

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



ITEM
3.52
(ID # 8523)

MEETING DATE:

Tuesday, December 11, 2018

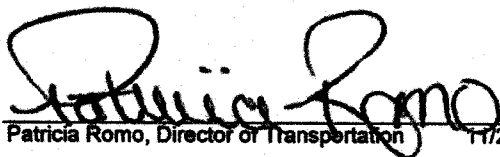
FROM : TLMA-TRANSPORTATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:
Adoption of Resolution No. 2018-230 Summarily Vacating Nonie Court in the
Cherry Valley area, CEQA Exempt, District 5. [Applicant Fees 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that the Vacation of Nonie Court is categorically exempt from CEQA pursuant to Section 15060 (c) (2), and 15061 (b)(3) of the State CEQA Guidelines;
2. Adopt Resolution No. 2018-230, Summarily Vacating Nonie Court in the Cherry Valley area;
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;
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.

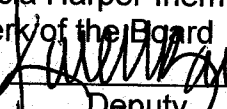
ACTION: Consent


Patricia Romo, Director of Transportation 11/27/2018

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Tavaglione, 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: December 11, 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 Funds 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 Nonie Court, in the Cherry Valley area. Nonie Court is a cul-de-sac for the benefit of a 4 parcel Parcel Map. The applicant owns 3 of the 4 parcels abutting Nonie Court. The owner of the remaining parcel abutting Nonie Court is in favor of this vacation. Nonie Court was dedicated and accepted for public use by Parcel Map No. 18494 on file in Book 113, Pages 6 and 7 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. 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 2018-230 as to form.

Impact on Residents and Businesses

The vacation of Nonie Court will not impact residents or businesses.

Additional Fiscal Information

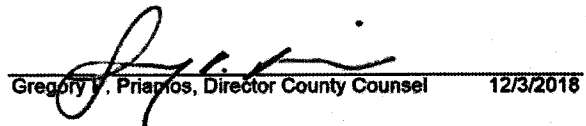
All fees are paid by the applicant. There is no General Fund obligation.

ATTACHMENTS:

- Resolution No. 2018-230
- Exhibit "A" (Plat)
- Notice of CEQA Exemption
- Attachment "A" (Vicinity Map)
- Recorder Accounting String

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


Scott Bruckner 12/4/2018


Gregory V. Priapos, Director County Counsel 12/3/2018

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

2018-0491348

12/19/2018 10:32 AM Fee: \$ 0.00

Page 1 of 5

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



THIS SPACE FOR RECORDERS USE ONLY

780

RESOLUTION NO. 2018-230

Title of Document

**SUMMARILY VACATING NONIE COURT
IN THE CHERRY VALLEY AREA
(ABS18005)**

(FIFTH SUPERVISORIAL DISTRICT)

(Transportation Department ~ Item 3.52 of 12/11/18)

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE
FOR RECORDING INFORMATION

2
3
4 **RESOLUTION NO. 2018-230**
5 **SUMMARILY VACATING NONIE COURT**
6 **IN THE CHERRY VALLEY AREA**
7 **(ABS18005)**
8 **(Fifth Supervisorial District)**
9

10 **WHEREAS**, Nonie Court was dedicated and accepted for public use as Lots "D"
11 through "G", inclusive, on Parcel Map No. 18494 on file in Book 113, Pages 6 and 7 of
12 Parcel Maps, Records of Riverside County, California, and;

13
14 **WHEREAS**, Nonie Court is excess right-of -way, and is not required for public
15 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 December 11, 2018, as follows:

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

FORM APPROVED COUNTY COUNSEL
BY: Synthia M. Gunzel 12-3-18
DATE
SYNTHIA M. GUNZEL

1 **RESOLUTION NO. 2018-230**

2
3 SEE PLAT ATTACHED HERETO
4 AS EXHIBIT "A" AND MADE A PART HEREOF;
5

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

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

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

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

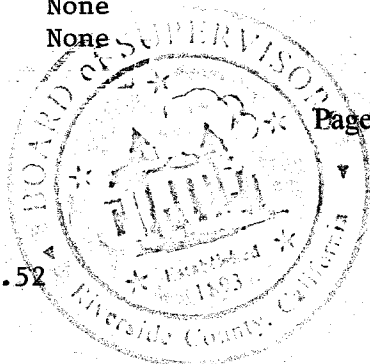
26 ROLL CALL:

26 Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley
27 Nays: None
28 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, THEM Clerk of said Board
By:  Deputy

Page 2 of 2



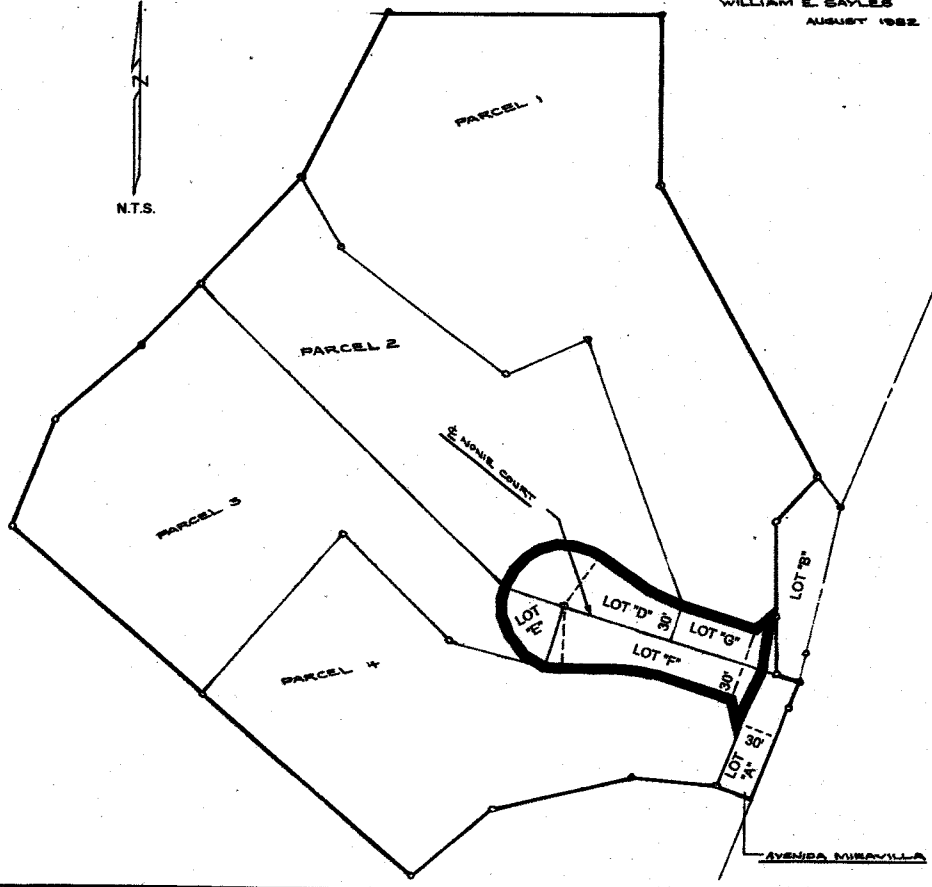
113

PARCEL MAP NO. 18494

WILLIAM E. SAYLES
AUGUST 1982

EXHIBIT "A"
NONIE COURT VACATION

INDICATES AREA TO BE VACATED



SHEET 1 OF 1

SECTION 23, T. 2 S., R. 1 W., S.B.M.

PM. 113/7



**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:

12-11-18

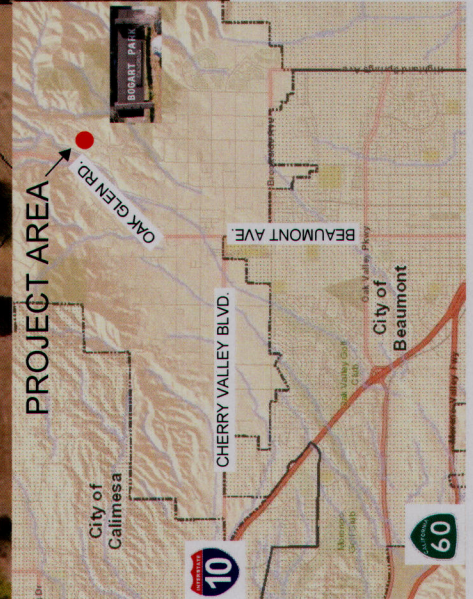
Signature:

Karen Barton

Print Name:

Karen Barton, Board Assistant

ATTACHMENT "A" SUMMARILY VACATING NONIE COURT




INDICATES AREA TO BE VACATED

NOTE: TO BE REMOVED PRIOR TO RECORDING

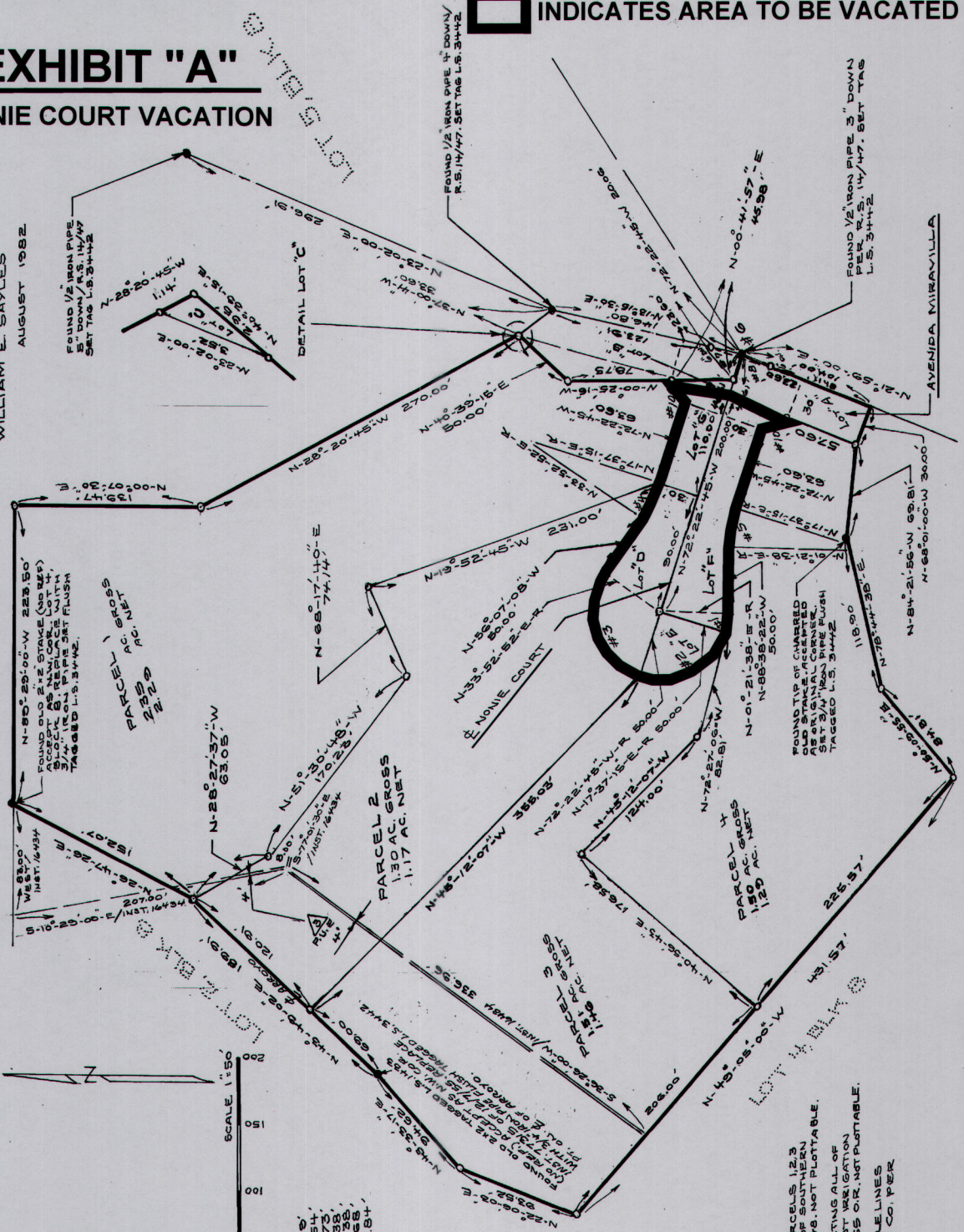
EXHIBIT "A"

NONIE COURT VACATION

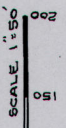
 INDICATES AREA TO BE VACATED

IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
PARCEL MAP NO. 18494
 A DIVISION OF A PORTION OF LOT 4, BLOCK B, LA MESA MIRAVILLA, M.B. 5/79
 IN SECTION 25, T-2-S, R-1-W, S.B.M.

WILLIAM E. SAYLES
 AUGUST 1982



ENVIRONMENTAL CONSTRAINT NOTE:
 ENVIRONMENTAL CONSTRAINT SHEET AFFECTING THIS MAP IS ON FILE IN THE OFFICE OF THE RIVERSIDE COUNTY SURVEYOR, IN E.C.S. BOOK 3 PAGE 157. THIS AFFECTS ALL PARCELS.



CURVE DATA	A	R
# 1	16-18-37	50.00
# 2	90-00-00	78.54
# 3	106-18-37	50.00
# 4	16-18-37	52.70
# 5	16-18-37	25.38
# 6	81-48-30	100.00
# 7	46-21-45	300.00
# 8	46-21-45	22.84

CORNER CUT BACK DATA	NO.	BEG. + DIST.
100	N-60-26'-23"-E	19.07
101	N-25-11'-53"-W	19.07

SURVEYORS NOTES
 SEE SHEET 1 OF 2

EASEMENT NOTES

1. AN EASEMENT AFFECTING ALL OF PARCELS 1, 2, 3 AND FOR POLES AND FITURES IN FAVOR OF SOUTHERN CALIF. EDISON CO. PER. INST. 186 OF 1/5/48. NOT PLOTTABLE.
2. AN EASEMENT FOR WATER LINES AFFECTING ALL OF PARCELS 1, 2, 3 AND 4 IN FAVOR OF BEAUMONT IRRIGATION DISTRICT RECORDED 4/22/35 BOOK 415/66 O.R. NOT PLOTTABLE.
3. AN EASEMENT 4 FEET WIDE FOR POLE LINES IN FAVOR OF CALIF. WATER & TELEPHONE CO. PER. INST. 184434 OF 2/24/50.

P.M. 113/7

NOTICE OF EXEMPTION

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

12/18/18
Date

kb
Initial

Project Name: Resolution No. 2018-230 Summarily Vacating Nonie Court in the Cherry Valley area.

Project Number: ZABS18005 SU14

Project Location- See Exhibit "A"

Description of Project: Resolution No. 2018-230 Summarily Vacating Nonie Court in the Cherry Valley 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.

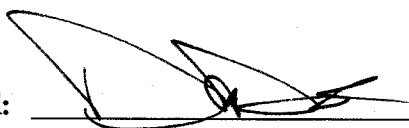
- Section 15061(b)(3) - General Rule "Common Sense" Exemption. With certainty, there is no possibility that the proposed vacation may have a significant effect on the environment. Vacating a street will not require any construction activities, change the use or intensity of the existing site to create a physical environmental impact, and would not lead to any direct or reasonably foreseeable indirect physical environmental impacts.

DEC 11 2018 3.52

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: 1/20/18
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. ABS18005 SU14
Accounting String 537280-20260-3130200000 ZABS18005 SU14

AMOUNT: \$50.00

DATE: 11/20/2018

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: Paul Hillmer

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

-TO BE FILLED IN BY COUNTY CLERK-

ACCEPTED BY: -

DATE: -

RECEIPT # (S) -