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



MEETING DATE:

Tuesday, June 25, 2019

FROM: TLMA-TRANSPORTATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:

Adoption of Resolution No. 2019-010 Summarily Vacating Marie Road and a portion of Seta Street in the Winchester area, CEQA Exempt, District 3.

[Applicant Fees 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

- Find that the Vacation of Marie Road and a portion of Seta Street is categorically exempt from CEQA pursuant to Section 15060 (c) (2), and 15061 (b)(3) of the State CEQA Guidelines;
- 2. Adopt Resolution No. 2019-010, Summarily Vacating Marie Road and a portion of Seta Street in the Winchester 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; 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:Policy

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, 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:

June 25, 2019

XC:

Transp., Recorder

3.38

Kecia Harper

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 Budget Adjustment: N/A		stment: N/A		
used.	For Fiscal Year: 2018/20		ar: 2018/2019	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

The applicant for Parcel Map No. 37414 is requesting the vacation of Marie Road and that portion of Seta Street lying northerly of Domenigoni Parkway (Newport Road), in the Winchester area. Marie Road and Seta Street were dedicated and accepted for public use by Parcel Map No. 28605, on file in Book 203, Pages 99 through 102, inclusive, records of the Recorder of Riverside County, California. Marie Road and Seta Street are unimproved and have never been used for road purposes. 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 2019-010 as to form.

Impact on Residents and Businesses

The vacation of Marie Road and this portion of Seta Street will not impact residents or businesses.

<u>Additional Fiscal Information</u>

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

ATTACHMENTS:

Resolution No. 2019-010
Exhibits "A" and "B" (Legal Description and Plat)
Notice of CEQA Exemption
Attachment "A" (Vicinity Map)
Recorder Accounting String

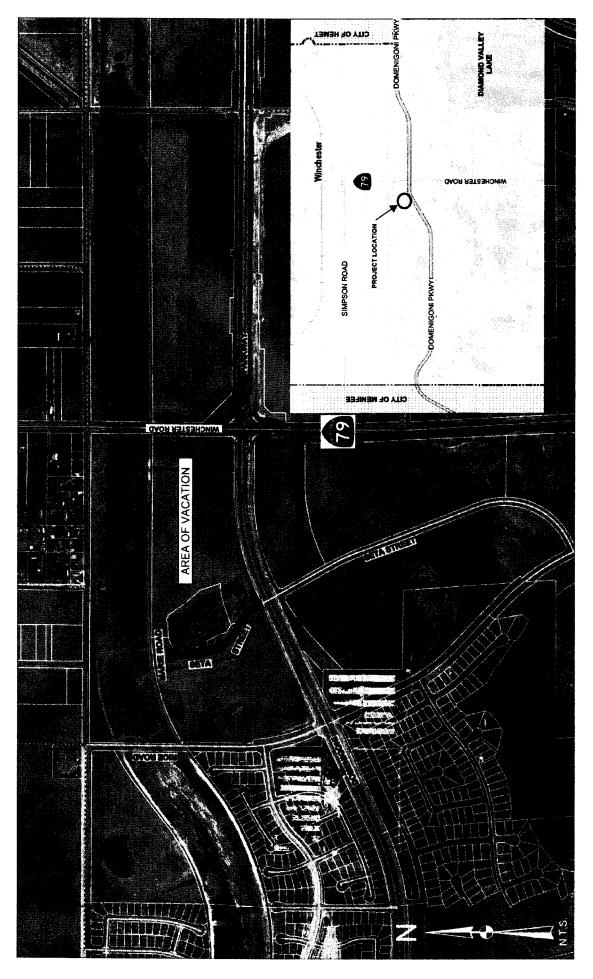
SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

Gregory V. Priamos, Director County Counsel

6/13/2019

Synthia of Gurizel, Chief Deputy County Countset 6713/2019

ATTACHMENT "A" SUMMARILY VACATING MARIE ROAD AND A PORTION OF SETA STREET



NOTE: TO BE REMOVED PRIOR TO RECORDING



MAP MY COUNTY



Part 3. Public ...

adv: "access!"

Sign out

§ 8330. Highway superseded by relocation; exceptions

CA STR & HWY § 8330 • West's Annotated California Codes • Streets and Highways Code (Approx. 2 pages)

Document Notes of Decisions (2) History (7 Citing References (16 Context & Analysis (13 Fullscreen

Table of Contents

8

Outline

4 of 6 results

Original terms

West's Annotated California Codes

Streets and Highways Code (Refs & Annos)

Division 9. Change of Grade and Vacation (Refs & Annos)

Part 3. Public Streets, Highways, and Service Easements Vacation Law (Refs & Annos)
Chapter 4. Summary Vacation (Refs & Annos)

Article 1. Authority (Refs & Annos)

West's Ann.Cal.Str. & H.Code § 8330

§ 8330. Highway superseded by relocation; exceptions

Currentness

- (a) The legislative body of a local agency may summarily vacate a street or highway that has been superseded by relocation.
- (b) A street or highway shall not be summarily vacated pursuant to this section if vacation would do either of the following:
- (1) Cut off all access to a person's property which, prior to relocation, adjoined the street or highway.
- (2) Terminate a public service easement, unless the easement satisfies the requirements of Section 8333.

Credits

(Added by Stats.1980, c. 1050, p. 3366, § 29.)

Back to top

Editors' Notes

LAW REVISION COMMISSION COMMENTS

1980 Addition

Section 8330 continues the substance of subdivision (a) of former Section 960.1 (county highways) and of former Section 1930 (city streets). A public service easement includes an easement or right of a type described in Section 8340. See Section 8306. [15 Cal.L.Rev.Comm. Reports 1137 (1980)]. Notes of Decisions containing your search terms (0) View all 2

West's Ann. Cal. Str. & H. Code § 8330, CA STR & HWY § 8330 Current with urgency legislation through Ch. 5 of 2019 Reg. Sess

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

Contact us • Live chat • Training and support • Improve Westlaw Edge • Transfer My Data • Pricing guide • Sign out 1-800-REF-ATTY (1-800-733-2889)



Westlaw Edge. © 2019 Thomson Reuters • Accessibility • Privacy • Supplier terms

Thomson Reuters is not providing professional advice

Back to top

NOTICE OF EXEMPTION

Original Negative Declaration/Notice Or Determination was routed to County

Clerks for posting on.

Initial

Project Name: Resolution No. 2019-010 Summarily Vacating Marie Road and a portion of Seta Street in the Winchester Area.

Project Number: ZABS18002

Project Location– See Exhibits "A" and "B"

Description of Project: Resolution No. 2019-010 Summarily Vacating Marie Road and a portion of Seta Street 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: 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.

- 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: 2-26-19

David L. McMillan, Riverside County Surveyor

Accounting String: ZABS18002, Task Code: SU14

EXHIBIT "A" STREET VACATION LEGAL DESCRIPTION

ALL OF LOTS "Q" AND "R" (MARIE ROAD) AND ALL OF LOTS "O" AND "P" (SETA STREET) OF PARCEL MAP NO. 28605, AS SHOWN BY MAP ON FILE IN BOOK 203 OF PARCEL MAPS AT PAGES 99 THROUGH 102, INCLUSIVE, THEREOF, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN THE EAST ONE-HALF OF SECTION 33, TOWNSHIP 5 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

EXCEPTING THEREFROM THOSE PORTIONS OF SAID LOTS "O" AND "P" LYING SOUTHERLY OF THE NORTHERLY RIGHT OF WAY LINE OF DOMENIGONI PARKWAY (76.00 FOOT NORTHERLY HALF-WIDTH) CONVEYED BY GRANT DEED RECORDED DECEMBER 23, 2003, AS DOCUMENT NO. 2003-998481 AND GRANT DEED RECORDED MAY 17, 2004, AS DOCUMENT NO. 2004-0367182 BOTH OFFICIAL RECORDS OF THE RECORDER OF RIVERSIDE, CALIFORNIA.

CONTAINING (1.50 AC), MORE OR LESS.

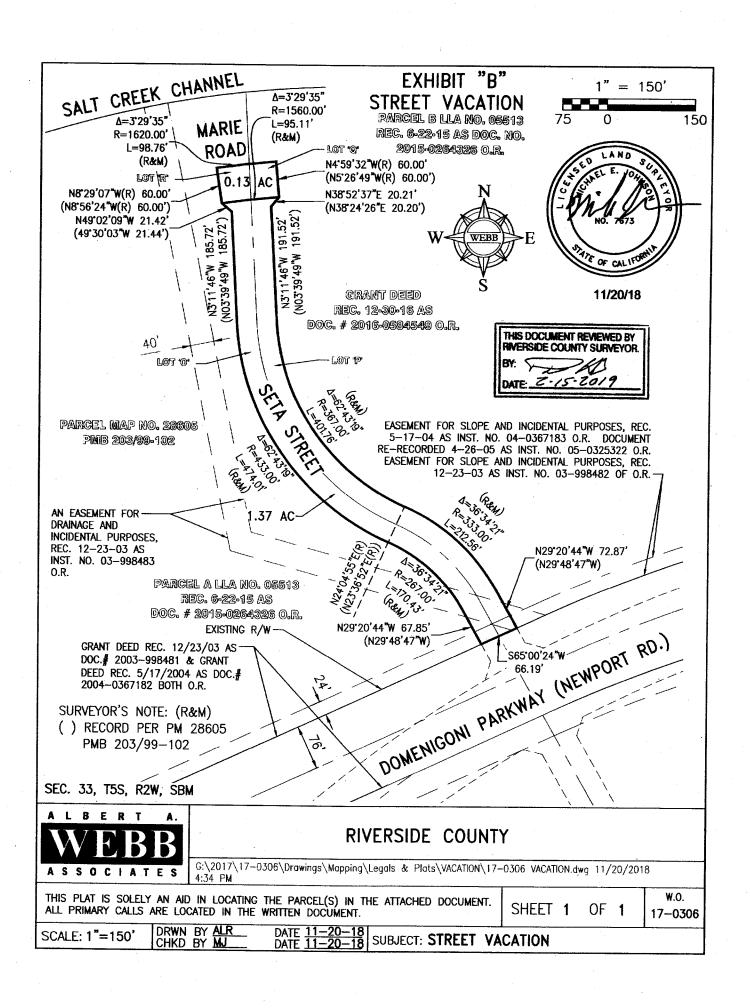
SEE PLAT ATTACHED HERETO AS EXHIBIT "B" AND MADE A PART HEREOF. PREPARED UNDER MY SUPERVISION

Michael E. Johnson, L.S. 7673

Date

Prepared By: AL Checked By:

THIS DOCUMENT REVIEWED BY RIVERSIDE COUNTY SURVEYOR.
BY:



RIVERSIDE COUNTY CLERK & RECORDER

AUTHORIZATION TO BILL BY JOURNAL VOUCHER

-TO BE FILLED IN BY SUBMITTING AGENCY-

AUTHORIZATION:	W.O. ABS18002 SU14 Accounting String 537280-20260-3130200000 ZABS180	002 SU14
AMOUNT:	\$50.00	
DATE:	2/19/2019	
AGENCY:	Riverside County Transportation Dept-Survey Division	
	S THE COUNTY CLERK & RECORDER TO ISSUE A VOLL FILING AND HANDLING FEES FOR THE ACC	
NUMBER OF DOCU	UMENTS INCLUDED: One (1)	
AUTHORIZED BY:	Timothy F. Rayburn Supervising Land Surveyor	
Signature:	Junthy I Rof	
PRESENTED BY:	Paul Hillmer	
ACCOUNTING CON	NTACT 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

2019-0231828

06/26/2019 12:37 PM Fee: \$ 0.00

Page 1 of 7

Recorded in Official Records County of Riverside Peter Aldana

Assessor-County Clerk-Recorder

Υ

RESOLUTION NO. 2019-010

Title of Document

SUMMARILY VACATING MARIE ROAD AND A PORTION OF SETA STREET IN THE WINCHESTER AREA (ABS18002)

(THIRD SUPERVISORIAL DISTRICT)

(Transportation Department ~ Item 3.38 of 06/25/19)

1

BOARD OF SUPERVISORS

COUNTY OF RIVERSIDE

PROVED COUNTY COUNSE!

29

RESOLUTION NO. 2019-010

SUMMARILY VACATING MARIE ROAD AND A PORTION OF SETA STREET IN THE WINCHESTER AREA

(ABS18002)

(Third Supervisorial District)

WHEREAS, hereinafter-described Marie Road and portion of Seta Street were dedicated and accepted for public street purposes by Parcel Map No. 28605, on file in Book 203, Pages 99 through 102, inclusive, records of the Recorded of Riverside County, California, and;

WHEREAS, hereinafter-described Marie Road and portion of Seta Street are excess right-of-way, and are not required for public street or highway purposes, and;

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

BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of Supervisors of the County of Riverside, State of California, in regular session assembled _____, 2019, as follows:

1. Pursuant to Division 9, Part 3, Chapter 4, Section 8334(a) of the Streets and Highways Code, hereinafter-described Marie Road and portion of Seta Street are excess right-of-way and are not required for public street or highway purposes, and are hereby summarily vacated.

RESOLUTION NO. 2019-010 1 2 3 SEE LEGAL DECSRIPTION AND PLAT ATTACHED HERETO 4 AS EXHIBITS "A" AND "B" AND MADE A PART HEREOF; 5 6 2. That hereinafter-described Marie Road and portion of Seta Street are unnecessary for present or prospective public use, including use as a non-motorized 8 transportation facility. 9 10 3. From and after the date this resolution is recorded hereinafter-described Marie 11 Road and portion of Seta Street no longer constitute public streets. 12 13 4. Pursuant to Section 15060(c) and 15061(b)(3) of the State CEQA Guidelines that 14 the vacation of the hereinafter-described Marie Road and portion of Seta Street is 15 categorically exempt as explained in the Notice of Exemption. 16 **EXCEPTING AND RESERVING** from the vacation an easement for any existing 17 18 public utilities and public service facilities, together with the right to maintain, operate, 19 replace, remove, or renew such facilities, pursuant to Division 9, Part 3, Chapter 5, 20 Section 8340 of the Streets and Highways Code. 21 22 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Clerk of 23 the Board is directed to file with the Office of the County Clerk the Notice of Exemption 24 within five (5) working days of the Board hearing date. 25 26 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Clerk of 27 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. 28 29 PH W.O. # ABS18002

2

1

3

5

6

.7

8

9

11

12

13 14

15

16

17

18

19 20

21

22

23

24

25

RESOLUTION 2019-010

SUMMARILY VACATING MARIE ROAD AND A PORTION OF SETA STREET IN THE WINCHESTER AREA (ABS18002)

ADOPTED by Riverside County Board of Supervisors on June 25, 2019.

ROLL CALL:

Ayes:

Jeffries, Spiegel, Washington, Perez and Hewitt

Nays: Absent:

None

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 R. HARPER, Clerk of said Board

Deputy

06.25.19 3.38

EXHIBIT "A" STREET VACATION LEGAL DESCRIPTION

ALL OF LOTS "Q" AND "R" (MARIE ROAD) AND ALL OF LOTS "O" AND "P" (SETA STREET) OF PARCEL MAP NO. 28605, AS SHOWN BY MAP ON FILE IN BOOK 203 OF PARCEL MAPS AT PAGES 99 THROUGH 102, INCLUSIVE, THEREOF, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN THE EAST ONE-HALF OF SECTION 33, TOWNSHIP 5 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

EXCEPTING THEREFROM THOSE PORTIONS OF SAID LOTS "O" AND "P" LYING SOUTHERLY OF THE NORTHERLY RIGHT OF WAY LINE OF DOMENIGONI PARKWAY (76.00 FOOT NORTHERLY HALF-WIDTH) CONVEYED BY GRANT DEED RECORDED DECEMBER 23, 2003, AS DOCUMENT NO. 2003-998481 AND GRANT DEED RECORDED MAY 17, 2004, AS DOCUMENT NO. 2004-0367182 BOTH OFFICIAL RECORDS OF THE RECORDER OF RIVERSIDE, CALIFORNIA.

CONTAINING (1.50 AC), MORE OR LESS.

SEE PLAT ATTACHED HERETO AS EXHIBIT "B" AND MADE A PART HEREOF. PREPARED UNDER MY SUPERVISION

Michael E. Johnson, L.S. 7673

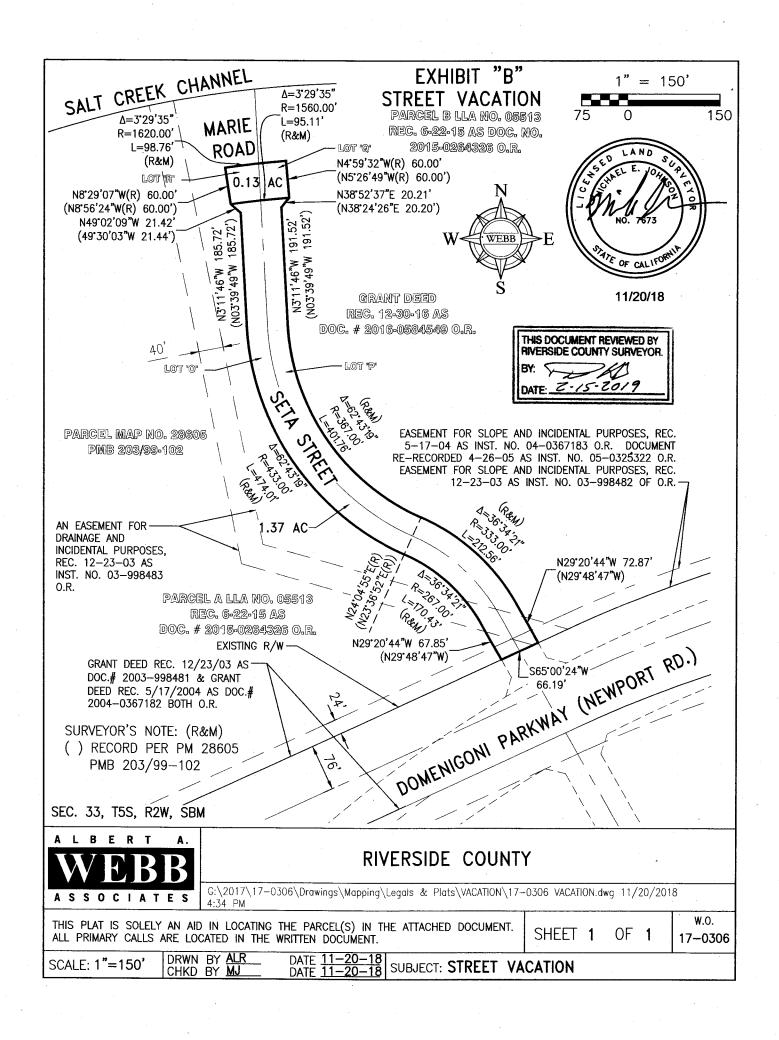
11/20/18 Date

Prepared By: AL

Checked By: 712

THIS DOCUMENT REVIEWED BY RIVERSIDE COUNTY SURVEYOR.

DATE: 2-15-2019





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:	V-25-19
Signature:	Larendarian
Print Name:	Karen Barton, Board Assistant