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



ITEM 11.2 (ID # 10718)

MEETING DATE:

Tuesday, September 10, 2019

FROM: FLOOD CONTROL DISTRICT:

SUBJECT: FLOOD CONTROL DISTRICT: Adopt Resolution No. F2019-19, Notice of Intent to Summarily Vacate and Relinquish District Right of Way and Declare the Right of Way as Surplus, in the City of Eastvale, RCFC Parcel 2308-500, Eastvale MDP Line D-3, Project No. 2-0-00308, District 2. [\$0] (Clerk to Advertise)

RECOMMENDED MOTION: That the Board of Supervisors:

- Adopt Resolution No. F2019-19, Notice of Intent to Summarily Vacate and Relinquish District Right of Way and Declare the Right of Way as Surplus, RCFC Parcel 2308-500, Located in the City of Eastvale, County of Riverside, Eastvale MDP Line D-3, Project No. 2-0-00308; and
- 2. Direct the Clerk of the Board to give notice pursuant to Section 6061 of the Government Code.

ACTION:Policy

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Perez and duly carried, IT WAS ORDERED that the above matter is approved as recommended and is set for public meeting on or after Tuesday, October 8, 2019 at 9:30 a.m. or soon thereafter.

Ayes:

Jeffries, Spiegel, Perez and Hewitt

Nays:

None

Absent:

Washington

Date: xc:

September 10, 2019

Flood, COB

Deputy

Kecia R. Harper

Clerk of the Board

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

FINANCIAL DATA	Current Fiscal Y	ear:	Next Fiscal Yea	r:	Tot	al Cost:	1,000	Ongoin	g Cost	
COST	\$	0	\$	0		\$	0		\$	0
NET COUNTY COST	\$	0	\$	0		\$	0		\$	0
SOURCE OF FUNDS: N/A						Budget Adjustment: N/A				
						For Fis	cal Y	ear: l	N/A	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Eastvale MDP Line D-3, Stage 5 was constructed pursuant to the conditions of development for Tract 29334-1. The 60" storm drain facility runs within Cleveland Avenue, now known as Scholar Way, between 65th Street and Limonite Avenue. An interim inlet structure was designed and constructed to capture the natural watercourse traversing the undeveloped land to the north and is shown on Drawing No. 2-0363, Sheet No. 5. On July 17, 2007, a Quitclaim Deed was recorded as Instrument No. 2007-0462586 in the Official Records of the County of Riverside, whereby the County of Riverside quitclaimed all right, title, and interest in and to the Right of way easement interests located within RCFC Parcel No. 2308-500 to the District for the District's operation and maintenance of this facility ("Easement").

Tract Map 28943 was recorded in 2007, and Parcel 2308-500 was located within the map's boundaries. In 2019, Pulte Homes applied for an encroachment permit for the removal of the inlet structure and appurtenant access. It was determined that the subdivision had graded the site and had installed the necessary improvements to handle the onsite flows, which eliminated the need for the inlet structure. The District reviewed the improvement plans and inspected the demolition of the inlet structure and construction of the bulkhead per Encroachment Permit No. 2-0-00308-3676. The District can confirm the Easement is no longer necessary for District use and purposes.

Therefore, the District recommends that the Easement be summarily vacated, relinquished, and declared surplus to the District's needs pursuant to California Water Code – Appendix, Chapter 48, Section 48-9, Paragraph 5, and Section 48-13.

Resolution No. F2019-19 has been approved as to form by County Counsel.

This right of way will be summarily vacated when the Board meets to conclude the proposed transaction on October 8, 2019 at 9:00 a.m. or soon thereafter in the meeting room of the Board of Supervisors.

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

Impact on Residents and Businesses

No impact.

ATTACHMENTS:

- 1. Resolution No. F2019-19
- 2. Regional Map of the subject area
- 3. Right of Way Map for RCFC Parcel 2308-500
- 4. Instrument Number 2007-0462586

Vason Farin Senior Management Analyst

9/4/2019

Gregory V. Priapios, Director County Counse

8/29/2019

PROVED COUNTY COUNSE

NOTICE OF INTENT TO SUMMARILY VACATE AND RELINQUISH DISTRICT RIGHT- OF-WAY AND DECLARE THE RIGHT-OF-WAY AS SURPLUS, RCFC PARCEL 2308-500,

LOCATED IN THE CITY OF EASTVALE, COUNTY OF RIVERSIDE EASTVALE MDP LINE D-3, PROJECT 2-0-00308

WHEREAS, the Riverside County Flood Control and Water Conservation District ("District") is the owner of a certain right-of-way easement interest ("ROW") that was granted via quitclaim deed, recorded as Instrument No. 2007-0462586 on July 17, 2007 in the Official Records of the County of Riverside, over portions of real property identified with Assessor's Parcel Nos. 164-650-001 and 165-650-002, with said portions collectively known as RCFC Parcel 2308-500, located in the city of Eastvale, County of Riverside; and

WHEREAS, the storm drain facility, including an inlet structure and appurtenant access, within the ROW has been removed and bulk headed within street right-of-way pursuant to Encroachment Permit Number 2-0-00308-3676; and

WHEREAS, pursuant to Water Code Appendix Chapter 48, Section 48-9, Subsection 5, and Section 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 vote of the Board of Supervisors of the Riverside County Flood Control and Water Conservation District ("Board") in regular session assembled on September 10, 2019, at 9 \(\frac{1}{2} \) 30 a.m. or soon thereafter, in the meeting room of the Board of Supervisors of the District located on the 1st Floor of the County Administrative Center, 4080 Lemon Street, Riverside, California, that the Board finds that certain ROW, located in the city of Eastvale, County of Riverside, State of California, more particularly described in that certain Quitclaim Deed, recorded as

Instrument No. 2007-0462586 on July 17, 2007 in the Official Records of the County of Riverside, attached hereto and by this reference incorporated herein by reference, is no longer necessary to be retained by District for District's use and purposes and declared as surplus, pursuant to California Code – Appendix, Chapter 48, Section 48-9, Subsection 5, and Section 48-13; and

NOTICE IS HEREBY GIVEN that this Board intends to summarily vacate and relinquish the ROW when the Board meets to conclude the proposed transaction on or after October 8, 2019, at 9:30 a.m. or soon thereafter, at the meeting room of the Board of Supervisors.

BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors is directed to give notice pursuant to Section 6061 of the Government Code.

AU:rlp

ROLL CALL:

Ayes:

Jeffries, Spiegel, Perez and Hewitt

Nays:

None

Absent:

Washington

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

Donut

INSTRUMENT NUMBER

2007-0462586

RECORDING REQUESTED BY FIDELITY NATIONAL TITLE

CERTIFICATE of ACCEPTANCE (GOVERNMENT CODE SECTION 27281)

This is to certify that the interest in real property dedicated from GEORGE HARADA, to the County of Riverside, as set forth in the attached offer(s) of dedication for the purposes indicated therein, is hereby accepted by the undersigned on behalf of the COUNTY OF RIVERSIDE pursuant to authority to conferred by Resolution No. 2005-291. Grantee consents to recordation thereof by its duly authorized officer.

259905162-BB

Dated: June 5 2007 COUNTY OF RIVERSIDE

George A. Johnson Director of Transportation

By DEPUTY

Recorded at request of, and return to: NO FEE (GOV. CODE 6103) Riverside County Flood Control and Water Conservation District 1995 Market Street Riverside, California 92501

DOC # 2007-0462586 07/17/2007 08:00A Fee:NC

Page 1 of 4 Recorded in Official Records County of Riverside Larry W. Ward

County Clerk & Recorder

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SPACE ABOVE THIS LINE FOR RECORDER'S USE

The undersigned grantor(s) declare(s) DOCUMENTARY TRANSFER TAX \$ NONE

NO Consideration

Eastvale MDP Line D-3 Project No.: 2-0-00308 Tract No. 29334-1

QUITCLAIM DEED

The COUNTY OF RIVERSIDE, does hereby remise, release, and forever quitclaim to RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT all right, title and interest in and to easements, situated in the County of Riverside, State of California, described in:

Parcel 2308-500

Irrevocable Offer of Dedication recorded January 03, 2005, as Instrument No. 2005-0001956, records of said County, further described and shown in Exhibits "A", "B", attached hereto and made a part hereof.

COUNTY OF RIVERSIDE:

Date 6-05-07

George A. Johnson,

Director of Transportation

ATTEST:

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the quitclaim deed, dated June 5th, 2007 from the COUNTY OF RIVERSIDE to RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT is hereby accepted by the undersigned officer pursuant to authority conferred by resolution of the Board of Supervisors of said District adopted on May 12, 1961, and the grantee consents to the recordation thereof by its duly authorized officer.

Date 0/160 /

Warren D. Williams

General Manager-Chief Engineer

EXHIBIT "A"

That portion of Parcel 2 of Lot Line Adjustment No. 4099, recorded April 13, 1999 as Instrument No. 157023, Official Records of Riverside County, California, located in a portion of the east half of Section 25, Township 2 South, Range 7 West, of Jurupa Rancho, as shown by map on file in Book 9 of Maps at page 33 thereof, Records of San Bernardino County, California, described as follows:

BEGINNING at the northeast corner of Lot "A" (Cleveland Avenue, 100.00 feet wide) of Tract No. 28943-2, as shown by map on file in Book 338 of Maps at pages 78 through 82 inclusive thereof, Records of Riverside County, California, said corner also being the northwest corner of Lot 10 of said Tract No. 28943-2;

Thence South 89° 53' 29" West along the north line of said Lot "A", a distance of 50.00 feet to the northwest corner thereof;

Thence North 00° 06' 31" West along the west line of said Parcel 2, a distance of 161.91 feet;

Thence North 89° 53' 29" East, a distance of 50.00 feet to a point on a line parallel with and distant easterly 50.00 feet, measured at a right angle, from said west line of Parcel 2;

Thence South 00° 06' 31" East along said parallel line, a distance of 23.92 feet;

Thence South 37° 33' 47" East, a distance of 97.19 feet;

Thence South 52° 26' 13" West, a distance of 74.46 feet to a point on a line parallel with and distant easterly 50.00 feet, measured at a right angle, from said west line of Parcel 2;

Thence South 00° 06' 31" East along said parallel line, a distance of 15.56 feet to the **POINT OF BEGINNING.**

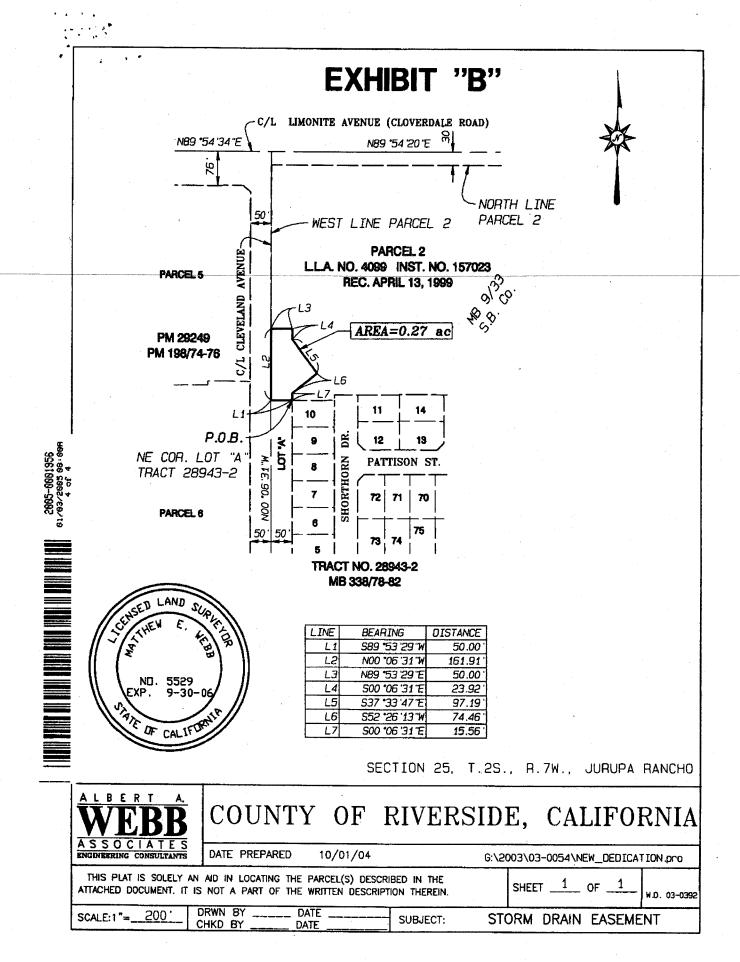
Containing 0.27 acres, more or less.

SEE PLAT ATTACHED HERETO AS EXHIBIT "B" AND MADE A PART HEREOF.

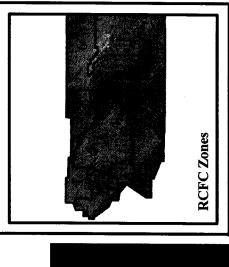
PREPARED UNDER MY SUPERVISION		THEY E REPLETED
Matthew E. Webb, L.S. 5529	Date	ND. 5529 EXP. 9-30-06
Prepared by:		ATT OF CALIFORNIE



2005-0001956 01/03/2005 08:00A 3 of 4







LEGEND:



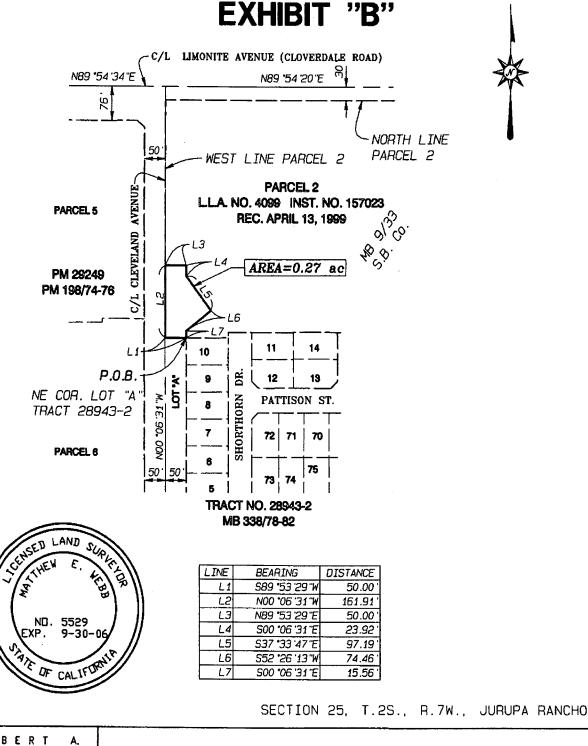
RCFC PARCEL 2308-500 WITHIN APNS 165-650-001 & 165-650-002

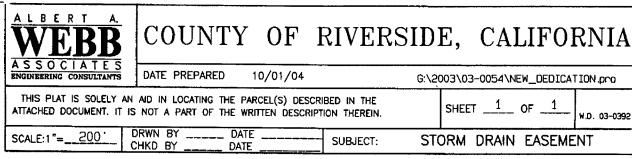




RESOLUTION NO. F2019-19, NOTICE OF INTENT TO SUMMARILY VACATE AND RELINQUISH RCFC PARCEL 2308-500 AND DECLARE THE RIGHT OF WAY AS SURPLUS

Right-of-Way Map
Parcel 2308-500





INSTRUMENT NUMBER 2007-0462586

RECORDING REQUESTED BY FIDELITY NATIONAL TITLE

CERTIFICATE of ACCEPTANCE (GOVERNMENT CODE SECTION 27281)

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259905162-BB

Dated: TIAN & \$ 2007 COUNTY OF RIVERSIDE

George A. Johnson
Director of Transportation

By: Nauls, Bennan DEPUTY

Recorded at request of, and return to: Riverside County Flood Control and Water Conservation District 1995 Market Street Riverside, California 92501

NO FEE (GOV. CODE 6103)

DOC # 2007-0462586 07/17/2007 08:00A Fee:NC

Page 1 of 4 Recorded in Official Records County of Riverside Larry W. Ward

Assessor, County Clerk & Recorder

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SPACE ABOVE THIS LINE FOR RECORDER'S USE

The undersigned grantor(s) declare(s)
DOCUMENTARY TRANSFER TAX \$ NONE

NO Consideration

Eastvale MDP Line D-3 Project No.: 2-0-00308 Tract No. 29334-1

QUITCLAIM DEED

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Irrevocable Offer of Dedication recorded January 03, 2005, as Instrument No. 2005-0001956, records of said County, further described and shown in Exhibits "A", "B", attached hereto and made a part hereof.

COUNTY OF RIVERSIDE:

Date 6-05-07

Mary Bernow Dopur

George A. Johnson, Director of Transportation

ATTEST:

3Y: ___/*U*

DATE: 6-5-0-/

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Date 0/100/

Warren D. Williams

General Manager-Chief Engineer

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Thence South 89° 53' 29" West along the north line of said Lot "A", a distance of 50.00 feet to the northwest corner thereof:

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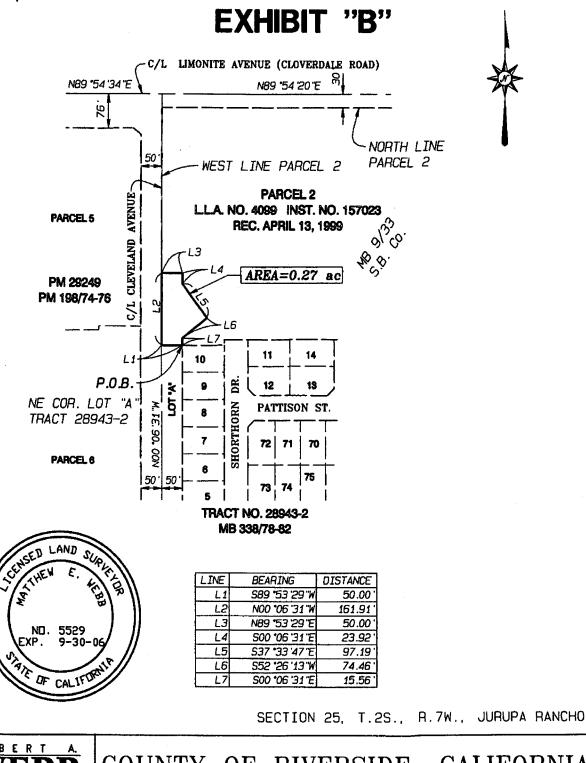
Containing 0.27 acres, more or less.

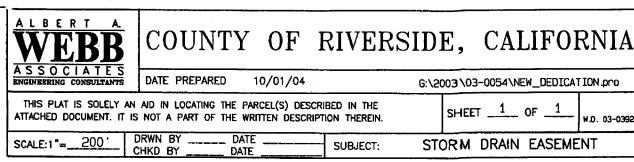
SEE PLAT ATTACHED HERETO AS EXHIBIT "B" AND MADE A PART HEREOF.

PREPARED UNDER MY SUPERVIS	ION	CHSED LAND SUPERIE
Matthew E. Webb, L.S. 5529	Date	NO. 5529 EXP. 9-30-06
Prepared by:		OF CALIFORNIA



2005-0001956 01/03/2005 08 100R 3 of 4





2885-0801356



OFFICE OF THE CLERK OF THE BOARD OF SUPERVISORS 1st FLOOR, COUNTY ADMINISTRATIVE CENTER P.O. BOX 1147, 4080 LEMON STREET RIVERSIDE, CA 92502-1147 PHONE: (951) 955-1060 FAX: (951) 955-1071

KECIA R. HARPER
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR Assistant Clerk of the Board

September 12, 2019

THE PRESS ENTERPRISE ATTN: LEGALS P.O. BOX 792 RIVERSIDE, CA 92501

TEL: (951) 368-9229

EMAIL: legals@pe.com

RE: NOTICE OF PUBLIC MEETING: RESOLUTION F2019-19

To Whom It May Concern:

Attached is a copy for publication in your newspaper for ONE (1) TIME: Friday, September 20, 2019.

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office, WITH TWO CLIPPINGS OF THE PUBLICATION.

PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Karen Barton
Deputy Clerk of the Board to:
KECIA R. HARPER, CLERK OF THE BOARD

11.2 of 09/10/19

RESOLUTION NO. F2019-19

NOTICE OF INTENT TO SUMMARILY VACATE AND RELINQUISH DISTRICT RIGHT- OF-WAY AND DECLARE THE RIGHT-OF-WAY AS SURPLUS, RCFC PARCEL 2308-500,

LOCATED IN THE CITY OF EASTVALE, COUNTY OF RIVERSIDE EASTVALE MDP LINE D-3, PROJECT 2-0-00308

WHEREAS, the Riverside County Flood Control and Water Conservation District ("District") is the owner of a certain right-of-way easement interest ("ROW") that was granted via quitclaim deed, recorded as Instrument No. 2007-0462586 on July 17, 2007 in the Official Records of the County of Riverside, over portions of real property identified with Assessor's Parcel Nos. 164-650-001 and 165-650-002, with said portions collectively known as RCFC Parcel 2308-500, located in the city of Eastvale, County of Riverside; and

WHEREAS, the storm drain facility, including an inlet structure and appurtenant access, within the ROW has been removed and bulk headed within street right-of-way pursuant to Encroachment Permit Number 2-0-00308-3676; and

WHEREAS, pursuant to Water Code Appendix Chapter 48, Section 48-9, Subsection 5, and Section 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 vote of the Board of Supervisors of the Riverside County Flood Control and Water Conservation District ("Board") in regular session assembled on September 10, 2019, at 9:30 a.m. or soon thereafter, in the meeting room of the Board of Supervisors of the District located on the 1st Floor of the County Administrative Center, 4080 Lemon Street, Riverside, California, that the Board finds that certain ROW, located in the City of Eastvale, County of Riverside, State of California, more particularly described in that certain Quitclaim Deed, recorded as Instrument No. 2007-0462586 on July 17, 2007 in the Official Records of the County of Riverside, attached hereto and by this reference incorporated herein by reference, is no longer necessary to be retained by District for District's use and purposes and declared as surplus, pursuant to California Code – Appendix, Chapter 48, Section 48-9, Subsection 5, and Section 48-13; and

NOTICE IS HEREBY GIVEN that this Board intends to summarily vacate and relinquish the ROW when the Board meets to conclude the proposed transaction on or after October 8, 2019, at 9:30 a.m. or soon thereafter, at the meeting room of the Board of Supervisors.

BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors is directed to give notice pursuant to Section 6061 of the Government Code.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147 or email cob@rivco.org

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Clerk of the Board at (951) 955-1063, at least 72 hours prior to the hearing.

Dated: September 12, 2019

Kecia R. Harper, Clerk of the Board By: Karen Barton, Deputy Clerk of the Board



EMAIL legals@pe.com

THE PRESS-ENTERPRISE

Invoice text: Resolution F2019-19

Flood 0/10/19 11.2

Placed by: Karen Lynn Barton

Legal Advertising Memo Invoice

BALANCE DUE

SALESCONTACT INFORMATION			DVERTISER INFORMATION	
Nick Eller	BILLING DATE	BILLED ACCOUNT NUMBER	ADVERTISER/CLIENT NUMBER	ADVERTISER/CLIENT NAME
951-368-9229	09/20/2019	5209148	5209148	BOARD OF SUPERVISORS



THE PRESS-ENTERPRISE

Legal Advertising Memo Invoice

PLEASE DETACH AND RETURN THIS PORTION WITH YOUR REMITTANCE

	ADVERTISER/CLIENT NAME	
	BOARD OF SUPERVISORS	
BILLING DATE	BILLED ACCOUNT NUMBER	ADVERTISER/CLIENT NUMBER
09/20/2019	5209148	5209148
BALANCE DUE	ORDER NUMBER	TERMS OF PAYMENT
286.00	0011315007	DUE UPON RECEIPT

BILLING ACCOUNT NAME AND ADDRESS

REMITTANCE ADDRESS

BOARD OF SUPERVISORS COUNTY OF RIVERSIDE 'PO BOX 1147' RIVERSIDE, CA 92502

CALIFORNIA NEWSPAPER PARTNERSHIP dba The Press-Enterprise PO Box 65210 Colorado Springs, CO 80962-5210

THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100 Riverside, CA 92507 951-684-1200 951-368-9018 FAX

PROOF OF PUBLICATION (2010, 2015.5 C.C.P)

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: Resolution F2019-19 /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995. Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

09/20/2019

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: September 20, 2019 At: Riverside, California

Legal Advertising Representative, The Press-Enterprise

BOARD OF SUPERVISORS COUNTY OF RIVERSIDE PO BOX 1147

RIVERSIDE, CA 92502

Ad Number: 0011315007-01

P.O. Number:

Ad Copy:

RESOLUTION NO. F2019-19

NOTICE OF INTENT TO SUMMARILY VACATE AND RELINQUISH DISTRICT RIGHT- OF-WAY AND DECLARE THE RIGHT-OF-WAY AS SURPLUS, RCFC PARCEL 2308-500, LOCATED IN THE CITY OF EASTVALE, COUNTY OF RIVERSIDE EASTVALE MDP LINE D-3, PROJECT 2-0-00308

WHEREAS, the Riverside County Flood Control and Water Conservation District ("District") is the owner of a certain right-of-way easement interest ("ROW") that was granted via quitclaim deed, recorded as Instrument No. 2007-0442586 on July 17, 2007 in the Official Records of the County of Riverside, over portions of real property identified with Assessor's Parcel Nos. 164-650-002, with said portions collectively known as RCFC Parcel 2308-500, located in the city of Eastvale, County of Riverside; and WHEREAS, but storm drain facility, including an inlet structure and appurtenant access, within the ROW has been removed and bulk headed within street right-of-way pursuant to Encroachment Permit Number 20-00308-3676; and WHEREAS, pursuant to Water Code Appendix Chapter 48, Section 48-9, Subsection 5, and Section 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 vote of the Board of Supervisors of the Riverside County Flood Control and Water Conservation District ("Board") in regular session assembled on September 10, 2019, at 9:30 a.m. or soon thereafter, in the meeting room of the Board of Supervisors of the District. Occupied on the 1st Floor of the County Administrative Center, 4000 Lemon Street, Riverside, California, that the Board finds that certain ROW, located in the City of Eastvale, County of Riverside, State of California, more particularly described in that certain Quitclaim Deed, recorded as Instrument No. 2007-0462586 on July 17, 2007 in the Official Records of the County of Riverside, State of California, code - Appendix, Chapter 48, Section 48-9, Subsection 5, and Section 48-13; and NOTICE IS HEREBY GIVEN that this Board intends to summarily vacate and relinations the ROW when the Board meets to conclude the proposed transaction on or after October 8, 2019, at 9:30 a.m. or soon thereafter, at the meeting room of the Board of Supervisors

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BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors is directed to give notice pursuant to Section 6061 of the Government Code.

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Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Clerk of the Board at (951) 955-1063, at least 72 hours prior to the hearing.

Dated: September 12, 2019

Kecia R. Harper, Clerk of the Board By: Karen Barton, Deputy Clerk of the Board

9/20