

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



ITEM: 11.4
(ID # 13323)

MEETING DATE:
Tuesday, August 25, 2020

FROM: FLOOD CONTROL DISTRICT:

SUBJECT: FLOOD CONTROL DISTRICT: Adoption of Resolution No. F2020-22, Declaration of Surplus Real Property and Notice of Intent to Sell Fee Simple Interest in District Real Property Located in Unincorporated Area of the County of Riverside, Parcel Number 2112-2 with Assessor's Parcel Number 279-111-029, to Frederick Harley Mackay and Sherri May Mackay by Grant Deed, Project No. 2-0-00112, El Cerrito-Kayne Street Storm Drain, District 2. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. F2020-22, Declaration of Surplus Real Property and Notice of Intent to Sell Fee Simple Interest in District Real Property Located in Unincorporated Area of the County of Riverside, Parcel Number 2112-2 with Assessor's Parcel Number 279-111-029, to Frederick Harley Mackay and Sherri May Mackay by Grant Deed, Project No. 2-0-00112; and
2. Direct the Clerk of the Board to give notice pursuant to Section 6061 of the Government Code.

ACTION: Policy

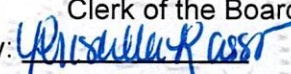
Jason Uhley, GENERAL MGR-CHF FLD CNTRL ENG

8/17/2020

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: Jeffries
Date: August 25, 2020
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:	20/21

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The Riverside County Flood Control and Water Conservation District (District) owns certain real property located in unincorporated area of the County of Riverside, identified by Assessor's Parcel Number 270-111-029, consisting of approximately 1,742 square feet of land ("Exempt Property"). The Exempt Property was acquired for the El Cerrito-Kayne Street Storm Drain project, which consisted of the construction and subsequent operation and maintenance of an underground storm drain on the Exempt Property, herein after referred to as RCFC Parcel 2112-2. The District requests that the Exempt Property be declared surplus as the parcel is no longer needed to be owned in fee for District or public purposes. The District solely requires a reservation of a permanent easement in favor of the District for maintenance, operation and repair of the underground storm drain located on the Exempt Property.

Pursuant to the California Water Code Appendix, Chapter 48, Section 13, the Board of Supervisors for the District has the power to hold, use, acquire, manage, occupy and possess any real property and may determine by resolution duly entered in its minutes that any property, real, personal or mixed, held by the District is no longer necessary to be retained for the uses and purposes thereof and may thereafter sell or otherwise dispose of said property. The Exempt Property is exempt surplus land under the California Surplus Land Act and the District may proceed with the conveyance of the Exempt Property, without providing prior written offers or notices of availability to other public agencies or housing sponsors, because surplus land that is (i) less than 5,000 square feet in area, (ii) not contiguous to land owned by a state or local agency that is used for park, recreation, open space or low and moderate income housing purposes, and (iii) sold to an owner of contiguous land, is exempt from the requirements of the California Surplus Land Act (the "Act", Government Code Section 54220, et seq.).

Therefore, staff is recommending the adoption of Resolution No. F2020-22 to declare the Exempt Property surplus and notice the District's intent to sell its fee simple interest in the Exempt Property at or after 9:30 a.m. on September 1, 2020 to Frederick Harley Mackay and Sherri May Mackay by Grant Deed with a reservation of a permanent easement in favor of the District for maintenance, operation and repair of the underground storm drain located on the Exempt Property.

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Resolution F2020-22 has been approved as to form by County Counsel.

Impact on Residents and Businesses

None

Financial Information

All costs shall be borne by Frederick Harley Mackay and Sherri May Mackay.

ATTACHMENTS:

1. Resolution No. F2020-22 and Exhibit "A"

P8\233051
YK:rlp



Jason Farin, Principal Management Analyst

8/18/2020



Gregory H. Priamos, Director County Counsel

8/18/2020

1 **BOARD OF SUPERVISORS**

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

4 RESOLUTION NO. F2020-22

5 DECLARATION OF SURPLUS REAL PROPERTY AND NOTICE OF INTENT TO SELL FEE
6 SIMPLE INTEREST IN DISTRICT REAL PROPERTY LOCATED IN UNINCORPORATED AREA
7 OF THE COUNTY OF RIVERSIDE, PARCEL NUMBER 2112-2 WITH ASSESSOR'S PARCEL
8 NUMBER 279-111-029, TO FREDERICK HARLEY MACKAY AND SHERRI MAY MACKAY BY
9 GRANT DEED, PROJECT NO. 2-0-00112

10 **WHEREAS**, the Riverside County Flood Control and Water Conservation District (District) is the
11 owner of certain real property, containing an underground storm drain, referred to as RCFC Parcel No.
12 2112-2 with Assessor's Parcel No. 279-111-029, consisting of approximately 0.03 acre (1,742 sq. ft.) of
13 land, located in unincorporated area of the County of Riverside (Exempt Property); and

14 **WHEREAS**, pursuant to the California Water Code Appendix, Chapter 48, Section 13, the Board
15 of Supervisors for the District has the power to hold, use, acquire, manage, occupy and possess any real
16 property and may determine by resolution duly entered in its minutes that any property, real, personal or
17 mixed, held by the District is no longer necessary to be retained for the uses and purposes thereof and may
18 thereafter sell or otherwise dispose of said property; and

19 **WHEREAS**, the Exempt Property is no longer necessary to be retained by the District in fee for the
20 uses and purposes thereof; and

21 **WHEREAS**, the District declares the Exempt Property is exempt surplus land under the California
22 Surplus Land Act and may proceed with the conveyance of the Exempt Property without providing prior
23 written offers or notices of availability to other public agencies or housing sponsors, because surplus land
24 that is (i) less than 5,000 square feet in area, (ii) not contiguous to land owned by a state or local agency
25 that is used for park, recreation, open space or low and moderate income housing purposes, and (iii) sold to
26 an owner of contiguous land is exempt from the requirements of the California Surplus Land Act (the "Act",
Government Code Section 54220, et seq.).

27 **NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** by vote of the
28 Board of Supervisors of the District (Board) in regular session assembled on August 25, 2020, in the

THOMAS OH, DEPUTY COUNTY COUNSEL
Thomas Oh, Deputy County Counsel

1 meeting room of the Board of Supervisors of the District located on the 1st Floor of the County
2 Administrative Center, 4080 Lemon Street, Riverside, California, at 9:30 a.m. or soon thereafter, the
3 Exempt Property, more particularly described in Exhibit "A", attached hereto and by this reference
4 incorporated herein, is surplus and no longer necessary to be retained in fee by the District for public
5 purposes, and notice is hereby given, pursuant to California Water Code Appendix, Chapter 48, Section 13,
6 that the District intends to convey the fee title interest in the Exempt Property at or after 9:30 a.m. on
7 September 1, 2020 to Frederick Harley Mackay and Sherri May Mackay by Grant Deed with a reservation
8 of a permanent easement in favor of the District for maintenance, operation and repair of the underground
9 storm drain located on the Exempt Property.

10 **BE IT FURTHER RESOLVED, DETERMINED AND ORDERED** that the Clerk of the
11 Board is directed to give notice hereof as provided in Section 6061 of the Government Code.

12
13 ROLL CALL:

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

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

19 Kecia R. Harper, Clerk of said Board

20 By *Priscilla Raso*
21 Deputy

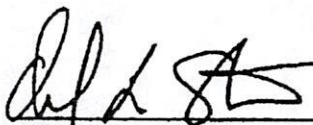


**El Cerrito-Kayne Street Storm Drain
Parcel 2112-2**

Being a portion of Lot 109, Block C, as shown on the Overlook Addition #3 to Corona; Map Book 14, Pages 47 through 49, records of Riverside County, California, within the unincorporated territory of Riverside County, California, described as follows:

All of Parcel 2112-2 as shown on Record of Survey Book 114, Pages 66 through 70, records of Riverside County, California





DAVID L. STONE

Land Surveyor No. 4758
Signed For: Riverside County Flood Control
and Water Conservation District

Date: April 10, 2003

"EXHIBIT A"



CALL (951) 368-9222
EMAIL legals@pe.com

THE PRESS-ENTERPRISE

DATE	ORDER NUMBER	PO Number	PRODUCT	SIZE	Amount
8/28/20	0011407212		PE Riverside	4 x 161 Li	837.20

Invoice text: NOH - Resolution No. F2020-22

*Flood Control District
Item 11.4 of 08/25/20*

Placed by: Hannah Lumanauw

Legal Advertising Memo Invoice

BALANCE DUE

837.20

SALES/CONTACT INFORMATION		ADVERTISER INFORMATION		
SALES/CONTACT INFORMATION	BILLING DATE	BILLED ACCOUNT NUMBER	ADVERTISER/CLIENT NUMBER	ADVERTISER/CLIENT NAME
Nick Eller 951-368-9229	08/28/2020	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
08/28/2020	5209148	5209148
BALANCE DUE	ORDER NUMBER	TERMS OF PAYMENT
837.20	0011407212	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 8012
Willoughby, OH 44096-8012

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.: NOH - Resolution No. F2020-22 /

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:

08/28/2020

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

Date: August 28, 2020
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

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

Ad Number: 0011407212-01

P.O. Number:

Ad Copy:

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT OF THE COUNTY OF RIVERSIDE

**RESOLUTION NO. F2020-22
DECLARATION OF SURPLUS REAL PROPERTY AND NOTICE OF INTENT TO SELL FEE SIMPLE INTEREST IN DISTRICT REAL PROPERTY LOCATED IN UNINCORPORATED AREA OF THE COUNTY OF RIVERSIDE, PARCEL NUMBER 2112-2 WITH ASSESSOR'S PARCEL NUMBER 279-111-029, TO FREDERICK HARLEY MACKAY AND SHERRI MAY MACKAY BY GRANT DEED, PROJECT NO. 2-0-00112**

WHEREAS, the Riverside County Flood Control and Water Conservation District (District) is the owner of certain real property, containing an underground storm drain, referred to as RCFC Parcel No. 2112-2 with Assessor's Parcel No. 279-111-029, consisting of approximately 0.03 acre (1,742 sq. ft.) of land, located in unincorporated area of the County of Riverside (Exempt Property); and

WHEREAS, pursuant to the California Water Code Appendix, Chapter 48, Section 13, the Board of Supervisors for the District has the power to hold, use, acquire, manage, occupy and possess any real property and may determine by resolution duly entered in its minutes that any property, real, personal or mixed, held by the District is no longer necessary to be retained for the uses and purposes thereof and may thereafter sell or otherwise dispose of said property; and

WHEREAS, the Exempt Property is no longer necessary to be retained by the District in fee for the uses and purposes thereof; and

WHEREAS, the District declares the Exempt Property is exempt surplus land under the California Surplus Land Act and may proceed with the conveyance of the Exempt Property without providing prior written offers or notices of availability to other public agencies or housing sponsors, because surplus land that is (i) less than 5,000 square feet in area, (ii) not contiguous to land owned by a state or local agency that is used for park, recreation, open space or low and moderate income housing purposes, and (iii) sold to an owner of contiguous land is exempt from the requirements of the California Surplus Land Act (the "Act", Government Code Section 54220, et seq.).

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by vote of the Board of Supervisors of the District (Board) in regular session assembled on August 25, 2020, 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, at 9:30 a.m. or soon thereafter, the Exempt Property, more particularly described in Exhibit "A" and shown on Exhibit "B", attached hereto and by this reference incorporated herein, is surplus and no longer necessary to be retained in fee by the District for public purposes, and notice is hereby given, pursuant to California Water Code Appendix, Chapter 48, Section 13, that the District intends to convey the fee title interest in the Exempt Property at or after 9:30 a.m. on September 1, 2020 to Frederick Harley Mackay and Sherril May Mackay by Grant Deed with a reservation of a permanent easement in favor of the District for maintenance, operation and repair of the underground storm drain located on the Exempt Property.

BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Clerk of the Board is directed to give notice hereof as provided in Section 6061 of the Government Code.

El Cerrito-Kayne Street Storm Drain
Parcel 2112-2

Being a portion of Lot 109, Block C, as shown on the Overlook Addition #3 to Corona, Map Book 14, Pages 47 through 49, records of Riverside County, California, within the unincorporated territory of Riverside County, California, described as follows:

All of Parcel 2112-2 as shown on Record of Survey Book 114, Pages 66 through 70, records of Riverside County, California




DAVID L. STONE

Land Surveyor No. 4758
Signed For: Riverside County Flood Control
and Water Conservation District

Date: April 10, 2023

"EXHIBIT A"

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 August 25, 2020.

KECIA R. HARPER, Clerk of said Board
By: Hannah Lumanaw, Board Assistant

Any person affected by the above matter(s) may submit written comments to the Clerk of the Board before the public meeting or may appear and be heard in support of or opposition to the project at the time of the meeting. If you challenge the above item(s) in court, you may be limited to raising only those issues you or someone else raised at the public meeting described in this notice, or in written correspondence, to the Board of Supervisors at, or prior to, the public meeting.

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: August 25, 2020 Kecia R. Harper, Clerk of the Board
By: Hannah Lumanauw, Board Assistant
Press-Enterprise: 8/28



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

August 25, 2020

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

PH: (951) 368-9225
E-MAIL: legals@pe.com

RE: NOTICE OF PUBLIC HEARING: RESOLUTION NO. F2020-22 DECLARATION OF SURPLUS REAL PROPERTY AND NOTICE OF INTENT TO SELL FEE SIMPLE INTEREST IN DISTRICT REAL PROPERTY LOCATED IN THE UNINCORPORATED AREA OF THE COUNTY OF RIVERSIDE

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Friday, August 28, 2020**.

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**.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Hannah Lumanauw

Board Assistant to:
KECIA R. HARPER, CLERK OF THE BOARD

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT OF THE COUNTY OF RIVERSIDE

RESOLUTION NO. F2020-22

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WHEREAS, the Exempt Property is no longer necessary to be retained by the District in fee for the uses and purposes thereof; and

WHEREAS, the District declares the Exempt Property is exempt surplus land under the California Surplus Land Act and may proceed with the conveyance of the Exempt Property without providing prior written offers or notices of availability to other public agencies or housing sponsors, because surplus land that is (i) less than 5,000 square feet in area, (ii) not contiguous to land owned by a state or local agency that is used for park, recreation, open space or low and moderate income housing purposes, and (iii) sold to an owner of contiguous land is exempt from the requirements of the California Surplus Land Act (the "Act", Government Code Section 54220, et seq.).

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BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Clerk of the Board is directed to give notice hereof as provided in Section 6061 of the Government Code.

(Insert Exhibits)

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 August 25, 2020.

KECIA R. HARPER, Clerk of said Board
By: Hannah Lumanauw, Board Assistant

Any person affected by the above matter(s) may submit written comments to the Clerk of the Board before the public meeting or may appear and be heard in support of or opposition to the project at the time of the meeting. If you challenge the above item(s) in court, you may be limited to raising only those issues you or someone else raised at the public meeting described in this notice, or in written correspondence, to the Board of Supervisors at, or prior to, the public meeting.

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Dated: August 25, 2020

Kecia R. Harper, Clerk of the Board
By: Hannah Lumanauw, Board Assistant

**El Cerrito-Kayne Street Storm Drain
Parcel 2112-2**

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DAVID L. STONE

Land Surveyor No. 4758
Signed For: Riverside County Flood Control
and Water Conservation District

Date: April 10, 2003

"EXHIBIT A"