

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



ITEM  
2.11  
(ID # 6347)

**MEETING DATE:**

Tuesday, July 17, 2018

**FROM :** TLMA-TRANSPORTATION:

**SUBJECT:** TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:  
Adoption of Resolution No. 2018-047 Summarily Vacating a Portion of Obsidian Drive in the Woodcrest 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 Obsidian Drive is categorically exempt from CEQA pursuant to Section 15060 (c) (2), and 15061 (b)(3) of the State CEQA Guidelines; and
2. Adopt Resolution No. 2018-047, Summarily Vacating a portion of Obsidian Drive in the Woodcrest 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**

<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% No General Fund will be used.			<b>Budget Adjustment:</b> N/A	
			<b>For Fiscal Year:</b> 18/19	

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

**BACKGROUND:**

The applicant has requested the vacation of a section of Obsidian Drive, between Dallas Avenue and Newman Avenue, in the Woodcrest area. Obsidian Drive is a dedicated road that was accepted for public use by Resolution No. 83-85, recorded May 2, 1983, as Instrument No. 83702, records of Riverside County. 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 Notice of Exemption, the vacation is exempt for 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.

County Counsel has approved resolution Number 2018-047 as to form.

**Impact on Residents and Businesses**

The vacation of this portion of Obsidian Drive 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. 2018-047
- 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 B. Priapfos, Director County Counsel 7/2/2018

**NOTICE OF EXEMPTION**

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

7/19/18  
Date

WB  
Initial

**Project Name:** Resolution No. 2018-047 Summarily Vacating a Portion of Obsidian Drive in the Woodcrest area.

**Project Number:** ZAB17009 SU14

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

**Description of Project:** Resolution No. 2018-047 Summarily Vacating a Portion of Obsidian Drive in the Woodcrest 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:** Vacating a street has been determined to not be a "project" as defined under State CEQA Guidelines section 15060(c). 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 2:11

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) – for purposes of analysis under CEQA, Vacating a street is not a “project” under CEQA pursuant to Section 15060(c). 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: 3-22-2018  
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. AB17009 SU14  
Accounting String 537280-20260-3130200000 ZAB17009 SU14

AMOUNT: \$50.00

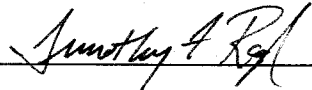
DATE: 2/1/2018

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, 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

**2018-0291937**

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

Page 1 of 7

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



THIS SPACE FOR RECORDERS USE ONLY

110

**RESOLUTION NO. 2018-047**

Title of Document

**SUMMARILY VACATING A PORTION OF OBSIDIAN DRIVE  
IN THE WOODCREST AREA  
(AB17009)**

(FIRST SUPERVISORIAL DISTRICT)

(Transportation Department ~ Item 2.11 of 07/17/18)

2  
3  
4 **RESOLUTION NO. 2018-047**

5 SUMMARILY VACATING A PORTION OF OBSIDIAN DRIVE

6 IN THE WOODCREST AREA

7 (AB17009)

8 (First Supervisorial District)

9  
10 **WHEREAS**, the hereinafter-described portion of Obsidian Drive (formerly El  
11 Sobrante Ave.) was dedicated as Lot "S" on Tract Map "Rinehart Acres" on file in Book  
12 13, Pages 84 and 85 of Maps, Records of Riverside County, California, and;

13  
14 **WHEREAS**, the hereinafter-described portion of Obsidian Drive was accepted for  
15 public use per Resolution No. 83-85, recorded May 2, 1983, as Instrument No. 83702,  
16 Records of Riverside County, California, and;

17  
18 **WHEREAS**, the hereinafter-described portion of Obsidian Drive is excess right-of-  
19 way, and is not required for public street or highway purposes, and;

20  
21 **WHEREAS**, applicable procedures pertaining to summary vacations were followed  
22 pursuant to the County's adopted "Resolutions for Fixing Procedures to Vacate and  
23 Accept County Highways and Property Offered for Dedication," now, therefore;

24  
25 **BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the Board of  
26 Supervisors of the County of Riverside, State of California, in regular session assembled  
27 on July 17, 2018, as follows:  
28

FORM APPROVED COUNTY COUNSEL  
BY: WESLEY W. STANFIELD DATE 8/29/2018



1 **RESOLUTION NO. 2018-047**

- 2
- 3 1. Pursuant to Section 8334(a) of the Streets and Highways Code that the
- 4 hereinafter-described portion of Obsidian Drive is excess right-of-way and is not
- 5 required for public street or highway purposes, and is hereby summarily vacated.
- 6

7 SEE LEGAL DECSRIPTION AND PLAT ATTACHED HERETO

8 AS EXHIBITS "A" AND "B" AND MADE A PART HEREOF;

9

- 10 2. That the hereinafter-described portion of Obsidian Drive is unnecessary for present
- 11 or prospective public use, including use as a non-motorized transportation facility,
- 12 and;
- 13
- 14 3. Pursuant to Section 15060(c) and 15061(b)(3) of the State CEQA Guidelines that
- 15 the vacation of the hereinafter-described portion of Obsidian Drive is categorically
- 16 exempt as explained in the Notice of Exemption.
- 17

18 **EXCEPTING AND RESERVING** from the vacation an easement for any existing

19 public utilities and public service facilities, together with the right to maintain, operate,

20 replace, remove, or renew such facilities, pursuant to section 8340 of the Streets and

21 Highways Code.

22

23 **BE IT FURTHER RESOLVED, DETERMINED AND ORDERED** that the Clerk of

24 the Board is directed to file with the Office of the County Clerk the Notice of Exemption

25 within five (5) working days of the Board hearing date.

26

27

28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

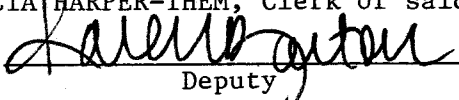
**RESOLUTION NO. 2018-047**

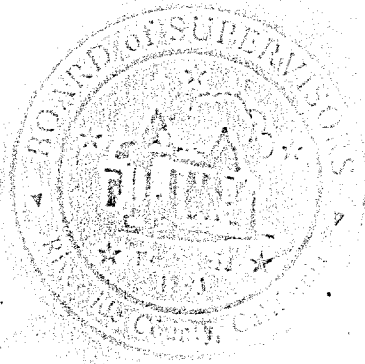
**BE IT FURTHER RESOLVED, DETERMINED AND ORDERED** that the Clerk of the Board is directed to cause a certified copy of this resolution to be recorded in the office of the Recorder of the County of Riverside, California.

ROLL CALL:

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

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

KECIA HARPER-IHEM, Clerk of said Board  
By   
Deputy



BCIII W.O. # AB17009

**EXHIBIT A**  
VACATING A PORTION OF OBSIDIAN DRIVE  
LEGAL DESCRIPTION

THAT PORTION OF LAND LYING WITHIN THE NORTHEAST ONE-QUARTER OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, RIVERSIDE COUNTY, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT "S" ON TRACT MAP OF "RINEHART ACRES" ON FILE IN BOOK 13, PAGES 84 AND 85 OF MAPS, RECORDS OF THE RECORDER, RIVERSIDE COUNTY, CALIFORNIA.

SEE ATTACHED EXHIBIT "B" FOR A DEPICTION OF THE LEGAL DESCRIPTION.

PREPARED UNDER MY SUPERVISION:

  
\_\_\_\_\_  
TIMOTHY F. RAYBURN, P.L.S. 8455

3/22/2018  
\_\_\_\_\_  
DATED:



# EXHIBIT "B"

VACATION OF A PORTION OF OBSIDIAN DRIVE  
AVENUE

DALLAS

+/-1331.00'



LOT 266  
APN 267-140-010

DRIVE

LOT 267  
APN 267-150-001

WOOD ROAD  
C/L

MB 13/84-85  
RINEHART ACRES

LOT 287  
APN 267-140-020

30'

C/L

LOT "S" DEDICATED PER MB 13/84-85  
(FORMERLY EL SOBRANTE AVENUE)

LOT 286  
APN 267-150-012

OBSIDIAN



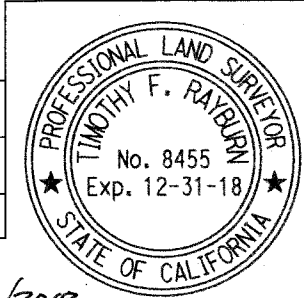
R/W ACCEPTED PER RES.  
NO. 83-85 REC. AS INST  
#83702 5-2-1983

NEWMAN

AVENUE

T.3S., R.4W., S.B.M.  
SECTION 31

PCL No.: VACATION	COUNTY OF RIVERSIDE TRANSPORTATION DEPARTMENT, SURVEY DIVISION
WO No.: AB17009	
SCALE: NTS	PROJECT: OBSIDAIN DRIVE VACATION
PREPARED BY: BCIII	THIS PLAT IS AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE PRECEDING DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DESCRIPTION.
DATE: AUGUST 2017	APPROVED BY:
SHEET 1 OF 1	DATE: 3/22/2018





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

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

[www.riversideacr.com](http://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:

7-17-18

Signature:

*Karen Barton*

Print Name:

Karen Barton, Board Assistant