

SUBMITTAL TO THE FLOOD CONTROL AND
WATER CONSERVATION DISTRICT
BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM
11.3
(ID # 8702)

MEETING DATE:

Tuesday, January 8, 2019

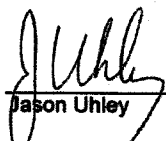
FROM : FLOOD CONTROL DISTRICT:

SUBJECT: FLOOD CONTROL DISTRICT: Adopt Resolution No. F2019-04, Notice of Intent to Declare a Portion of District Right of Way as Surplus and Summarily Vacate that Portion of the Right of Way, Located in the County of Riverside, RCFC Parcel No. 4531-508B, APN 294-650-001, Project No. 4-0-00531, District 1. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. F2019-04, Notice of Intent to Declare a Portion of District Right of Way as Surplus and Summarily Vacate that Portion of Right of Way, located in the County of Riverside, RCFC Parcel No. 4531-508B, APN 294-650-001, Project No. 4-0-00531; and
2. Direct the Clerk of the Board to give notice pursuant to Section 6061 of the Government Code.

ACTION: Policy

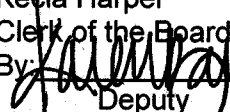

Jason Uhley

12/20/2018

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel, seconded by Supervisor Hewitt and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: January 8, 2019
xc: Flood, COBsc

Kecia Harper
Clerk of the Board
By: 
Deputy

**SUBMITTAL TO THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT 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:			Budget Adjustment:	No
			For Fiscal Year:	N/A

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

MDC Industrial Owner, LLC ("MDC") is the fee owner of Assessor's Parcel Number 294-650-001 ("Property"). The Property is encumbered by a flood control and maintenance easement in favor of the Riverside County Flood Control and Water Conservation District (District). The District's easement, identified as RCFC Parcel No. 4531-508 ("District Easement"), was acquired in the Quitclaim Deed recorded November 21, 2014 as Instrument No. 2014-0446515 of the Official Records of the County of Riverside. The District Easement is a component of and provides access to the District's Perris Valley-Meridian Parkway Storm Drain System. However, the District determined that a portion of the District Easement is no longer required for District purposes ("Portion") and should now be summarily vacated by adoption of the proposed Resolution pursuant to California Code – Appendix, Chapter 48, Subsection 5, and Chapter 48-13 ("Water Code").

The Property encumbered by the District Easement is now in the process of being developed by MDC under Tract Map 30857-3, Lot 1, in the County of Riverside, State of California. As part of the development process, the District will vacate a portion of the District Easement (i.e., the Portion). MDC has already granted an easement to the District for access to the remaining portion of the District Easement, at no cost to the District. Therefore, the Portion is no longer required for the District's use and purposes and can be declared excess and summarily vacated by adoption of the proposed Resolution No. F2019-04 pursuant to the aforementioned Water Code.

Resolution No. F2019-04 has been approved as to form by County Counsel.

Impact on Residents and Businesses

This transaction involves the vacation of a portion of the District Easement. MDC has already granted an easement to the District for access to the remaining portion of the District Easement. There is no impact to residents or businesses.

ATTACHMENTS:

1. Resolution No. F2019-04
2. Regional Map of the subject area

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3. Exhibits "A" and "B" – Legal and Plat



Gregory V. Priantos, Director County Counsel 12/21/2018

Board of Supervisors

Riverside County Flood Control
and Water Conservation District

RESOLUTION NO. F2019-04

NOTICE OF INTENT TO DECLARE A PORTION OF DISTRICT RIGHT OF WAY AS SURPLUS
AND SUMMARILY VACATE THAT PORTION OF THE RIGHT OF WAY, LOCATED IN THE
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, RCFC PARCEL NO. 4531-508B, WITH
ASSESSOR'S PARCEL NUMBER 294-650-001, PROJECT NO. 4-0-00531

WHEREAS, MDC Industrial Owner LLC ("MDC") is the fee owner of certain real property identified with Assessor's Parcel Number 294-650-001 ("Property"); and

WHEREAS, by a Quitclaim Deed recorded November 21, 2014, as Instrument No. 2014-0446515 of the Official Records of the County of Riverside, the March Joint Powers Authority conveyed a flood control and maintenance easement ("Easement") to the Riverside County Flood Control and Water Conservation District ("District"), identified as RCFC Parcel No. 4531-508, over, along, and across a portion of the Property; and

WHEREAS, MDC, as part of its proposed commercial development under Tract Map 30857-3, Lot 1, requires the vacation of a portion of said Easement ("Portion"), referenced as RCFC Parcel No. 4531-508B; and

WHEREAS, MDC has already granted the District an easement for access to the remaining portion of said Easement, at no cost to the District, thereby making the Portion no longer necessary for District uses and purposes; and

WHEREAS, pursuant to California Code – Appendix, Chapter 48-9, Subsection 5 and Chapter 48-13, the District may dispose of any interest in real property determined to be no longer necessary to be retained for the use and purposes of the District.

NOW THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of the District ("Board"), in regular session assembled on January 8, 2019 at 9:00 am or soon thereafter, in the meeting room of the Board of Supervisors of the District located on the 1st floor of the

FORM APPROVED COUNTY COUNSEL
BY: *Sybil M. Gunzel* DATE: 12-26-18
SYBIL M. GUNZEL

1 County Administrative Center, 4080 Lemon Street, Riverside, California, that the hereinafter described
2 portion of the Easement ("Portion") is no longer necessary to be retained by the District for public purposes
3 and use by the District and is declared as surplus, pursuant to California Code – Appendix, Chapter 48-9,
4 Subsection 5 and Chapter 48-13: SEE LEGAL DESCRIPTION AND PLAT ATTACHED HERETO AS
5 EXHIBITS "A" AND "B" AND MADE A PART HERETO.

6 NOTICE IS HEREBY GIVEN that this Board intends to summarily vacate the Portion when the
7 Board meets to conclude the proposed transaction on or after January 29, 2019 at 9:00 a.m. or soon thereafter,
8 at the meeting room of the Board of Supervisors.

9 **BE IT FURTHER RESOLVED, DETERMINED AND ORDERED** by this Board that the Clerk
10 of the Board is directed to give notice pursuant to Section 6061 of the Government Code.

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13 ROLL CALL:

14 Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
15 Nays: None
16 Absent: None

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

19 Kecia R. Harper, Clerk of said Board

20 By  Deputy
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EXHIBIT "A"
EASEMENT QUITCLAIM

That portion of that certain easement dedicated and accepted as a drainage and access easement lying in Lot 1 of Tract 30857-3 as shown by map on file in Book 415, Pages 86 through 88 inclusive of Maps, Records of Riverside County, State of California, described as follows:

Commencing at the most Southerly corner of said Lot 1, said corner being on the Northerly line of Opportunity Way as shown on said Tract 30857-3;

Thence North $06^{\circ}25'41''$ West along the Westerly line of said Lot 1, a distance of 475.67 feet to the Northwestern corner of said drainage and access easement, said point also being the Point of Beginning;

Thence the following three (3) courses along the Northerly and Easterly line of said drainage and access easement:

North $83^{\circ}34'19''$ East, a distance of 66.00 feet;

South $06^{\circ}25'41''$ East, a distance of 137.81 feet;

South $45^{\circ}03'21''$ West, a distance of 35.79 feet;

Thence South $83^{\circ}34'19''$ West, a distance of 38.00 feet to the Westerly line of said Lot 1;

Thence North $06^{\circ}25'41''$ West along said Westerly line, a distance of 160.10 feet to the Point of Beginning.

The above described parcel of land contains 10,254 square feet or 0.235 acres, more or less.

See plat attached hereto as Exhibit "B" and made a part hereof.

This description was prepared by me or under my direction in conformance with the requirements of the Land Surveyors Act.


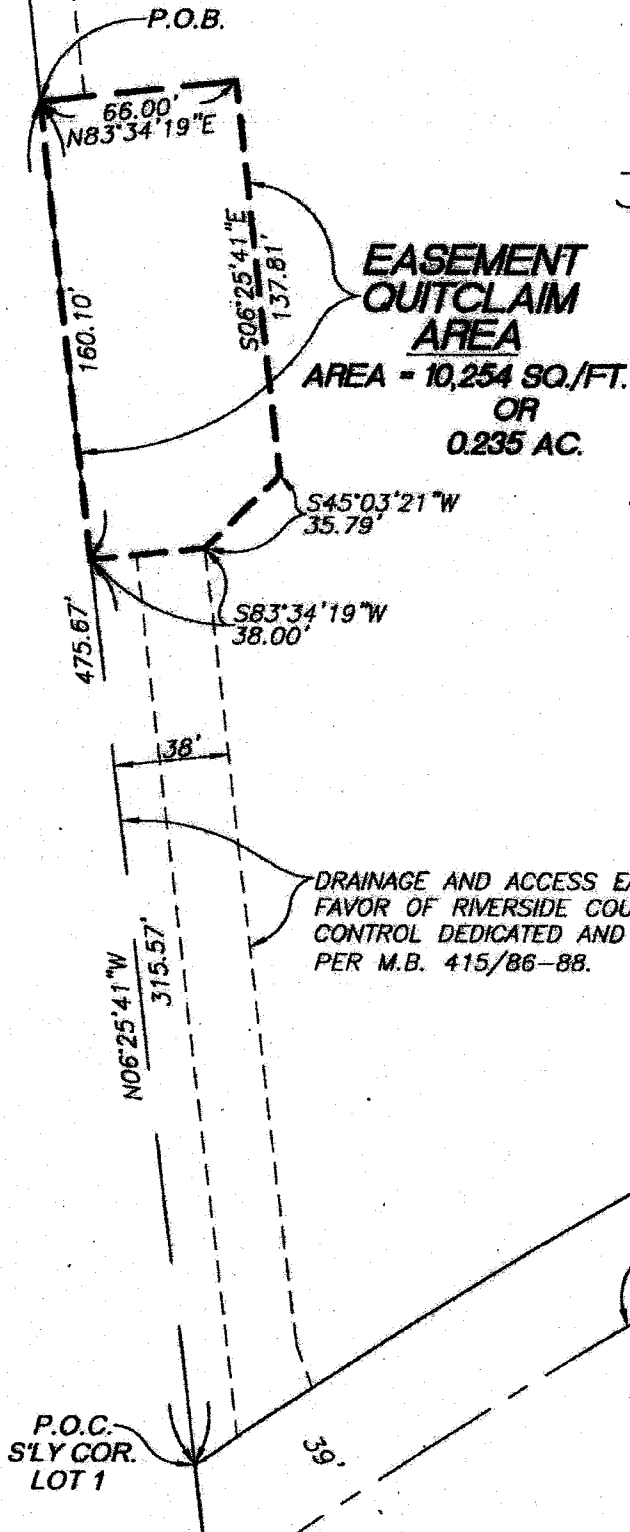
By:  6/19/18 Prep. E.V.
Eswin O. Vega, P.L.S. 9164 Date



EXHIBIT "B"

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TRACT
30857-3
M.B. 415/86-88



1

OPPORTUNITY WAY



THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN.

SHEET 1 OF 1

SCALE: 1"=60'

DRAWN BY: EV DATE: 5/31/18

SUBJECT: QUITCLAIM

