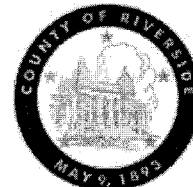


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM
2.10
(ID # 6325)

MEETING DATE:

Tuesday, July 17, 2018

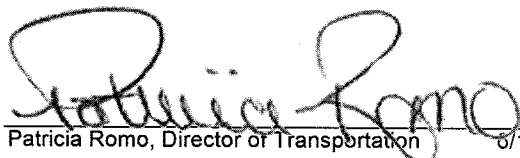
FROM : TLMA-TRANSPORTATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:
Adoption of Resolution No. 2018-045 Summarily Vacating a Portion of Avenida Presa in the Murrieta Area. This vacation is exempt pursuant to CEQA. 1st District [Applicant Fees 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that the vacation of a portion of Avenida Presa is categorically exempt from CEQA pursuant to Section 15060(c), and 15061(b)(3) of the State CEQA Guidelines; and
2. Adopt Resolution No. 2018-045, Summarily Vacating a portion of Avenida Presa in the Murrieta 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: Consent


Patricia Romo, Director of Transportation 6/14/2018

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Ashley, seconded by Supervisor Jeffries 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 17, 2018
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: Applicant Fees 100% No General Fund will be used.			Budget Adjustment: N/A	
			For Fiscal Year: 18/19	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

The applicant has requested the vacation of a section of Avenida Presa, between Calle Roble and Harkey Circle, in the Tenaja area. Avenida Presa is a dedicated road that was accepted for public use on Parcel Map 30423, on file in Book 212, Pages 43 and 44 of Parcel Maps, records of Riverside County. Pursuant to Streets and Highways Code Section 8353(a) this vacation will not eliminate access to any parcel. Notices were sent to affected property owners and no objections were received. The Transportation Department has reviewed this vacation 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 Number 2018-045 as to form.

Impact on Residents and Businesses

The vacation of this portion of Avenida Presa will not impact residents or businesses.

Additional Fiscal Information

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

ATTACHMENTS:

- Resolution No. 2018-045
- Exhibits "A" and "B" (Legal Description and Plat)
- Notice of CEQA Exemption
- Attachment "A" (Vicinity Map)

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



Gregory J. Priamos, Director County Counsel 7/2/2018

Project Name: Resolution No. 2018-045 Summarily Vacating a Portion of Avenida Presa in the Murrieta Area.

Project Number: AB17005, SU14

Project Location– See Exhibit “A”

Description of Project: Resolution No. 2018-045 Summarily Vacating a Portion of Avenida Presa in the Murrieta Area.

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

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

JUL 17 2018 2.10

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 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:  Date: 3-22-18
David L. McMillan, Riverside County Surveyor

RIVERSIDE COUNTY CLERK & RECORDER

**AUTHORIZATION
TO BILL
BY JOURNAL VOUCHER**

-TO BE FILLED IN BY SUBMITTING AGENCY-

AUTHORIZATION: W.O AB17005 SU14
NUMBER Accounting String: 537280-20260-3130500000 ZAB17005

AMOUNT: \$50.00

DATE: 1/30/2018

AGENCY: Riverside County Transportation Dept.-Survey Division

THIS AUTHORIZES THE COUNTY CLERK & RECORDER TO ISSUE A VOUCHER FOR PAYMENT OF ALL FILING AND HANDLING FEES FOR THE ACCOMPANYING DOCUMENT(S).

NUMBER OF DOCUMENTS INCLUDED: One (1)

AUTHORIZED BY: Tim F. Rayburn, Supervising Land Surveyor

Signature: 

PRESENTED BY: Bernie Castaneda

ACCOUNTING CONTACT PERSON: **Kevin Kincad 955-6262**

-TO BE FILLED IN BY COUNTY CLERK-

ACCEPTED BY: -

DATE: -

RECEIPT # (S) -

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

2018-0291936

07/19/2018 04:41 PM Fee: \$ 0.00

Page 1 of 9

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



THIS SPACE FOR RECORDERS USE ONLY

110

RESOLUTION NO. 2018-045

Title of Document

**SUMMARILY VACATING A PORTION OF AVENIDA PRESA
IN THE MURRIETA AREA
(AB17005)**

(FIRST SUPERVISORIAL DISTRICT)

(Transportation Department ~ Item 2.10 of 07/17/18)

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE
FOR RECORDING INFORMATION

2
3
4 **RESOLUTION NO. 2018-045**

5 SUMMARILY VACATING A PORTION OF AVENIDA PRESA

6 IN THE MURRIETA AREA

7 (AB17005)

8 (First Supervisorial District)

9
10 **WHEREAS**, the hereinafter-described portion of Avenida Presa was dedicated and
11 accepted for public road purposes by Declarations of Dedication, Resolution and/or Parcel
12 Maps hereinafter-referred to, and;

13
14 **WHEREAS**, the hereinafter-described portion of Avenida Presa is excess right-of-
15 way, and is not required for public street or highway purposes, and;

16
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
21 **BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the Board of
22 Supervisors of the County of Riverside, State of California, in regular session assembled
23 on July 17, 2018, as follows:

- 24
25 1. Pursuant to Section 8334(a) of the Streets and Highways Code that the
26 hereinafter-described portion of Avenida Presa is excess right-of-way and is not
27 required for public street or highway purposes, and is hereby summarily vacated.
28

FORM APPROVED COUNTY COUNSEL
BY: WESLEY W. STANFIELD DATE July 17, 2018

1 **RESOLUTION NO. 2018-045**

2
3 SEE LEGAL DECSRIPTION AND PLAT ATTACHED HERETO
4 AS EXHIBITS "A" AND "B" AND MADE A PART HEREOF;
5

- 6 2. That the hereinafter-described portion of Avenida Presa is unnecessary for
7 present or prospective public use, including use as a non-motorized transportation
8 facility, and;
9
- 10 3. Pursuant to Section 15060(c) and 15061(b)(3) of the State CEQA Guidelines that
11 the vacation of the hereinafter-described portion of Avenida Presa is categorically
12 exempt as explained in the Notice of Exemption.
13

14 **EXCEPTING AND RESERVING** from the vacation an easement for any existing
15 public utilities and public service facilities, together with the right to maintain, operate,
16 replace, remove, or renew such facilities, pursuant to Section 8340 of the Streets and
17 Highways Code.
18

19 **BE IT FURTHER RESOLVED, DETERMINED AND ORDERED** that the Clerk of
20 the Board is directed to file with the Office of the County Clerk the Notice of Exemption
21 within five (5) working days of the Board hearing date.
22

23 **BE IT FURTHER RESOLVED, DETERMINED AND ORDERED** that the Clerk of
24 the Board is directed to cause a certified copy of this resolution to be recorded in the
25 office of the Recorder of the County of Riverside, California.
26

27
28 BCIII W.O. # AB 17005

2 **RESOLUTION 2018-045**

3 **SUMMARILY VACATING A PORTION OF AVENIDA PRESA**
4 **IN THE MURRIETA AREA**

5 ADOPTED by Riverside County Board of Supervisors on July 17, 2018.

6 **ROLL CALL:**

7 **Ayes:** Jeffries, Tavaglione, Washington, Perez and Ashley
8 **Nays:** None
9 **Absent:** None

10
11 The foregoing is certified to be a true copy of a resolution duly adopted by said Board of
12 Supervisors on the date therein set forth.

13 KECIA HARPER-IHEM, Clerk of said Board

14
15 By:  Deputy

16
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07.17.18 2.10

EXHIBIT "A"
VACATION OF A PORTION OF AVENIDA PRESA
LEGAL DESCRIPTION

Portions of Rancho Santa Rosa, in the County of Riverside, State of California, described as follows:

Lots "B", "C", "D", and "E" of Parcel Map 30423 as shown by map on file in Book 212 of Parcel Maps at Pages 43 and 44 thereof, Records of Riverside County, California, as dedicated and accepted for public use thereon;

Together with:

Lots "B" and "C" of Parcel Map No. 31303 as shown by map on file in Book 223 of Parcel Maps at Pages 7 and 8 thereof, Records of Riverside County, California, as dedicated and accepted for public use thereon;

Together with:

Those portions of Avenida Presa and the adjoining slope easements and corner cut-backs as described by Declaration of Dedication recorded September 14, 1973, as Instrument No. 121470, abutting Parcels 3, 4, 5, and 6 as shown by Parcel Map No. 4630 on file in Book 10 of Parcel Maps at Pages 3 and 4 thereof, both Records of said Riverside County, California;

Together with:

Those portions of Avenida Presa and the adjoining slope easements as described by Declaration of Dedication recorded March 13, 1973, as Instrument No. 31428, and accepted for public use by Instrument No. 162689, recorded July 24, 1985, both Records of said Riverside County, California, abutting Parcels 3, 4, 5, and 6 as shown by said Parcel Map No. 4630;

Contains 2.33 acres, more or less.

Excepting therefrom that certain portion described as follows:

BEGINNING at the northeast corner of said Lot "E" of Parcel Map 30423, also being a point on the centerline of Avenida Presa (30.00 foot half-width) as shown on said map;

Thence South 06°01'25" East, along the easterly line of said Lot "E", a distance of 31.15 feet to the southeast corner of said Lot "E", said corner being a point on

EXHIBIT "A"
LEGAL DESCRIPTION
VACATION OF A PORTION OF AVENIDA PRESA
(Continued)

a curve, concave southerly, having a radius of 270.00 feet, a radial line to said point bears North 15°08'13" West;

Thence South 74°51'37" West, departing the southerly line of said Lot "E", a distance of 113.58 feet to the beginning of a tangent curve, concave northeasterly, having a radius of 50.00 feet;

Thence northwesterly, along said curve, through a central angle of 91°27'03", an arc distance of 79.81 feet to a point on the northerly right-of-way line of Avenida Presa (30.00 foot half-width) as shown on said Parcel Map No. 4630, a radial line to said point bears South 76°18'40" West;

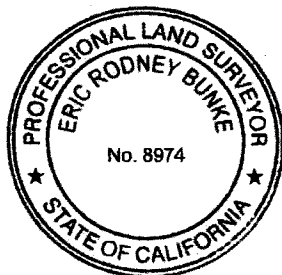
Thence North 71°37'08" East, along said northerly line, a distance of 145.14 feet to the beginning of a tangent curve, concave southerly, having a radius of 330.00 feet;

Thence easterly, along said curve and said northerly line, through a central angle of 04°11'03", an arc distance of 24.10 feet to the easterly line of said Parcel 3 of Parcel Map No. 4630, a radial line to said point bears North 14°11'49" West;

Thence South 14°11'49" East, along said east line of Parcel 3, a distance of 29.20 feet to the **POINT OF BEGINNING**.

See **Exhibit "B"** attached hereto and by this reference made a part hereof.

This description was prepared by me
or under my direction:




Eric R. Bunke, P.L.S. 8974

Date: JUNE 6, 2018

Expiration Date: 09/30/2018

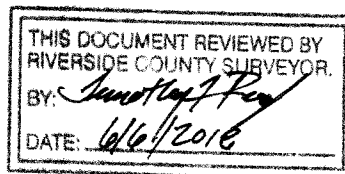


EXHIBIT "B"
 VACATION OF A PORTION OF AVENIDA PRESA

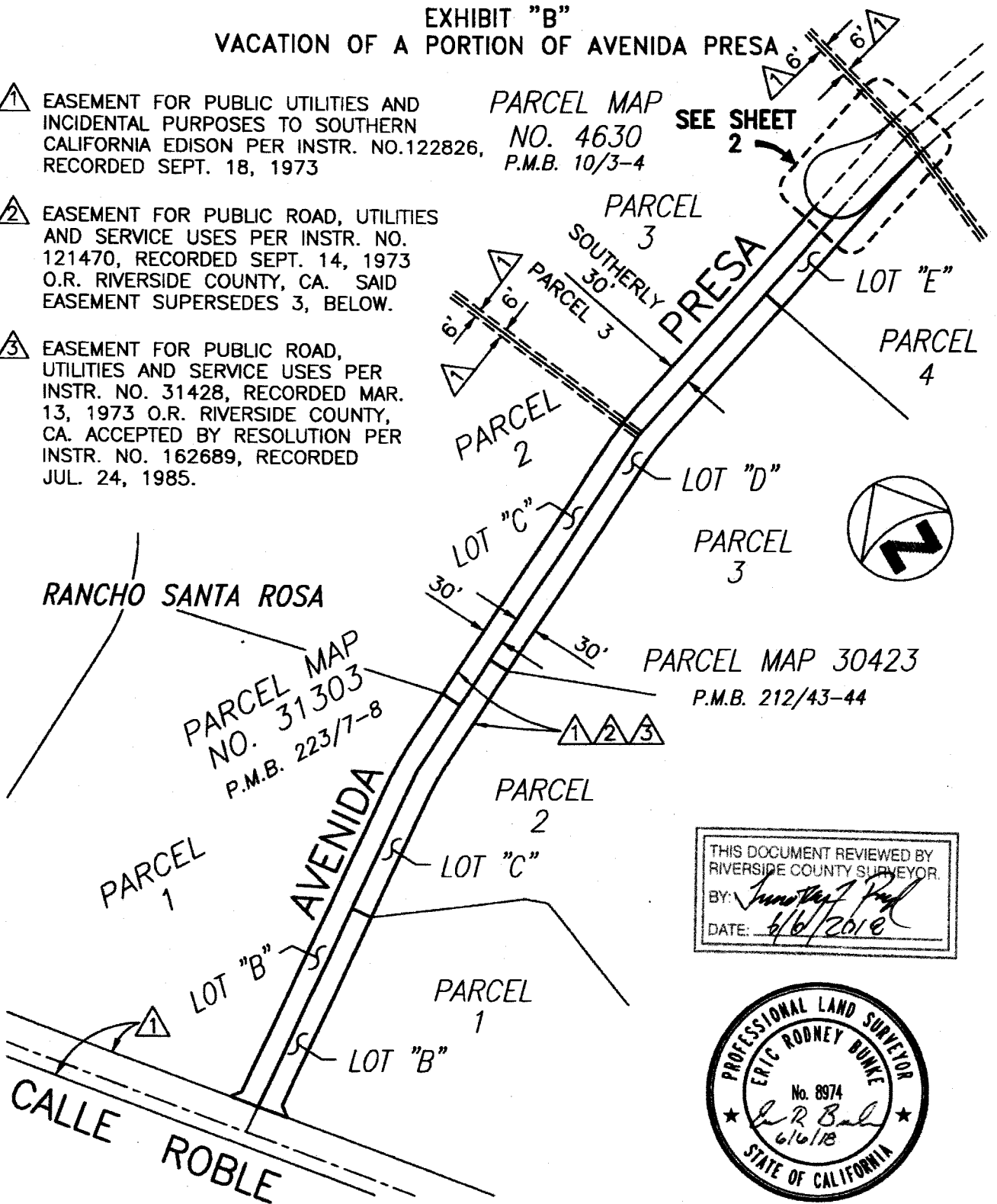
① EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES TO SOUTHERN CALIFORNIA EDISON PER INSTR. NO. 122826, RECORDED SEPT. 18, 1973

PARCEL MAP NO. 4630 P.M.B. 10/3-4

SEE SHEET 2

② EASEMENT FOR PUBLIC ROAD, UTILITIES AND SERVICE USES PER INSTR. NO. 121470, RECORDED SEPT. 14, 1973 O.R. RIVERSIDE COUNTY, CA. SAID EASEMENT SUPERSEDES 3, BELOW.

③ EASEMENT FOR PUBLIC ROAD, UTILITIES AND SERVICE USES PER INSTR. NO. 31428, RECORDED MAR. 13, 1973 O.R. RIVERSIDE COUNTY, CA. ACCEPTED BY RESOLUTION PER INSTR. NO. 162689, RECORDED JUL. 24, 1985.



THIS DOCUMENT REVIEWED BY RIVERSIDE COUNTY SURVEYOR.
 BY: *Juniper J. Ford*
 DATE: *6/6/2018*



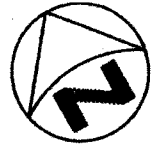
K&S KRIEGER & STEWART
 Engineering Consultants
 3602 University Avenue • Riverside, CA 92501
 www.kriegerandstewart.com • 951-684-6900

EASEMENT VACATION PLAT
 PARTIAL STREET VACATION
 OF
 AVENIDA PRESA
 RIVERSIDE COUNTY, CALIFORNIA

EXHIBIT
B
 1 OF 2

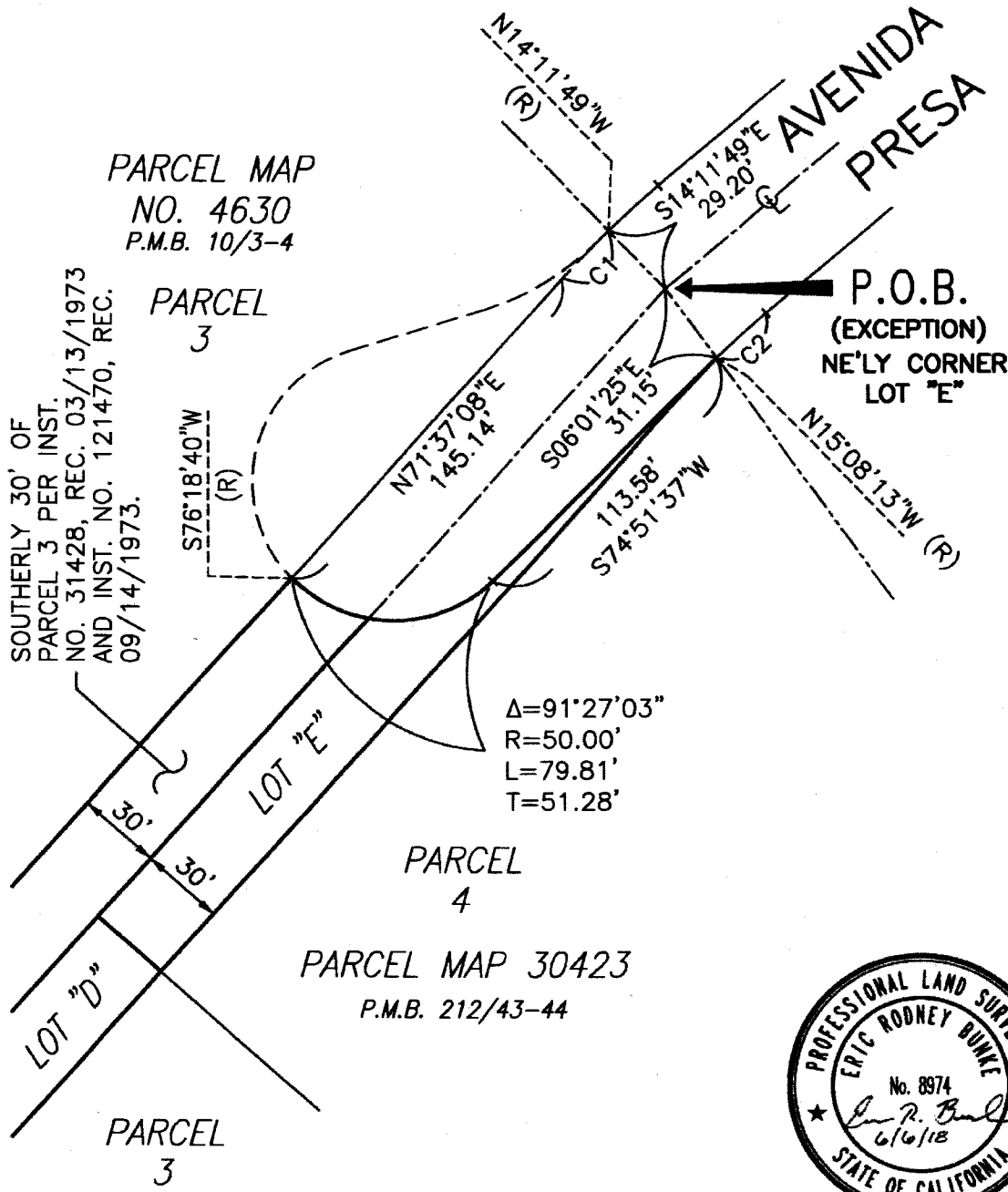
SCALE: 1"=200' DATE: 06/06/18 DRAWN BY: MWE CHECKED BY: ERB W.O.: 109-106

EXHIBIT "B"
 VACATION OF A PORTION OF AVENIDA PRESA



CURVE DATA

C1 Δ= 4°11'03" R=330.00' L=24.10' T=12.06'
 C2 Δ= 5°07'36" R=270.00' L=24.16' T=12.09'



K&S KRIEGER & STEWART
 Engineering Consultants
 3602 University Avenue • Riverside, CA 92501
 www.kriegerandstewart.com • 951-684-6900

EASEMENT VACATION PLAT
 PARTIAL STREET VACATION
 OF
 AVENIDA PRESA
 RIVERSIDE COUNTY, CALIFORNIA

EXHIBIT
B
 2 OF 2

SCALE: 1"=60' DATE: 06/06/18 DRAWN BY: ERB CHECKED BY: MWE W.O.: 109-106



**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 the document)



Date:

7-17-10

Signature:

Karen Barton

Print Name:

Karen Barton, Board Assistant, Clerk of the Board