

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



ITEM: 3.68
(ID # 12123)

MEETING DATE:
Tuesday, April 07, 2020

FROM : TLMA-TRANSPORTATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:
Adoption of Resolution No. 2020-053 Summarily Vacating a portion of Brumfield Street and McColery Road in the Winchester area, CEQA Exempt, District 3. [Applicant Fees 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that Summarily Vacating a portion of Brumfield Street and McColery Road is categorically exempt from CEQA pursuant to Section 15060 (c)(2), and 15061 (b)(3) of the State CEQA Guidelines;
2. Adopt Resolution No. 2020-053, Summarily Vacating a portion of Brumfield Street and McColery Road 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.

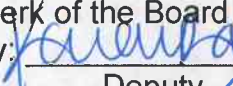
ACTION:Policy


Patricia Romo, Director of Transportation 3/24/2020

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel, seconded by Supervisor Perez 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: April 7, 2020
xc: Transp.

Kecia R. Harper
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 Fund will be used.			Budget Adjustment: N/A	
			For Fiscal Year: 2019/2020	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

The applicant for FTM36687 is requesting the vacation of a portion of Brumfield Street and McColery Road in the Winchester area. FTM36687 will be reconfiguring McColery Road and Brumfield Street will become Lots within FTM36687. Brumfield Street and McColery Road were dedicated and accepted for public use by Parcel Map No. 15,090 on file in Book 93, Pages 80 through 82, inclusive, of Parcel Maps, records of the Recorder of Riverside County, California. Brumfield Street and McColery Road are unimproved and not used for road purposes. The applicant has provided Vacation/Abandonment Approval Letters from the local utility companies. The utility companies that have facilities in this area have stated that they have private easements for their facilities and do not rely on the public utility easement dedicated by Parcel Map No. 15,090. The Resolution to vacate will not contain the typical utility easement reservation. 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 2020-053 as to form.

Impact on Residents and Businesses

The vacation of a portion of Brumfield Street and McColery Road 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. 2020-053
- Resolution Exhibits "A" and "B" (Legal Description and Plat)
- NOE - Signed
- Attachment "A" (Vicinity Map)

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


Authorization to Bill

 Jason Farin, Senior Management Analyst 4/1/2020  Gregory V. Priamos, Director County Counsel 3/27/2020

ATTACHMENT "A"

SUMMARILY VACATING A PORTION OF BRUMFIELD STREET AND McCOLERY ROAD IN THE WINCHESTER AREA



 INDICATES AREAS TO BE VACATED

NOTE: TO BE REMOVED BEFORE RECORDING

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

2020-0160054

04/09/2020 02:32 PM Fee: \$ 0.00

Page 1 of 8

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



THIS SPACE FOR RECORDERS USE ONLY

6080

RESOLUTION NO. 2020-053

Title of Document

**SUMMARILY VACATING A PORTION OF BRUMFIELD STREET AND MCCOLERY
ROAD IN THE WINCHESTER AREA
(ABS19002)**

(THIRD SUPERVISORIAL DISTRICT)

(Transportation Department ~ Item 3.68 of 04/07/2020)

1 BOARD OF SUPERVISORS

COUNTY OF RIVERSIDE

2
3
4 **RESOLUTION NO. 2020-053**

5 **SUMMARILY VACATING A PORTION OF BRUMFIELD STREET AND McCOLERY**
6 **ROAD IN THE WINCHESTER AREA**

7 (ABS19002)


8 (Third Supervisorial District)

9
10 **WHEREAS**, the hereinafter-described portion of Brumfield Street and McColery
11 Road were dedicated and accepted for public use as Lot "H" and Lot "K" on Parcel Map
12 No. 15,090 on file in Book 93, Pages 80 through 82, inclusive, of Parcel Maps, records of
13 the Recorder of Riverside County, California, and;

14
15 **WHEREAS**, the hereinafter-described portion of Brumfield Street and McColery
16 Road are excess right-of-way, and are not required for public street or highway purposes,
17 and;

18
19 **WHEREAS**, applicable procedures pertaining to summary vacations were followed
20 pursuant to the County's adopted "Resolutions for Fixing Procedures to Vacate and
21 Accept County Highways and Property Offered for Dedication," now, therefore;

22
23 **BE IT RESOLVED, DETERMINED AND ORDERED** by the Board of Supervisors of
24 the County of Riverside, State of California, in regular session assembled on
25 April 7, 2020, as follows:

FORWARDED APPROVED COUNTY COUNCIL
BY:  WESLEY W. STANFIELD DATE 3/25/2020

1 **RESOLUTION NO. 2020-053**

2
3 1. The vacation of a portion of Brumfield Street and McColery Road are
4 categorically exempt from CEQA pursuant to Section 15060(c)(2) and
5 15061(b)(3) of the State CEQA Guidelines.

6
7 2. Pursuant to Division 9, Part 3, Chapter 4, Section 8334(a) of the Streets
8 and Highways Code, the hereinafter-described portion of Brumfield Street
9 and McColery Road are excess right-of-way and are not required for public
10 street or highway purposes, and are hereby summarily vacated.

11
12 SEE LEGAL DESCRIPTION AND PLAT ATTACHED HERETO
13 AS EXHIBITS "A" AND "B" AND MADE A PART HEREOF;

14
15 3. That the hereinafter-described portion of Brumfield Street and McColery
16 Road are unnecessary for present or prospective public use, including use
17 as a non-motorized transportation facility.

18
19 4. From and after the date this resolution is recorded the hereinafter-described
20 portion of Brumfield Street and McColery Road no longer constitute public
21 streets.

22
23 **BE IT FURTHER RESOLVED, DETERMINED AND ORDERED** that the Clerk of
24 the Board is directed to file with the Office of the County Clerk the Notice of Exemption
25 within five (5) working days of the Board hearing date.

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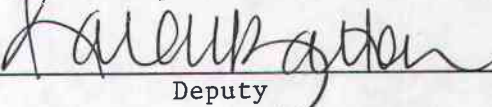
RESOLUTION NO. 2020-053

BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Clerk of 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.

ROLL CALL:

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
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 R. Harper, Clerk of said Board
By 
Deputy

PH W.O. # ABS19002



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 FOR SEAL for the Riverside County Board of Supervisors
(EMBOSSSED ON DOCUMENT)



Date: _____

4-7-2020

Signature: _____

Karen Barton

Print Name: Karen Barton, Deputy Clerk of the Board

**LEGAL DESCRIPTION
RIGHT OF WAY VACATION**

**IN THE UNINCORPORATED AREA OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
SECTION 28, TOWNSHIP 6 SOUTH, RANGE 2 WEST, S.B.M.**

ALL OF LETTERED LOT "K" (BRUMFIELD ST.) AND A PORTION OF LETTERED LOT "H" (McCOLERY RD.) OF PARCEL MAP NO. 15090, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP, RECORDED IN BOOK 93, PAGES 80, 81 AND 82 OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA DESCRIBED AS FOLLOWS:

PARCEL 1

ALL OF SAID LETTERED LOT "K" OF PARCEL MAP 15090, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP, RECORDED IN BOOK 93, PAGES 80, 81 AND 82 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 2

BEGINNING AT THE SOUTHWEST CORNER OF SAID LETTERED LOT "H" SAID CORNER BEING NORTHERLY 30.00 FEET FROM THE CENTER OF SECTION 28, SAID POINT ALSO BEING A POINT ON THE CENTERLINE OF SAID McCOLERY ROAD (30 FEET HALF WIDTH);

THENCE ALONG SAID CENTERLINE OF McCOLERY ROAD NORTH 00°40'24" EAST 837.19 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 643.00 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 68°33'03" EAST;

THENCE NORTHERLY 109.73 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 09°46'39" TO THE EASTERLY LINE OF SAID LETTERED LOT "H", A RADIAL LINE TO SAID POINT BEARS SOUTH 78°19'42" EAST;

THENCE ALONG SAID EASTERLY LINE SOUTH 00°40'24" WEST 927.13 FEET; TO AN ANGLEPOINT THEREIN;

THENCE CONTINUING ALONG SAID EASTERLY LINE SOUTH 44°37'27" EAST 21.32 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID LETTERED LOT "H";

THENCE ALONG SAID SOUTHERLY LINE NORTH 89°55'29" WEST 45.16 FEET TO THE **POINT OF BEGINNING**.

SAID PARCELS AREA CONTAINS 46,622.12 SQ. FT. (1.070 AC.) MORE OR LESS.

SUBJECT TO COVENANTS, RESTRICTIONS, EASEMENTS AND RIGHTS OF WAY OF RECORD, IF ANY.

AS SHOWN ON EXHIBIT ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

Gerald R. Anderson 01/21/2020
GERALD R. ANDERSON, L.S. 4400 DATE:
LICENSE EXPIRES: SEPTEMBER 30, 2021

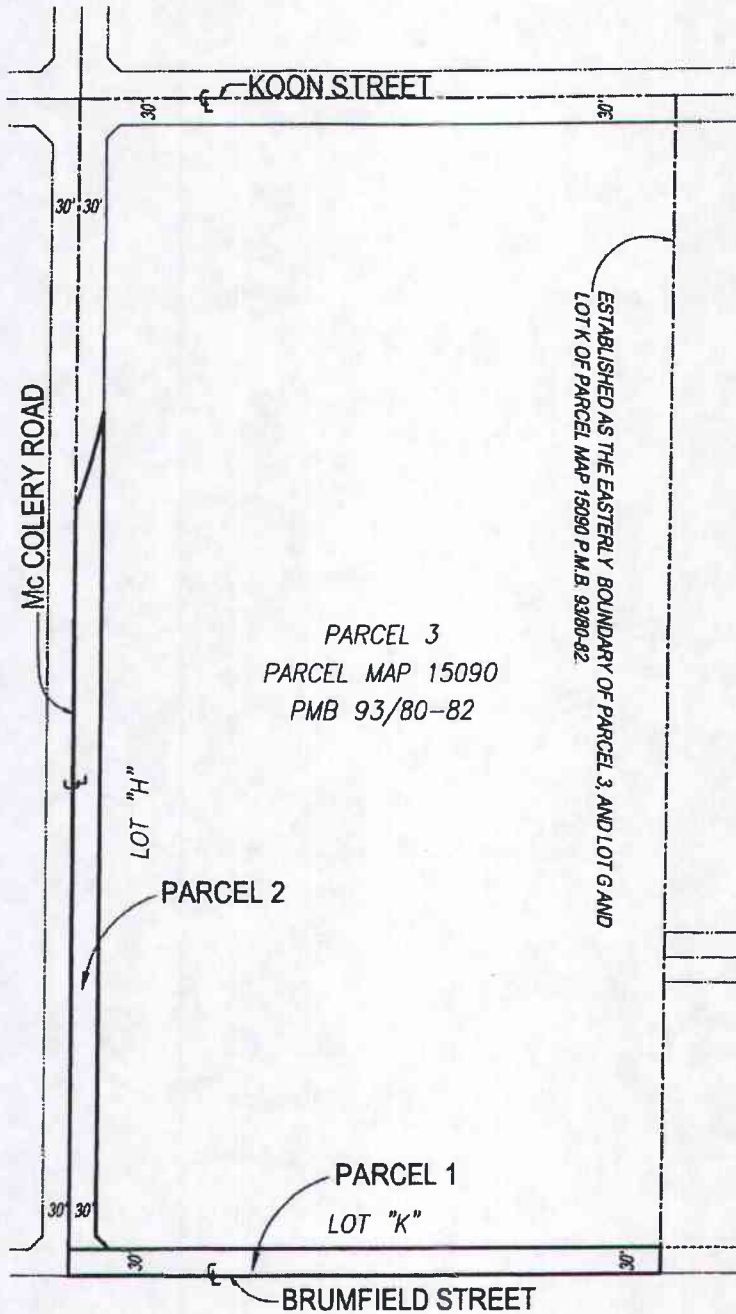


THIS DOCUMENT REVIEWED BY
RIVERSIDE COUNTY SURVEYOR.
BY: *[Signature]*
DATE: 2/14/2020

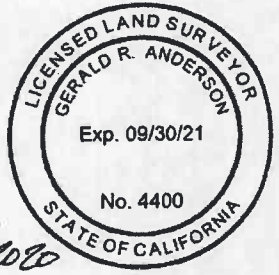
EXHIBIT 'B'

1" = 100'

LEGEND:
— VACATION LIMITS
- - - PROJECT LIMITS LINE



THIS DOCUMENT REVIEWED BY
RIVERSIDE COUNTY SURVEYOR.
BY: *[Signature]*
DATE: 2/11/2020



PREPARED UNDER THE DIRECTION OF:

[Signature] 01/21/2020

GERALD R. ANDERSON
LS 4400
REG. EXPIRES 09/30/2021

SCALE: 1" = 80'
ASSESSOR'S PARCEL #s: 476-010-036
EXHIBIT PREPARED BY: G. R. ANDERSON
DATE EXHIBIT REVISED: 01/21/2020

[MALD-404]

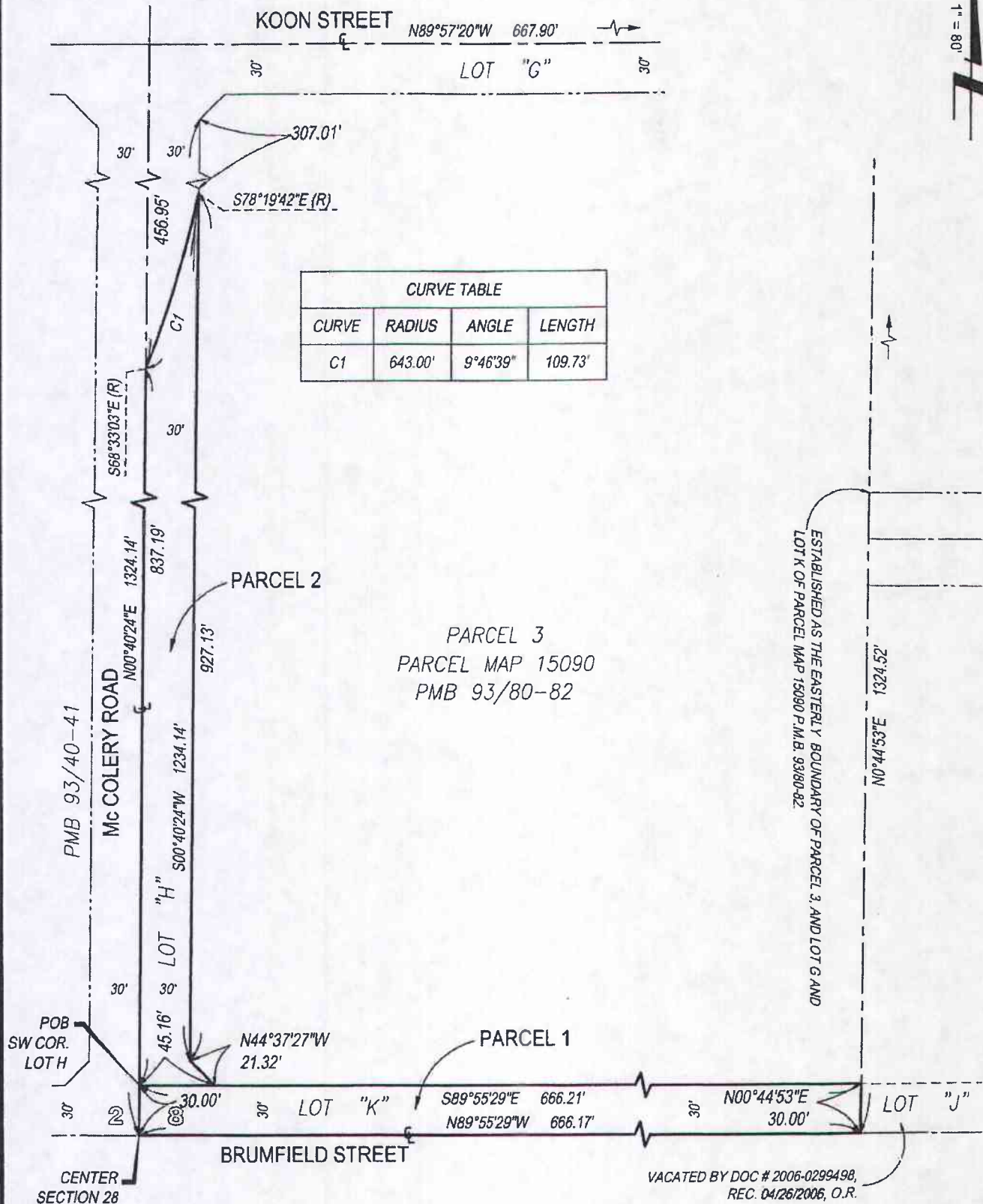
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EXHIBIT PREPARED BY: G. R. ANDERSON
DATE EXHIBIT REVISED: 01/21/2020

EXHIBIT 'B' RIGHT OF WAY VACATION

SHEET 2 OF 2

1" = 80'



CURVE TABLE			
CURVE	RADIUS	ANGLE	LENGTH
C1	643.00'	$9^{\circ}46'39''$	109.73'

FILING REQUESTED BY AND WHEN FILED
RETURN TO: STOP NO. 1080
RIVERSIDE COUNTY SURVEYOR'S OFFICE
4080 LEMON STREET, 8TH FLOOR
RIVERSIDE, CA 92501

Original Negative Declaration/Notice of
Determination was routed to County
Clerks for posting on.
4/9/2020 KS
Date Initial

NOTICE OF EXEMPTION

Project Name: Resolution No. 2020-053, Summarily Vacating a portion of Brumfield Street and McColery Road in the Winchester area.

Project Number: ABS19002, SU14

Project Location– See Exhibits “A” & “B”

Description of Project: Resolution No. 2020-053, Summarily Vacating a portion of Brumfield Street and McColery Road 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: The vacation of 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, the project is exempt from the provisions of CEQA specifically by the State CEQA Guidelines as identified below. The vacation of the existing roadways 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. The project 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. The vacation of these streets 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 project 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.

APR 07 2020 3.68

- 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 a 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: 2-20-2020
David L. McMillan, Riverside County Surveyor

**LEGAL DESCRIPTION
RIGHT OF WAY VACATION**

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PARCEL 2

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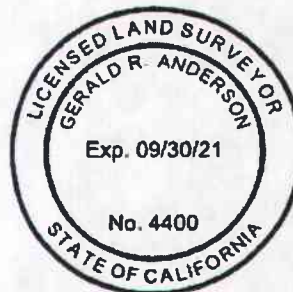
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Gerald R. Anderson 01/21/2020

GERALD R. ANDERSON, L.S. 4400 DATE:
LICENSE EXPIRES: SEPTEMBER 30, 2021

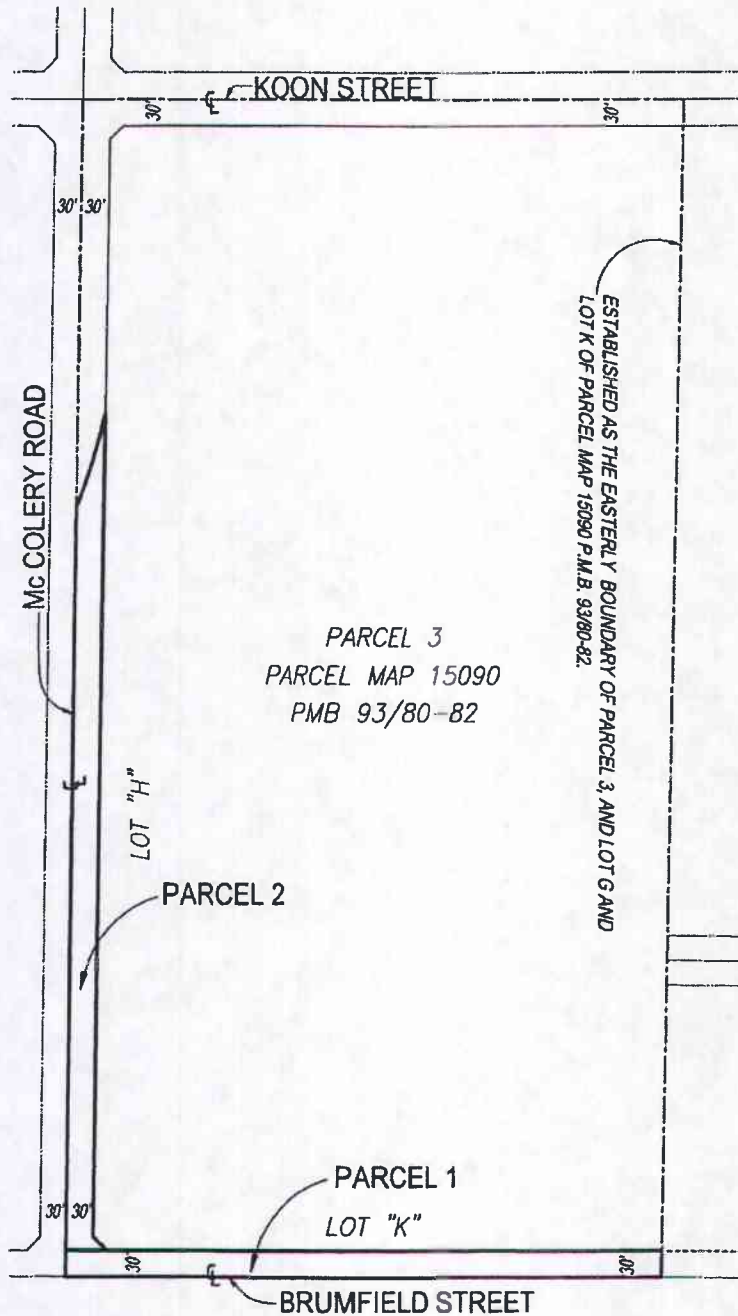


THIS DOCUMENT REVIEWED BY
RIVERSIDE COUNTY SURVEYOR.
BY: *[Signature]*
DATE: 2/14/2020

EXHIBIT 'B'

1" = 100'

LEGEND:
 ——— VACATION LIMITS
 - - - PROJECT LIMITS LINE



THIS DOCUMENT REVIEWED BY
 RIVERSIDE COUNTY SURVEYOR.
 BY: *T. J. [Signature]*
 DATE: 2/14/2020



PREPARED UNDER THE DIRECTION OF:

Gerald R. Anderson 01/01/2020
 GERALD R. ANDERSON
 LS 4400

REG EXPIRES 09/30/2021

(MALD-404)

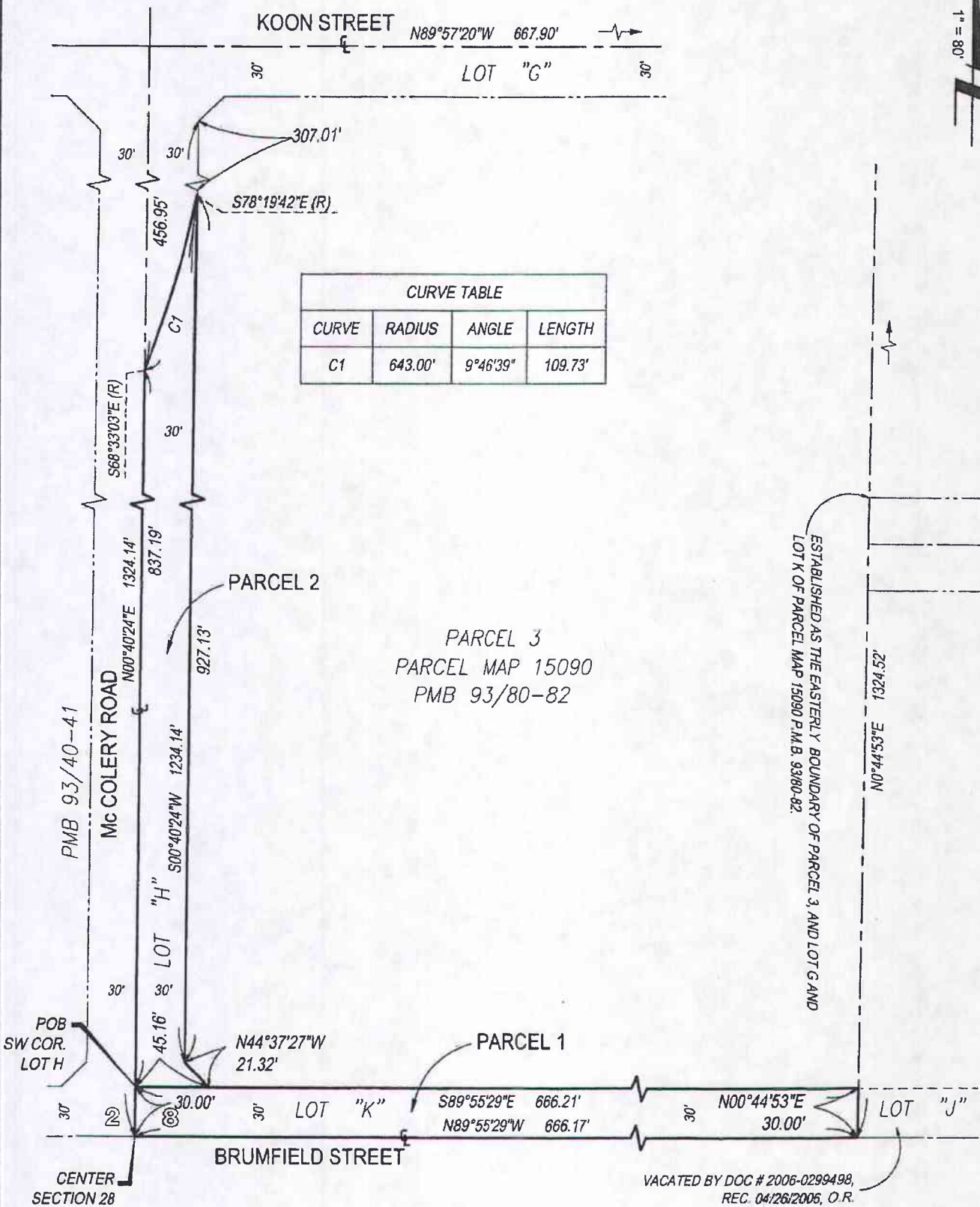
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 ASSESSOR'S PARCEL #'s: 476-010-036
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 DATE EXHIBIT REVISED: 01/21/2020

SCALE: 1" = 80'

ASSESSOR'S PARCEL #'s: 476-010-036
EXHIBIT PREPARED BY: G. R. ANDERSON
DATE EXHIBIT REVISED: 01/21/2020

EXHIBIT 'B' RIGHT OF WAY VACATION

SHEET 2 OF 2



ESTABLISHED AS THE EASTERLY BOUNDARY OF PARCEL 3, AND LOT G AND LOT K OF PARCEL MAP 15090 P.M.B. 93/80-82.

VACATED BY DOC # 2006-0299498,
REC. 04/26/2006, O.R.

RIVERSIDE COUNTY CLERK & RECORDER

**AUTHORIZATION
TO BILL
BY JOURNAL VOUCHER**

-TO BE FILLED IN BY SUBMITTING AGENCY-

AUTHORIZATION: W.O. ABS19002 SU14
Accounting String 537280-20260-3130200000 ZABS19002 ZSU14

AMOUNT: \$50.00

DATE: 2/14/20

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: David L. McMillan County 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) -