

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



ITEM: 11.2
MT: (ID # 11095)

MEETING DATE:

Tuesday, October 22, 2019

FROM : FLOOD CONTROL DISTRICT:

SUBJECT: FLOOD CONTROL DISTRICT: Adopt Resolution No. F2019-20, Authorization to Summarily Vacate and Relinquish Riverside County Flood Control District Right of Way in the City of Eastvale, RCFC Parcel 2308-500, Eastvale MDP Line D-3, Project No. 2-0-00308, CEQA Exempt, District 2. [\$0] (4/5 Vote Required)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Finds that the vacation and relinquishment of right of way is categorically exempt from the California Environmental Quality Act ("CEQA") as it has been determined that the project qualifies for a "Class 12 Categorical Exemption" pursuant to the State CEQA Guidelines, Section 15312, "Surplus Government Property Sales," and Section 15061(b)(3), "Common Sense" exemption;
2. Adopt Resolution No. F2019-20, Authorization to Summarily Vacate and Relinquish Riverside County Flood Control and Water Conservation District Right of Way in the City of Eastvale, RCFC Parcel 2308-500, Eastvale MDP Line D-3, Project No. 2-0-00308; and
3. Direct the Clerk of the Board to file the Notice of Exemption with the County Clerk within five (5) working days of approval by the Board.

ACTION: 4/5 Vote Required, Policy

Handwritten signature of Jason Uhley.

Jason Uhley, GENERAL MGR-CHF FLD CNTRL ENG 10/10/2019

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, seconded by Supervisor Spiegel 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: October 22, 2019
xc: Flood

Kecia R. 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: N/A			Budget Adjustment:	No
			For Fiscal Year:	19/20

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 ("Quitclaim Deed") whereby the County of Riverside quitclaimed all rights, title and interest in and to the right of way easement interests located within RCFC Parcel 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 demo 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.

The project is exempt from CEQA because it qualifies as a "Class 12 Categorical Exemption" pursuant the State CEQA Guidelines Section 15312, "Surplus Government Property Sales." The project is also consistent with Section 15061(b)(3), "Common Sense" exemption, because it can be seen with certainty that there is no possibility that the proposed project may have a significant effect on the environment, as it is merely vacating an unnecessary flood control easement for parcels that are no longer needed, nor will be needed in the future for the District's use and purposes.

District staff has determined that the use of the Easement is no longer required pursuant to the modification of the real property and new facility, as described earlier. The rights herein

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

described have been declared surplus and are not required for the District's use and purposes pursuant to the adoption of Resolution No. F2019-19 on September 10, 2019.

Therefore, the District recommends that the Easement, referenced in the Quitclaim Deed for RCFC Parcel 2308-500, be summarily vacated and relinquished.

Resolution No. F2019-20 has been approved as to form by County Counsel.

All associated costs with this action shall be borne by Pulte Homes.

Prev. Agn. Ref.: 11.2 of 9/10/2019 MT10718

Impact on Residents and Businesses

No impact.

ATTACHMENTS:

1. Resolution No. F2019-20
2. Regional Map of the subject area
3. Right of way Map for RCFC Parcel 2308-500
4. Notice of Exemption (NOE) and Authorization to Bill to pay NOE filing fee

P8\226287

AU:rlp



Jason Farin, Senior Management Analyst 10/15/2019



Gregory L. Priamos, Director County Counsel 10/11/2019

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

KECIA R. HARPER, 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

2019-0435036

10/28/2019 04:44 PM Fee: \$ 0.00

Page 1 of 9

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



THIS SPACE FOR RECORDERS USE ONLY

782

RESOLUTION NO. F2019-20

Title of Document

AUTHORIZATION TO SUMMARILY VACATE AND RELINQUISH
RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
RIGHT OF WAY IN THE CITY OF EASTVALE, RCFC PARCEL 2308-500,
EASTVALE MDP LINE D-3, PROJECT NO. 2-0-00308

(Flood Control and Water Conservation District ~ Item 11.2 of 10/22/19)

BOARD OF SUPERVISORS

**RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT**

RESOLUTION NO. F2019-20

AUTHORIZATION TO SUMMARILY VACATE AND RELINQUISH
RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
RIGHT OF WAY IN THE CITY OF EASTVALE, RCFC PARCEL 2308-500,
EASTVALE MDP LINE D-3, PROJECT NO. 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 No. 2-0-00308-3676; and

WHEREAS, on September 10, 2019, the District's Board of Supervisors ("Board") adopted Resolution No. F2019-19, declaring the ROW as surplus that is no longer needed for the District's use and purposes and provided notice of its intention to summarily vacate and relinquish the ROW; and

WHEREAS, pursuant to California Water Code Appendix Chapter 48, Section 48-9, Subsection 5, and Section 48-13, the District may dispose of real property after adoption of a resolution determining that said real property is no longer necessary to be retained for the District's use and purposes, as was previously adopted and determined in Resolution No. F2019-19; and

WHEREAS, the District has reviewed and determined the summary vacation and relinquishment of the ROW as categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15312, "Surplus Government Property Sales," as the District is merely vacating an unnecessary flood control easement because the easement interest is no longer needed, nor will be needed in the future for the District's use and purposes. Furthermore, the project is also consistent with State CEQA

FORM APPROVED COUNTY COUNSEL
BY:  THOMAS OH
DATE: 10/10/19

1 Guidelines Section 15061(b)(3), "Common Sense" exemption, because it can be seen with certainty that there is
2 no possibility that the proposed project may have a significant effect on the environment.

3 **NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** by vote of the
4 Board of Supervisors of the District, in regular session assembled on October 22, 2019, in the meeting
5 room of the Board of Supervisors of the District located on the 1st Floor of the County Administrative
6 Center, 4080 Lemon Street, Riverside, California, at 9:30a.m. or soon thereafter, based on the review of
7 the proposed vacation and relinquishment, that the environmental impacts of the project have been
8 sufficiently assessed and the proposed action qualifies for a "Class 12 Categorical Exemption" pursuant to
9 Article 19 of the CEQA, State CEQA Guidelines, Section 15312 and Section 15061(b)(3), as it can be seen
10 with certainty that there is no possibility that the activity in question will have a significant effect on the
11 environment because the District is merely vacating an unnecessary ROW on undisturbed property and the
12 vacation of the easement does not adversely affect a change in the environment.

13 **BE IT FURTHER RESOLVED, DETERMINED AND ORDERED** by vote of this Board, that
14 this Board authorizes the summary vacation and relinquishment of the ROW, as more particularly
15 described in that certain Quitclaim Deed, recorded as Instrument No. 2007-0462586 on July 17, 2007 in the
16 Official Records of the County of Riverside, attached hereto and incorporated herein by reference, and
17 located in the city of Eastvale, County of Riverside, State of California.

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

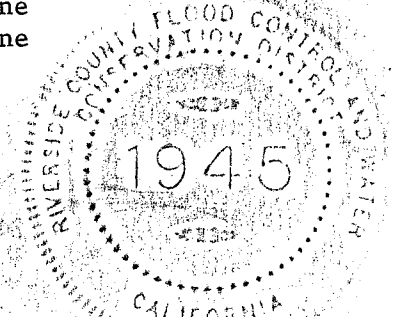
21 **BE IT FURTHER RESOLVED, DETERMINED AND ORDERED** that the Clerk of the Board
22 is directed to cause a certified copy of this Resolution to be recorded in the office of the Recorder of the
23 County of Riverside, California

24 ROLL CALL:

25 Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
26 Nays: None
27 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.

KEGIA R. HARPER - Clerk of said Board
By  Deputy



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 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: Mark S. Bernas 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

Assessor, County Clerk & Recorder



S	R	U	PAGE	SIZE	DA	MISC	LONG	RFD	COPY
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SPACE ABOVE THIS LINE FOR RECORDER'S USE

The undersigned grantor(s) declare(s)
DOCUMENTARY TRANSFER TAX S NONE

No Consideration

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

T
002

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:

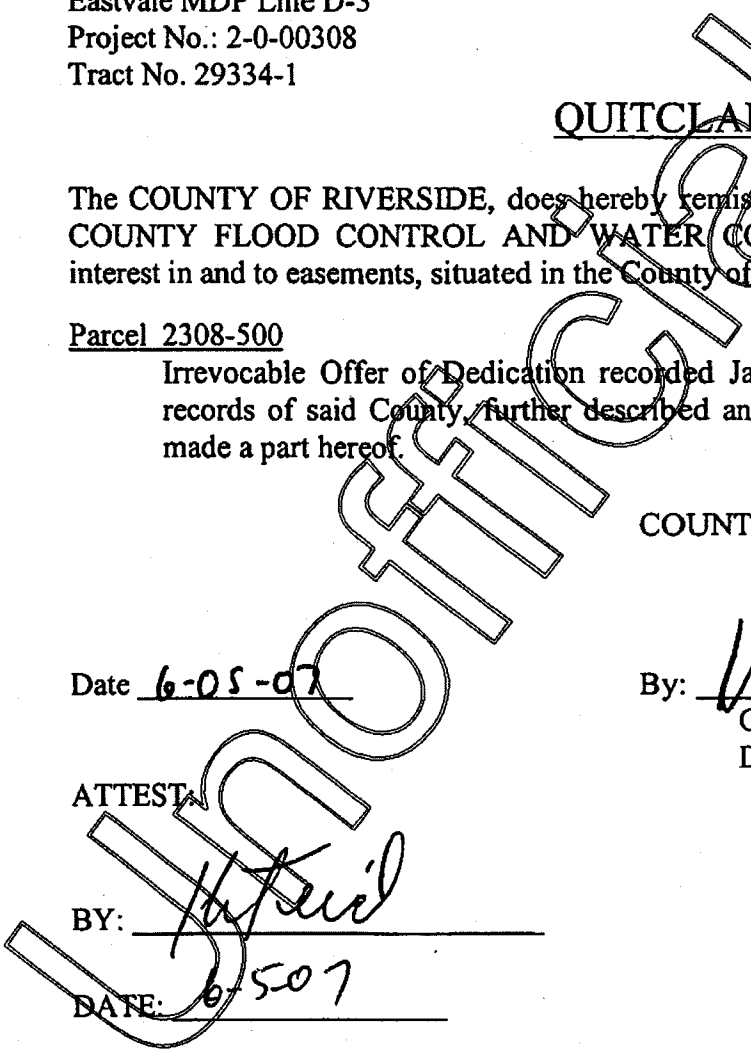
Date 6-05-07

By: Mark S. Bernas, Deputy
George A. Johnson,
Director of Transportation

ATTEST

BY: [Signature]


DATE: 6-5-07



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 6/16/07

By: 
Warren D. Williams
General Manager-Chief Engineer

Unofficial

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**.

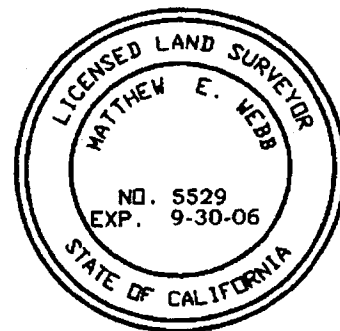
Containing 0.27 acres, more or less.

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

PREPARED UNDER MY SUPERVISION

Matthew E. Webb, L.S. 5529

Date

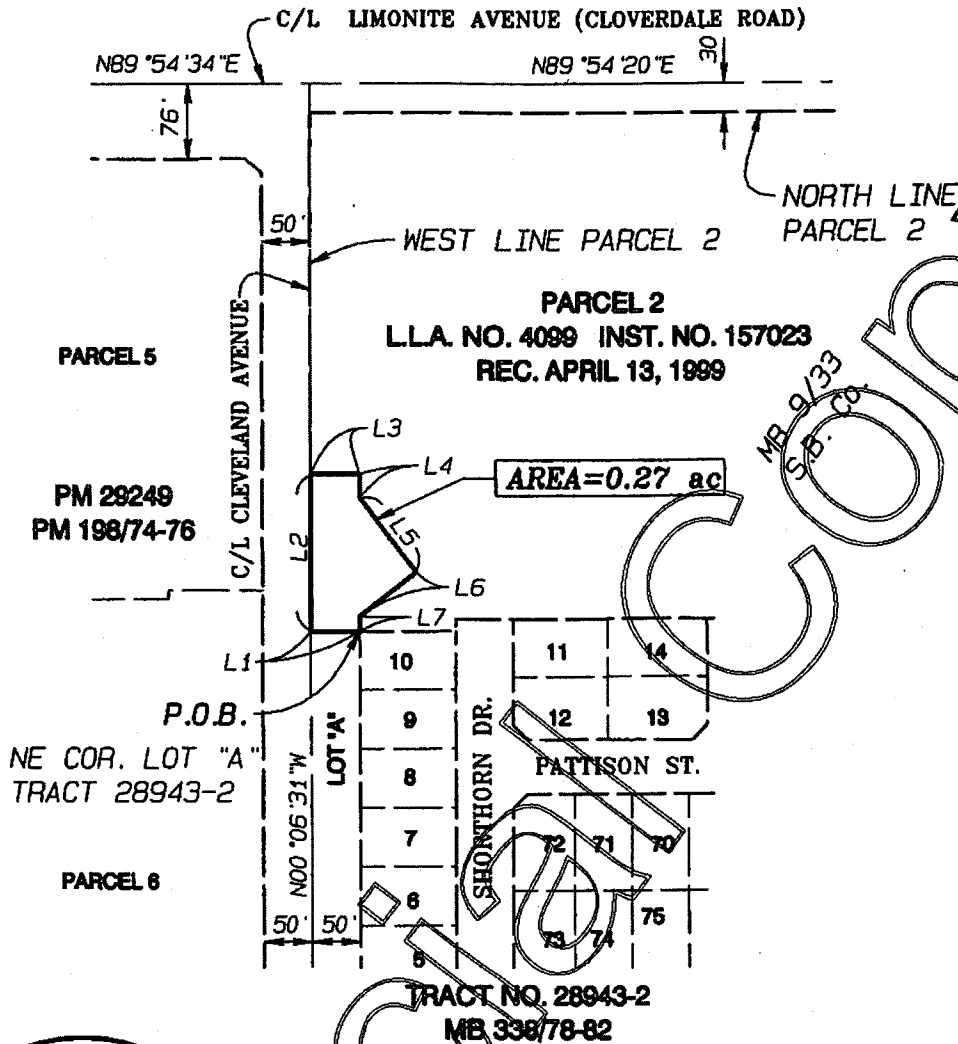


Prepared by: _____
Checked by: _____

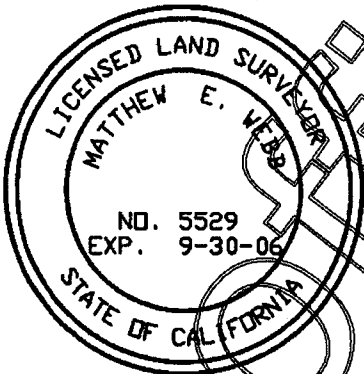


2005-0001956
01/03/2005 08:00A
3 of 4

EXHIBIT "B"



LINE	BEARING	DISTANCE
L1	S89°53'29"W	50.00'
L2	N00°06'31"W	161.91'
L3	N89°53'29"E	50.00'
L4	S00°06'31"E	23.92'
L5	S37°33'47"E	97.19'
L6	S52°26'13"W	74.46'
L7	S00°06'31"E	15.56'



SECTION 25, T.2S., R.7W., JURUPA RANCHO

ALBERT A.
WEBB
 ASSOCIATES
 ENGINEERING CONSULTANTS

COUNTY OF RIVERSIDE, CALIFORNIA

DATE PREPARED 10/01/04

G:\2003\03-0054\NEW_DEDICATION.pro

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

W.D. 03-0392

SCALE: 1" = 200'

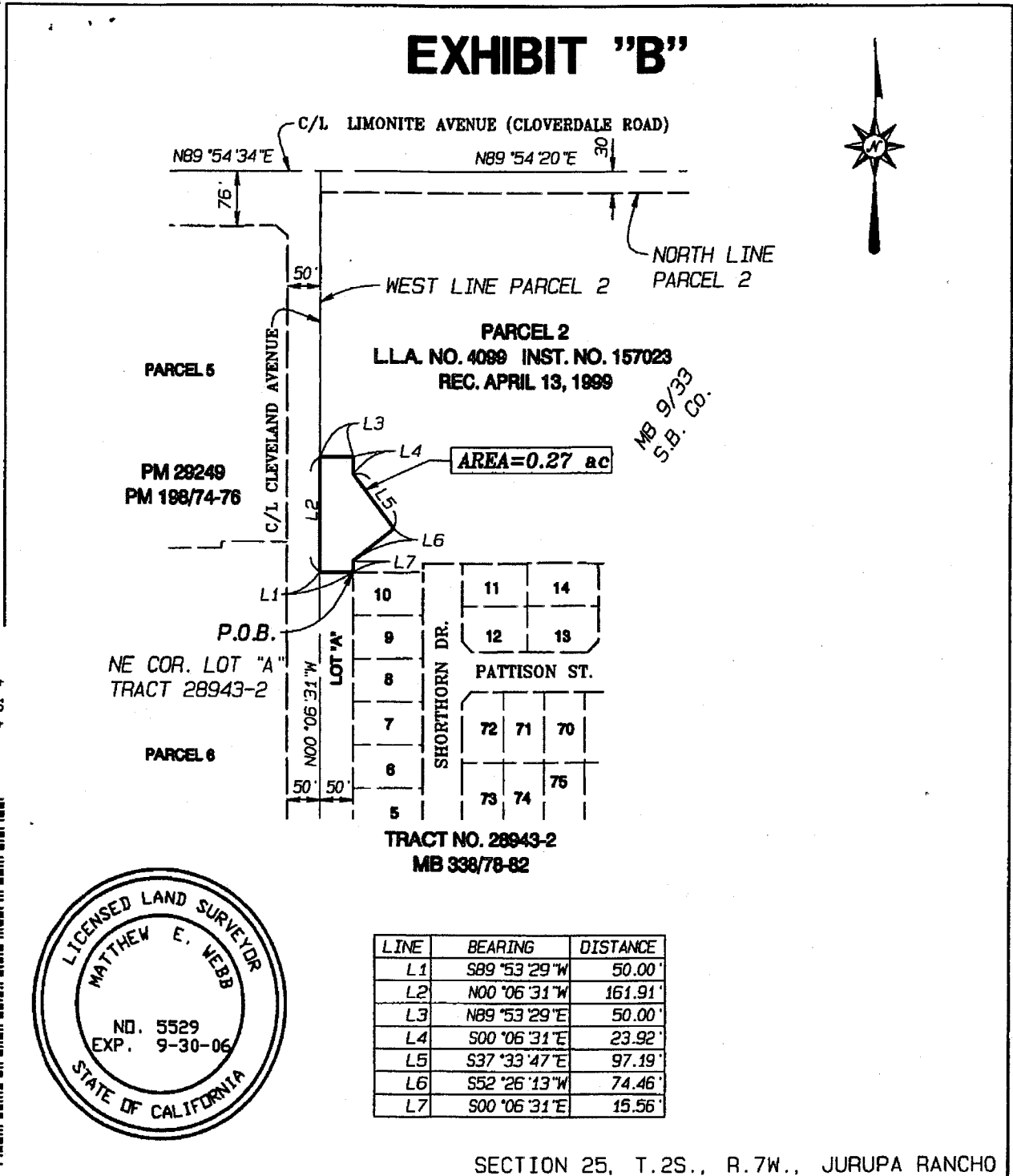
DRWN BY _____ DATE _____
 CHKD BY _____ DATE _____

SUBJECT: STORM DRAIN EASEMENT

2005-0091956
 01/03/2005 08:08A
 4 of 4



EXHIBIT "B"



MB 9/33
S.B. CO.

AREA=0.27 ac

TRACT NO. 28943-2
MB 338/78-82

LINE	BEARING	DISTANCE
L1	S89°53'29"W	50.00'
L2	N00°06'31"W	161.91'
L3	N89°53'29"E	50.00'
L4	S00°06'31"E	23.92'
L5	S37°33'47"E	97.19'
L6	S52°26'13"W	74.46'
L7	S00°06'31"E	15.56'



SECTION 25, T.2S., R.7W., JURUPA RANCHO

ALBERT A. WEBB ASSOCIATES ENGINEERING CONSULTANTS	COUNTY OF RIVERSIDE, CALIFORNIA	
	DATE PREPARED 10/01/04	G:\2003\03-0054\NEW_DEDICATION.pro
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 <u>1</u> OF <u>1</u>
SCALE: 1" = 200'	DRWN BY _____ DATE _____ CHKD BY _____ DATE _____	SUBJECT: STORM DRAIN EASEMENT

2885-8881956
01/03/2005 08:06A
4 of 4



**PETER ALDANA
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER**

Recorder
P.O. Box 751
(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 FOR SEAL for the Riverside County Flood Control and Water Conservation District (EMBOSSSED ON DOCUMENT)

RIVERSIDE COUNTY FLOOD CONTROL AND
WATER CONSERVATION DISTRICT

1945

CALIFORNIA

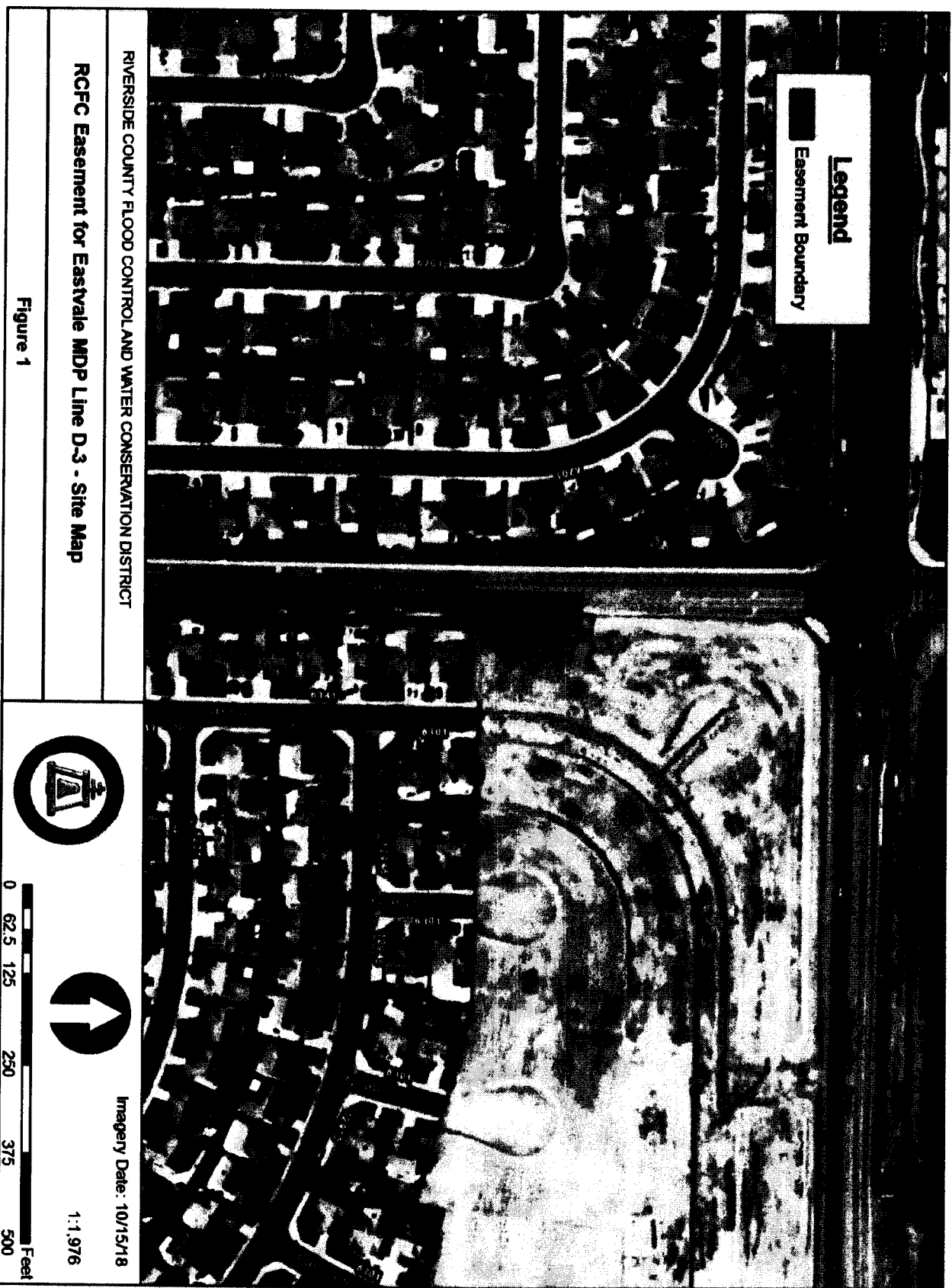
Date:

10-22-19

Signature:

Karen Barton

Print Name: Karen Barton, Deputy Clerk of the Board



Notice of Exemption

To: County Clerk
County of Riverside
2724 Gateway Drive
Riverside, CA 92507

Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: Riverside County Flood Control
and Water Conservation District
1995 Market Street
Riverside, CA 92501
Contact: Gene Jennings, 951.955.8377

Original Negative Declaration/Notice of
Determination was routed to County
Clerks for posting.
10/28/19 kb
Date Initial

Project Title: Relinquishing Easement – Eastvale MDP Line D-3

Project location – City: Eastvale

Project Location – County: Riverside

The Riverside County Flood Control and Water Conservation District (District) easement is generally located east of Scholar Way. More specifically, the easement is located approximately 450 feet south of the intersection of Limonite Avenue and Scholar Way, in Parcel Nos. 165-650-001 and 165-650-002, within in the city of Eastvale. See attached Site Map (Figure 1).

Project Description: The District is relinquishing the real property easement RCFC Parcel 2308-500. In 2019, the Developer of the adjacent parcel 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. Because the inlet structure was removed, the District no longer has a need to keep the easement as there is no facility to maintain.

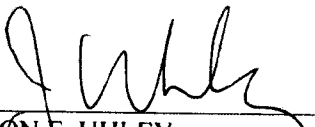
Name of Public Agency Approving Project: Riverside County Flood Control and Water Conservation District

Name of Person or Agency Carrying out Project: Riverside County Flood Control and Water Conservation District

Exempt Status: Review for Exemption. State CEQA Guidelines Sections 15312 and 15061(b)(3)

Reasons why project is exempt: The relinquishing of the easement is exempt from CEQA under Guidelines Section 15312 "Surplus Government Property Sales." The project is also exempt from CEQA pursuant to Guidelines Section 15061(b)(3), which states "The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." Therefore, nothing further is required.

Based upon the identified exemption above, the District hereby concludes that the cooperative agreement is exempt from CEQA.

Signature:  Date: 7/25/19
JASON E. UHLEY
General Manager-Chief Engineer
Riverside County Flood Control
and Water Conservation District

GCJ:mcv
P8\226562

OCT 22 2019 11.2

RIVERSIDE COUNTY CLERK-RECORDER

AUTHORIZATION TO BILL

TO BE FILLED OUT BY SUBMITTING AGENCY

DATE: 8/5/2019 BUSINESS UNIT/AGENCY: FLOOD CONTROL - FCARC

ACCOUNTING STRING:

ACCOUNT: 526410 FUND: 25120
DEPT ID: 947420 PROGRAM: _____

AMOUNT: \$50.00

REF:

CEQA NOTICE OF EXEMPTION POSTING FOR EASTVALE MDP D-3 EASMENT RELIQUISHMENT
(44101-222-2-6-00308-00-28-8000-000)

THIS AUTHORIZES THE COUNTY CLERK & RECORDER TO ISSUE AN INVOICE FOR PAYMENT OF ALL DOCUMENTS INCLUDED.

NUMBER OF DOCUMENTS INCLUDED:

1

AUTHORIZED BY: Irene Sibley Ext 51261
PRESENTED BY: GENE JENNINGS Ext 58377
CONTACT: KEVIN CUNNINGHAM Ext 51526

TO BE FILLED OUT BY COUNTY CLERK

ACCEPTED BY:

Irene Sibley

DATE:

08-05-19

DOCUMENT NO(S)/INVOICE NO(S):

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



11.2
(MT 10750)

On motion of Supervisor Jeffries, seconded by Supervisor Hewitt and duly carried, IT WAS ORDERED that the recommendation from Flood Control District regarding Resolution F2019-20, Authorization to Summarily Vacate and Relinquish District Right of Way in the City of Eastvale, RCFC Parcel 2308-500, Eastvale MDP Line D-3, Project No. 2-0-00308, is continued to Tuesday, October 22, 2019 at 9:30 a.m. or as soon as possible thereafter.

Roll Call:

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

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on October 8, 2019 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors
Dated: October 8, 2019
Kecia R. Harper, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

(seal)

By:  Deputy

AGENDA NO.
11.2

xc: COB

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



ITEM
11.2
(ID # 10750)

MEETING DATE:

Tuesday, October 8, 2019

FROM : FLOOD CONTROL DISTRICT:

SUBJECT: FLOOD CONTROL DISTRICT: Adopt Resolution No. F2019-20, Authorization to Summarily Vacate and Relinquish Riverside County Flood Control District Right of Way in the City of Eastvale, RCFC Parcel 2308-500, Eastvale MDP Line D-3, Project No. 2-0-00308, CEQA Exempt, District 2. [\$0] (4/5 Vote Required)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Finds that the vacation and relinquishment of right of way is categorically exempt from the California Environmental Quality Act ("CEQA") as it has been determined that the project qualifies for a "Class 12 Categorical Exemption" pursuant to the State CEQA Guidelines, Section 15312, "Surplus Government Property Sales," and Section 15061(b)(3), "Common Sense" exemption;
2. Adopt Resolution No. F2019-20, Authorization to Summarily Vacate and Relinquish Riverside County Flood Control and Water Conservation District Right of Way in the City of Eastvale, RCFC Parcel 2308-500, Eastvale MDP Line D-3, Project No. 2-0-00308; and
3. Direct the Clerk of the Board to file the Notice of Exemption with the County Clerk within five (5) working days of approval by the Board.

ACTION: 4/5 Vote Required, Policy

Jason Uhley, GENERAL MGR-CHF FLD CNTRL ENG

9/24/2019

MINUTES OF THE BOARD OF SUPERVISORS

**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: N/A			Budget Adjustment:	No
			For Fiscal Year:	19/20

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 ("Quitclaim Deed") whereby the County of Riverside quitclaimed all rights, title and interest in and to the right of way easement interests located within RCFC Parcel 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 demo 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.

The project is exempt from CEQA because it qualifies as a "Class 12 Categorical Exemption" pursuant the State CEQA Guidelines Section 15312, "Surplus Government Property Sales." The project is also consistent with Section 15061(b)(3), "Common Sense" exemption, because it can be seen with certainty that there is no possibility that the proposed project may have a significant effect on the environment, as it is merely vacating an unnecessary flood control easement for parcels that are no longer needed, nor will be needed in the future for the District's use and purposes.

District staff has determined that the use of the Easement is no longer required pursuant to the modification of the real property and new facility, as described earlier. The rights herein

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

described have been declared surplus and are not required for the District's use and purposes pursuant to the adoption of Resolution No. F2019-19 on September 10, 2019.

Therefore, the District recommends that the Easement, referenced in the Quitclaim Deed for RCFC Parcel 2308-500, be summarily vacated and relinquished.

Resolution No. F2019-20 has been approved as to form by County Counsel.

All associated costs with this action shall be borne by Pulte Homes.

Prev. Agn. Ref.: 11.2 of 9/10/2019 MT10718

Impact on Residents and Businesses

No impact.

ATTACHMENTS:

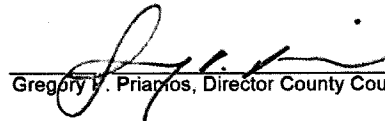
1. Resolution No. F2019-20
2. Regional Map of the subject area
3. Right of way Map for RCFC Parcel 2308-500
4. Notice of Exemption (NOE) and Authorization to Bill to pay NOE filing fee

P8\226287

AU:rlp


Jason Farin, Senior Management Analyst

10/1/2019


Gregory V. Priamos, Director County Counsel

9/26/2019

**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:


1. 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: September 10, 2019
xc: Flood, COB

Kecia R. Harper
Clerk of the Board
By  Deputy

**SUBMITTAL TO THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD
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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: N/A			Budget Adjustment:	N/A
			For Fiscal Year:	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



Jason Farrin, Senior Management Analyst

9/4/2019



Gregory V. Prietos, Director County Counsel

8/29/2019