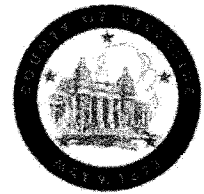


**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM  
2.12  
(ID # 7336)

**MEETING DATE:**  
Tuesday, July 17, 2018

**FROM :** TLMA-TRANSPORTATION:

**SUBJECT:** TRANSPORTATION AND LAND MANAGEMENT AGENCY/ TRANSPORTATION:  
Adoption of Resolution No. 2018-101, Summarily Vacating the right to accept the dedication of a portion of an Unnamed Road in the Winchester Area. This vacation is exempt pursuant to the CEQA. 3rd District; [Applicant Fees 100%]

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

1. Find that the Vacation of the right to accept the dedication of a portion of an Unnamed Road 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. 2018-101, Summarily Vacating the right to accept the dedication of a portion of an Unnamed Road in the Winchester 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 8/13/2018

---

**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%			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year:</b>	18/19

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

**BACKGROUND:**

The Unnamed Road depicted in Attachment A was dedicated but not accepted on September 10, 1975. The applicant owns the property that is the subject of the requested vacation. The applicant has requested that Unnamed Road that goes through their pond and house (see Attachment "A") be vacated. This vacation is a condition of the applicant's Conditional Use Permit No. 03681.

The vacation will not eliminate access to any parcel, as the road lies within property that is under a single ownership. 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 2018-101 as to form.

**Impact on Residents and Businesses**

The vacation of this unnamed road will have no impact on any residents or businesses.

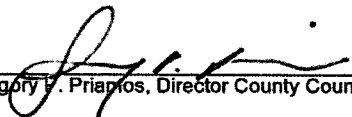
**Additional Fiscal Information**

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

**ATTACHMENTS:**

- Resolution No. 2018-101
- 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 V. Priaplos, Director County Counsel 7/2/2018

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**

**2018-0291938**

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. 2018-101**

Title of Document

**SUMMARILY VACATING THE RIGHT TO ACCEPT THE DEDICATION OF A PORTION  
OF AN UNNAMED ROAD  
IN THE WINCHESTER AREA  
(AB17016)**

(THIRD SUPERVISORIAL DISTRICT)

(Transportation Department ~ Item 2.12 of 07/17/18)

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE  
FOR RECORDING INFORMATION

1 BOARD OF SUPERVISORS

COUNTY OF RIVERSIDE

2  
3  
4 **RESOLUTION NO. 2018-101**

5 **SUMMARILY VACATING THE RIGHT TO ACCEPT THE DEDICATION OF A PORTION**  
6 **OF AN UNNAMED ROAD**  
7 **IN THE WINCHESTER AREA**  
8 **(AB17016)**  
9 **(Third Supervisorial District)**  
10

11 **WHEREAS**, the hereinafter-described portion of an Unnamed Road was dedicated for  
12 public use by Declaration of Dedication recorded on September 10, 1975, as Instrument No.  
13 110528, records of the Recorder of Riverside County, California, and;  
14

15 **WHEREAS**, the offer of dedication for said portion of an Unnamed Road has not been  
16 accepted for public use by the County of Riverside, and;  
17

18 **WHEREAS**, the hereinafter-described portion of an Unnamed Road 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 Accept  
23 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 on  
27 July 17, 2018, as follows:  
28

FORM APPROVED COUNTY COUNSEL  
BY: WESLEY W. STANFIELD DATE 7/17/2018

1 **RESOLUTION NO. 2018-101**

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

6

7 **SEE LEGAL DESCRIPTION AND PLAT ATTACHED HERETO**

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

9

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

16

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

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

19 remove, or renew such facilities, pursuant to section 8340 of the Streets and Highways Code.

20

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

22 Board is directed to file with the Office of the County Clerk the Notice of Exemption within five

23 (5) working days of the Board hearing date.

24

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

26 Board is directed to cause a certified copy of this resolution to be recorded in the office of the

27 Recorder of the County of Riverside, California.

28 BCIII W.O. # AB17016

2 **RESOLUTION 2018-101**

3 **SUMMARILY VACATING THE RIGHT TO ACCEPT THE DEDICATION OF A PORTION**  
4 **OF AN UNNAMED ROAD**  
5 **IN THE WINCHESTER AREA**

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

7 **ROLL CALL:**

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

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

14 **KECIA HARPER-IHEM, Clerk of said Board**

15 By: 

16 Deputy

17  
18  
19  
20  
21  
22  
23 07.17.18 2.12  
24  
25

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**VACATING THE RIGHT TO ACCEPT AN UNNAMED ROADWAY**

BEING A PORTION OF SECTION 31, TOWNSHIP 6 SOUTH, RANGE 2 WEST, S.B.B.M. AND A PORTION OF DECLARATION OF DEDICATION FOR PUBLIC ROAD PURPOSES, INCLUDING PUBLIC UTILITY AND PUBLIC SERVICE USES, RECORDED ON SEPTEMBER 10, 1975 AS INSTRUMENT NO. 110528, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE NORTHEAST CORNER OF PARCEL 2 OF PARCEL MAP 5275 AS SHOWN BY MAP ON FILE IN PARCEL MAP BOOK 10, PAGE 81, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA;

THENCE, ALONG THE NORTHERLY LINE OF SAID PARCEL 2, SOUTH 89°15'00" WEST A DISTANCE OF 1326.41 FEET;

THENCE, LEAVING SAID NORTHERLY LINE, SOUTH 00°05'53" EAST A DISTANCE OF 30.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF MONTELEONE MEADOWS DRIVE AS DESCRIBED BY SAID DECLARATION OF DEDICATION, BEING THE **TRUE POINT OF BEGINNING**;

THENCE SOUTH 00°05'53" EAST, ALONG THE WESTERLY LINE OF THAT CERTAIN 60.00 FOOT WIDE RIGHT-OF-WAY AS DESCRIBED BY SAID DECLARATION OF DEDICATION, A DISTANCE OF 433.00 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID PARCEL 2;

THENCE, ALONG SAID SOUTHERLY LINE, NORTH 89°15'00" EAST A DISTANCE OF 60.00 FEET;

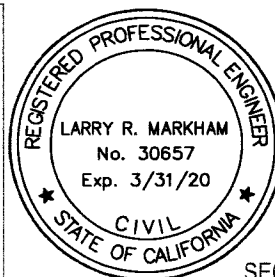
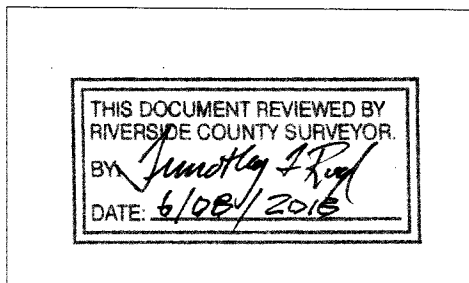
THENCE, LEAVING SAID SOUTHERLY LINE, NORTH 00°05'53" WEST A DISTANCE OF 420.14 FEET;

THENCE NORTH 44°34'34" EAST A DISTANCE OF 18.28 FEET TO A LINE PARALLEL WITH AND DISTANT 30.00 FEET SOUTHERLY OF, AS MEASURED AT RIGHT ANGLES, TO SAID NORTHERLY LINE OF PARCEL 2;

THENCE, ALONG SAID PARALLEL LINE, SOUTH 89°15'00" WEST A DISTANCE OF 72.85 FEET TO THE **TRUE POINT OF BEGINNING**.

HEREIN DESCRIBED CONTAINS 0.60 ACRES, MORE OR LESS.

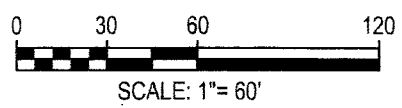
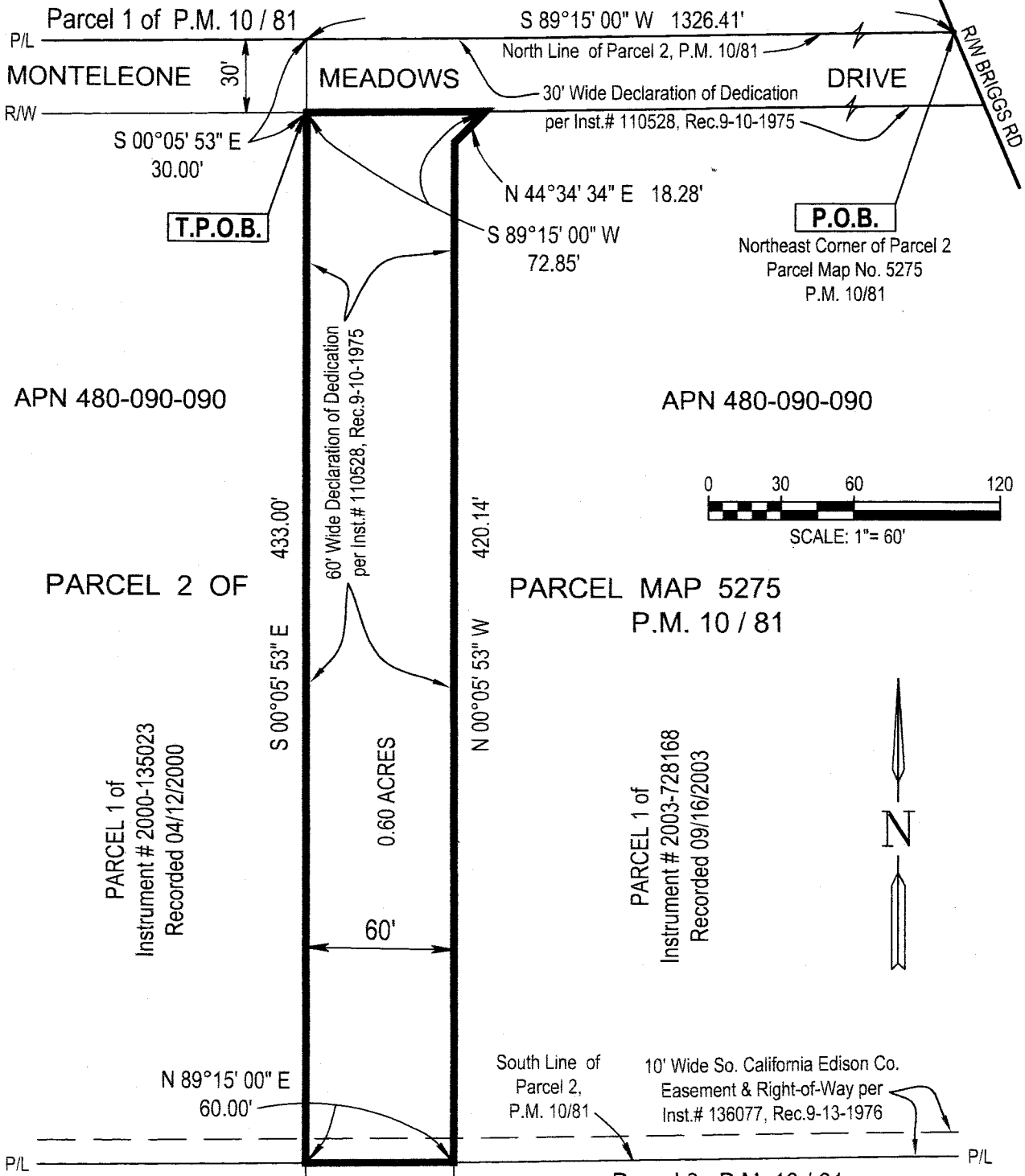
SEE "EXHIBIT B" ATTACHED HERETO AND MADE A PART OF HEREOF, BY THIS REFERENCE.



*[Signature]* 5.4.18  
LARRY R. MARKHAM      DATE  
R.C.E. 30657



**EXHIBIT "B" VACATING THE RIGHT TO ACCEPT AN UNNAMED ROADWAY**



THIS DOCUMENT REVIEWED BY  
 RIVERSIDE COUNTY SURVEYOR.  
 BY: *Jonathan R. King*  
 DATE: *6/08/2018*



*[Signature]* S.Y.18  
 LARRY R. MARKHAM  
 R.C.E. 30657  
 DATE



**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:

7-17-18

Signature:

Karen Barton

Print Name:

Karen Barton, Board Assistant

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

7/19/18 KB  
Date Initial

**Project Name:** Resolution No. 2018-101, Summarily Vacating the Right to Accept an Unnamed Road in the Winchester Area

**Project Number:** AB17016, SU14

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

**Description of Project:** Resolution No. 2018-101, Summarily Vacating the Right to Accept Unnamed Road in the Winchester 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 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, the project is exempt from the provisions of CEQA specifically by the State CEQA Guidelines as identified below. The vacation of the existing roadway 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 a portion of this 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 project 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.

JUL 17 2018 2.12

- 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 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: *David L. McMillan* Date: *6/12/2018*  
David L. McMillan, Riverside County Surveyor  
*Timothy F. Rayburn, Deputy County Surveyor*

**RIVERSIDE COUNTY CLERK & RECORDER**

**AUTHORIZATION  
TO BILL  
BY JOURNAL VOUCHER**

-TO BE FILLED IN BY SUBMITTING AGENCY-

AUTHORIZATION: W.O. AB17016 SU14  
Accounting String 537280-20260-3130200000 ZAB17010 ZSU14

AMOUNT: \$50.00

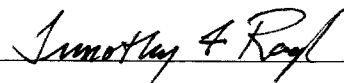
DATE: 2/6/2018

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: Timothy 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) -