rights of  
Access are determined to be excess and are no longer needed and are  
hereby summarily vacated.

**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, Perez and Ashley  
Nays: None  
Absent: Washington

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. # AB17012

**EXHIBIT "A"**  
**VACATION OF A PORTION OF THE RESTRICTION OF**  
**ABUTTERS RIGHTS OF ACCESS ALONG VAN BUREN BLVD.**  
**LEGAL DESCRIPTION**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, SECTION 23, TOWNSHIP 3 SOUTH, RANGE 4 WEST, S.B.M. AND DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE SOUTHEAST CORNER OF LOT 4, AS SHOWN ON TRACT 30857-4, FILED IN BOOK 435, OF MAPS, AT PAGES 6 THROUGH 14, INCLUSIVE, RECORDS OF SAID COUNTY;

THENCE ALONG THE SOUTHERLY LINE OF SAID LOT, BEING ALSO THE NORTHERLY RIGHT-OF-WAY LINE OF VAN BUREN BOULEVARD AS DESCRIBED IN DEED RECORDED JULY 18, 2011 AS DOCUMENT NO. 2011-0313443, OFFICIAL RECORDS OF SAID COUNTY THE FOLLOWING 3 COURSES:

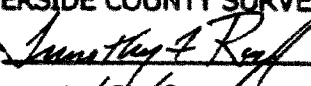
- 1) SOUTH 88°43'33" WEST 470.77 FEET TO AN ANGLE POINT THEREIN;
  
- 2) THENCE NORTH 86°31'47" WEST 33.01 FEET TO THE **TRUE POINT OF BEGINNING**;
  
- 3) THENCE CONTINUING NORTH 86°31'47" WEST 36.00 FEET TO AN ANGLE POINT IN THE NORTHERLY LINE OF PARCEL NO. 21644-2 OF SAID DEED, BEING ALSO THE **POINT OF TERMINUS**.

SEE EXHIBIT "B" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.

MICHAEL JAMES KNAPTON  
P.L.S. 8012  
REV: 10/18/2017

10/18/2017  
DATE



THIS DOCUMENT REVIEWED BY  
RIVERSIDE COUNTY SURVEYOR.  
BY:   
DATE: 10/31/2017

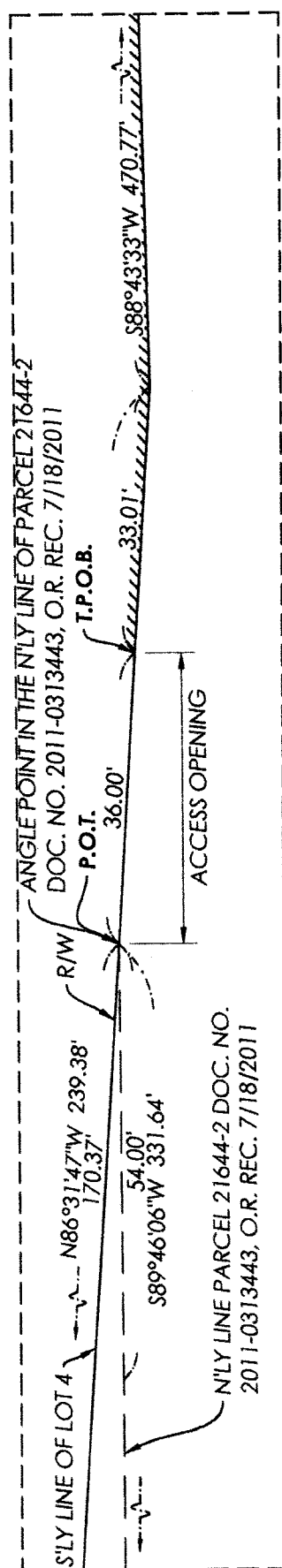
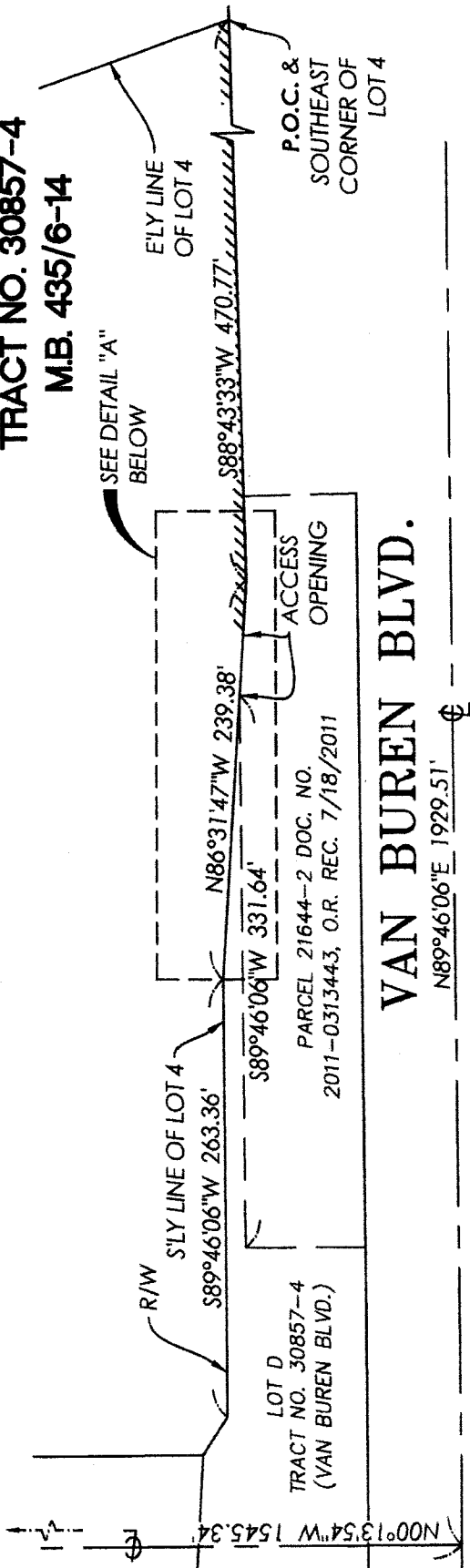
# EXHIBIT 'B'

VACATION OF A PORTION OF THE RESTRICTION OF  
ABUTTERS RIGHTS OF ACCESS ALONG VAN BUREN BLVD.



OPPORTUNITY WAY

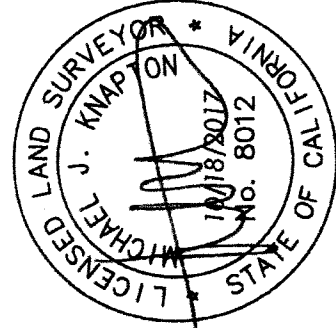
LOT 4  
TRACT NO. 30857-4  
M.B. 435/6-14



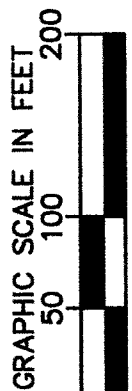
## LEGEND:

- P.O.C. POINT OF COMMENCEMENT
- T.P.O.B. TRUE POINT OF BEGINNING
- P.O.T. POINT OF TERMINATION
- R/W RIGHT OF WAY
- RESTRICTED ACCESS

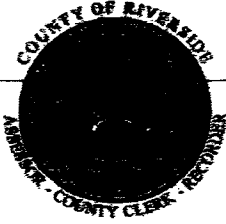
## DETAIL 'A' SCALE 1" = 20'



THIS DOCUMENT REVIEWED BY  
 RIVERSIDE COUNTY SURVEYOR.  
 BY: *Janetly Z. [Signature]*  
 DATE: 10/31/2017



**Kimley»Horn**  
 401 B STREET, SUITE 800, SAN DIEGO, CA 92101  
 WWW.KIMLEY-HORN.COM



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

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

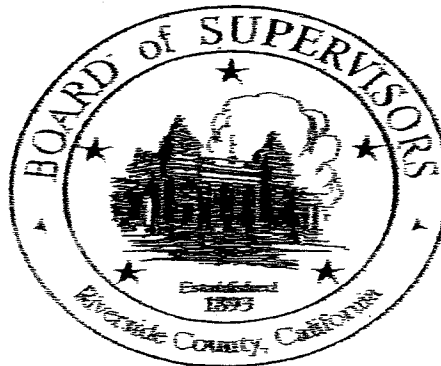
www.riversideacr.com

**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:

12-12-17

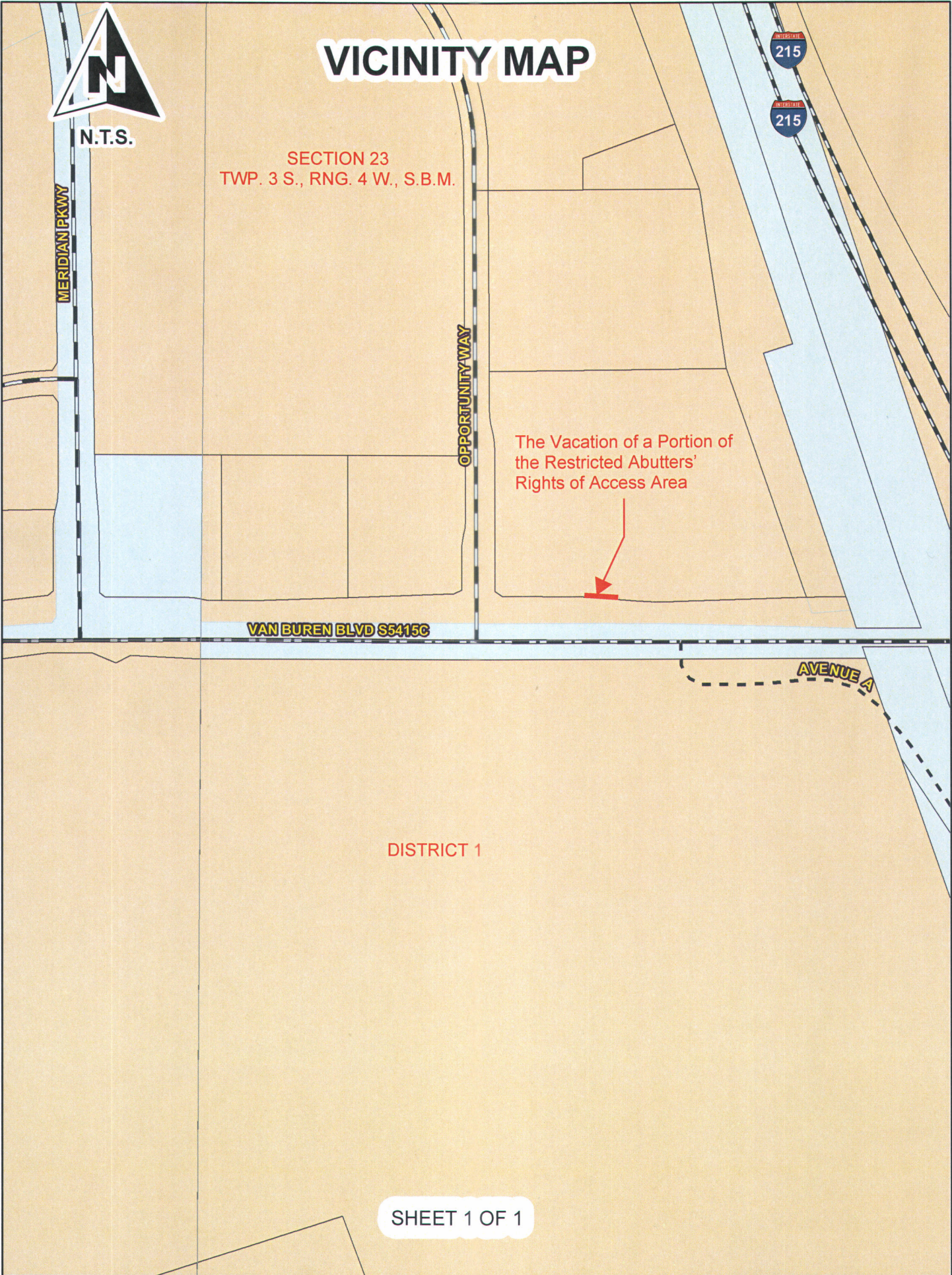
Signature:

*Karen Barton*

Print Name:

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





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

12/20/17  
Date

  
Initial

**Project Name:** Resolution No. 2017-220 Summarily Vacating a Portion of the Restricted Abutters' Rights of Access along Van Buren Boulevard in the Riverside Area.

**Project Number:** ZAB17012 SU14

**Project Location**– See Exhibits "A" and "B"

**Description of Project:** Resolution No. 2017-220 Summarily Vacating a Portion of the Restricted Abutters' Rights of Access along Van Buren Boulevard in the Riverside Area.

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

**Name of Person or Agency Carrying Out Project:** David L. McMillan, 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).

**Reasons Why Project is Exempt:** The vacation of a Portion of the Restricted Abutters' Rights of Access has been determined to not be a "project" as defined under State CEQA Guidelines section 15060(c)(3). 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 Restricted Abutters' Rights of Access 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 Restricted Abutters' Rights of Access 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.

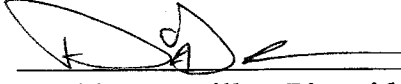
- Section 15061(b)(3) - General Rule "Common Sense" Exemption. With certainty, there is no possibility that the proposed project may have a significant effect on the environment. The vacation of a Portion of the Restricted Abutters' Rights of Access will not require any construction activities, change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

DEC 12 2017 2.14

create a physical environmental impact, and would not lead to any direct or reasonably 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) – 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)(3). 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 Restricted Abutters’ Rights of Access 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:  Date: 11-6-2017  
David L. McMillan, Riverside County Surveyor