

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



**ITEM: 2.7
(ID # 13139)**

MEETING DATE:
Tuesday, September 01, 2020

FROM: TLMA-TRANSPORTATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:
Adoption of Resolution No. 2020-182 Summarily Vacating a portion of Leon Road in the Murrieta area, CEQA Exempt, District 3. [Applicant Fees 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that Summarily Vacating a portion of Leon Road is categorically exempt from CEQA pursuant to Section 15060 (c)(2), and Section 15061 (b)(3) of the State CEQA Guidelines;
2. Adopt Resolution No. 2020-182, Summarily Vacating a portion of Leon Road in the Murrieta 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 meeting; 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.

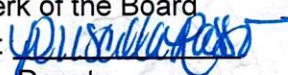
ACTION: Policy


Patricia Romo, Director of Transportation 7/24/2020

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, 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: September 1, 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 Funds will be used.			Budget Adjustment: N/A	
			For Fiscal Year: 2020/2021	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

The applicant for FPM37404 is requesting the vacation of a portion of Leon Road within their map boundary. This portion of Leon Road was granted and accepted for public use by Easement recorded September 27, 1993, as Instrument Number 375417, records of the Recorder of Riverside County, California. This portion of Leon Road is no longer needed for public access, FPM37404 will be providing private easements for access within the map. The Transportation Department has reviewed this vacation and has no objections.

As determined in the attached Notice of Exemption, the vacation is exempt from 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 2020-182 as to form.

Impact on Residents and Businesses



The vacation of this portion of Leon 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. 2020-182
- Resolution Exhibits "A" and "B" (Legal Description and Plat)
- Notice of CEQA Exemption
- Attachment "A" (Vicinity Map)
- Authorization to Bill

Jason Farin, Principal Management Analyst 8/25/2020 Gregory V. Priamos, Director County Counsel 8/24/2020

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.

9-4-20
Date

YPR
Initial

NOTICE OF EXEMPTION

Project Name: Resolution No. 2020-182 Summarily Vacating a portion of Leon Road in the Murrieta area.

Project Number: ABS20002, SU14

Project Location- See Exhibits "A" & "B"

Description of Project: Resolution No. 2020-182 Summarily Vacating a portion of Leon Road and in the Murrieta 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 roadway 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 this street will not have an effect on the environment; thus, the County has deemed this does not meet the definition of a "project" under CEQA and no environmental impacts are anticipated to occur.

- Section 15061(b)(3) - General Rule "Common Sense" Exemption. With certainty, there is no possibility that the proposed 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.

- 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: 8/19/2020
David L. McMillan, Riverside County Surveyor

EXHIBIT "A" LEGAL DESCRIPTION

ALL OF AN EASEMENT FOR PUBLIC ROAD AND DRAINAGE PURPOSES CONVEYED TO THE COUNTY OF RIVERSIDE BY EASEMENT, RECORDED SEPTEMBER 27, 1993 AS INSTRUMENT NO. 375417, OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, TOWNSHIP 7 SOUTH, RANGE 2 WEST, SECTION 5.

CONTAINING AN AREA OF APPROXIMATELY 0.25 NET ACRES MORE OR LESS;

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

THIS DOCUMENT REVIEWED BY
RIVERSIDE COUNTY SURVEYOR.

BY: *RLH*

DATE: 7/20/2020

RECORD OWNER: FRENCH VALLEY MARKETPLACE, LLC
ADDRESS: 250 MIRON DRIVE
SOUTHLAKE TEXAS 76092

EXHIBIT PREPARED BY: STEVE A. LEJA - PLS 5933
ADDRESS: 13642 HIGHLAND DRIVE
YUCAIPA, CA 92399
PHONE: 909.797.3043

APN: 480-170-015, 963-100-002



7/13/2020

EXHIBIT "B"

RECORD OWNER: FRENCH VALLEY MARKETPLACE, LLC
 ADDRESS: 250 MIRON DRIVE
 SOUTHLAKE TEXAS 76092

EXHIBIT PREPARED BY: STEVE A. LEJA - PLS 5933
 ADDRESS: 13642 HIGHLAND DRIVE
 YUCAIPA, CA 92399
 PHONE: 909.797.3043

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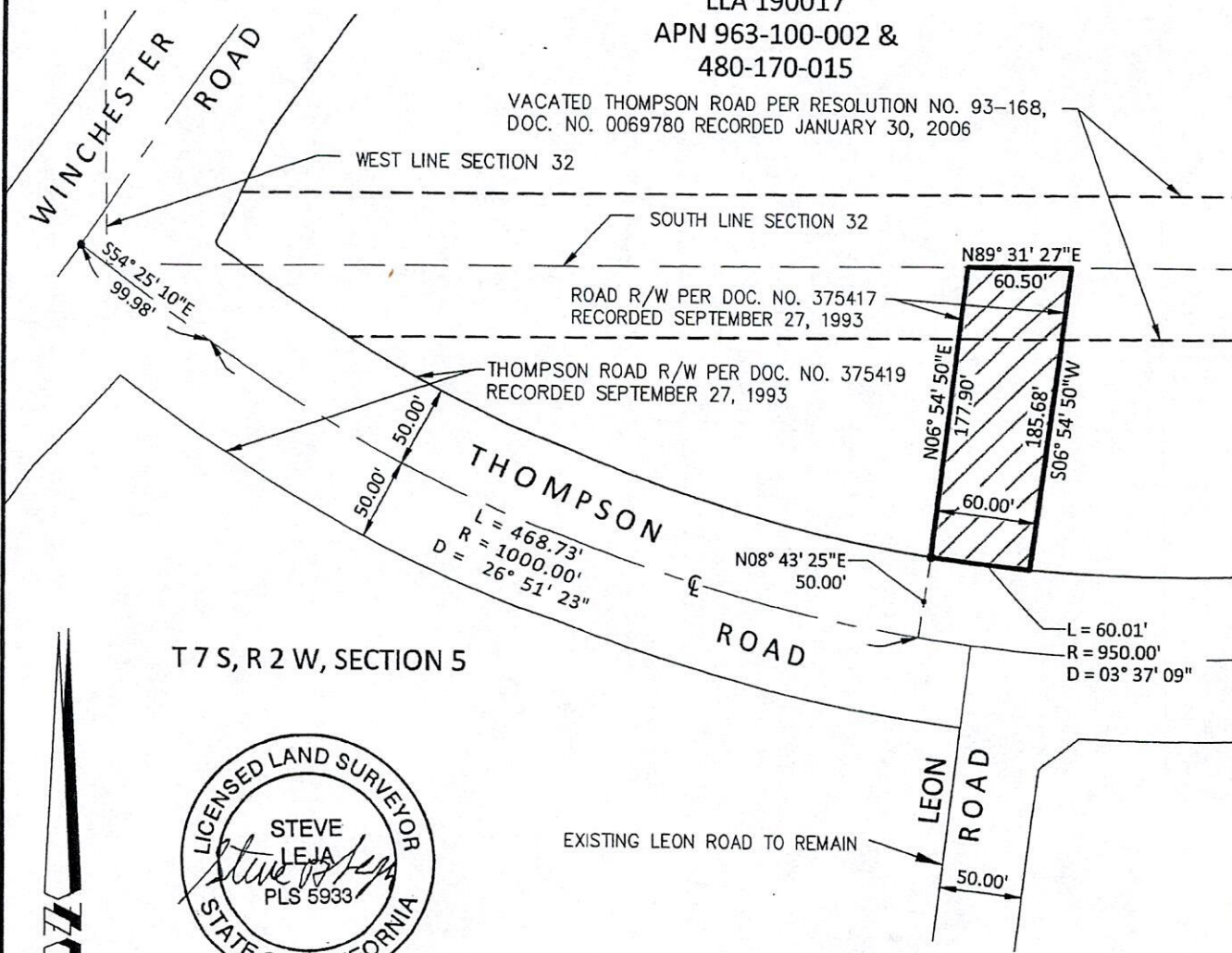
THIS DOCUMENT REVIEWED BY
 RIVERSIDE COUNTY SURVEYOR.

BY: *[Signature]*

DATE: 7/20/2020

PARCEL A
 LLA 190017
 APN 963-100-002 &
 480-170-015

VACATED THOMPSON ROAD PER RESOLUTION NO. 93-168,
 DOC. NO. 0069780 RECORDED JANUARY 30, 2006



T 7 S, R 2 W, SECTION 5



7/13/2020

RIVERSIDE COUNTY CLERK & RECORDER

**AUTHORIZATION
TO BILL
BY JOURNAL VOUCHER**

-TO BE FILLED IN BY SUBMITTING AGENCY-

AUTHORIZATION: W.O. ABS20002 SU14
Accounting String 537280-20260-3130200000 ZABS20002 ZSU14

AMOUNT: \$50.00

DATE: 7/20/2020

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) -

ATTACHMENT "A"

SUMMARILY VACATING A PORTION OF LEON ROAD IN THE MURRIETA AREA



 INDICATES AREA TO BE VACATED

NOTE: TO BE REMOVED PRIOR TO RECORDING

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

KECIA 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

2020-0506117

10/21/2020 11:09 AM Fee: \$ 0.00

Page 1 of 6

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



309

RESOLUTION NO. 2020-182

Title of Document

**SUMMARILY VACATING A PORTION OF LEON ROAD IN THE MURRIETA AREA.
(ABS20002)
(Third Supervisorial District)**

(TLMA-Transportation Department ~ Item 2.7 of 09/01/2020)

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE
FOR RECORDING INFORMATION

2
3
4 **RESOLUTION NO. 2020-182**

5 SUMMARILY VACATING A PORTION OF LEON ROAD IN THE MURRIETA AREA.

6 (ABS20002)

7 (Third Supervisorial District)

8
9 **WHEREAS**, the hereinafter-described portion of Leon Road was granted and
10 accepted for public use by the County of Riverside by Easement recorded September 27,
11 1993, as Instrument Number 375417, records of the Recorder of Riverside County,
12 California; and,

13
14 **WHEREAS**, the hereinafter-described portion of Leon Road is excess right-of-way,
15 and is not required for public street or highway purposes; and,

16
17 **WHEREAS**, applicable procedures pertaining to summary vacations were followed
18 pursuant to the County's adopted "Resolutions for Fixing Procedures to Vacate and
19 Accept County Highways and Property Offered for Dedication," now therefore;

20
21 **BE IT RESOLVED, DETERMINED AND ORDERED** by the Board of Supervisors of
22 the County of Riverside, State of California, in regular session assembled on
23 September 1, 2020, as follows:

- 24
25 1. The vacation of a portion of Leon Road is categorically exempt from CEQA
26 pursuant to Section 15060(c)(2), and Section 15061(b)(3) of the State
27 CEQA Guidelines.
28

FORM APPROVED COUNTY COUNSEL

BY: WESLEY W. STANFIELD

DATE

8/19/2020

1 **RESOLUTION NO. 2020-182**

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

7

8 SEE LEGAL DECSRIPTION AND PLAT ATTACHED HERETO
9 AS EXHIBITS "A" AND "B" AND MADE A PART HEREOF;

- 10
- 11 3. That the hereinafter-described portion of Leon Road is unnecessary for
12 present or prospective public use, including use as a non-motorized
13 transportation facility.
- 14
- 15 4. From and after the date this resolution is recorded the hereinafter-described
16 portion of Leon Road no longer constitutes a public street.

17

18 **EXCEPTING AND RESERVING** from the vacation an easement for any existing
19 public utilities and public service facilities, together with the right to maintain, operate,
20 replace, remove, or renew such facilities, pursuant to Division 9, Part 3, Chapter 5,
21 Section 8340 of the Streets and Highways Code.

22

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

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RESOLUTION NO. 2020-182

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.

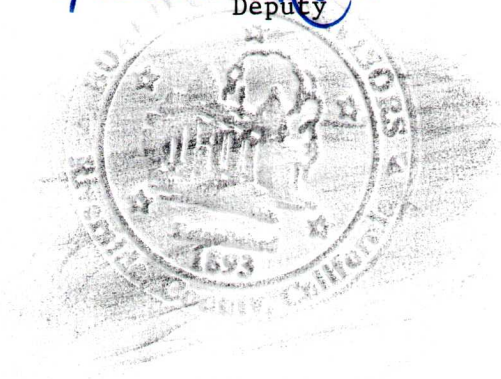
ROLL CALL:

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. # ABS20002

EXHIBIT "A" LEGAL DESCRIPTION

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

THIS DOCUMENT REVIEWED BY
RIVERSIDE COUNTY SURVEYOR.

BY: *Steve A. Leja*

DATE: 7/20/2020

RECORD OWNER: FRENCH VALLEY MARKETPLACE, LLC
ADDRESS: 250 MIRON DRIVE
SOUTHLAKE TEXAS 76092

EXHIBIT PREPARED BY: STEVE A. LEJA - PLS 5933
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YUCAIPA, CA 92399
PHONE: 909.797.3043

APN: 480-170-015, 963-100-002



7/13/2020

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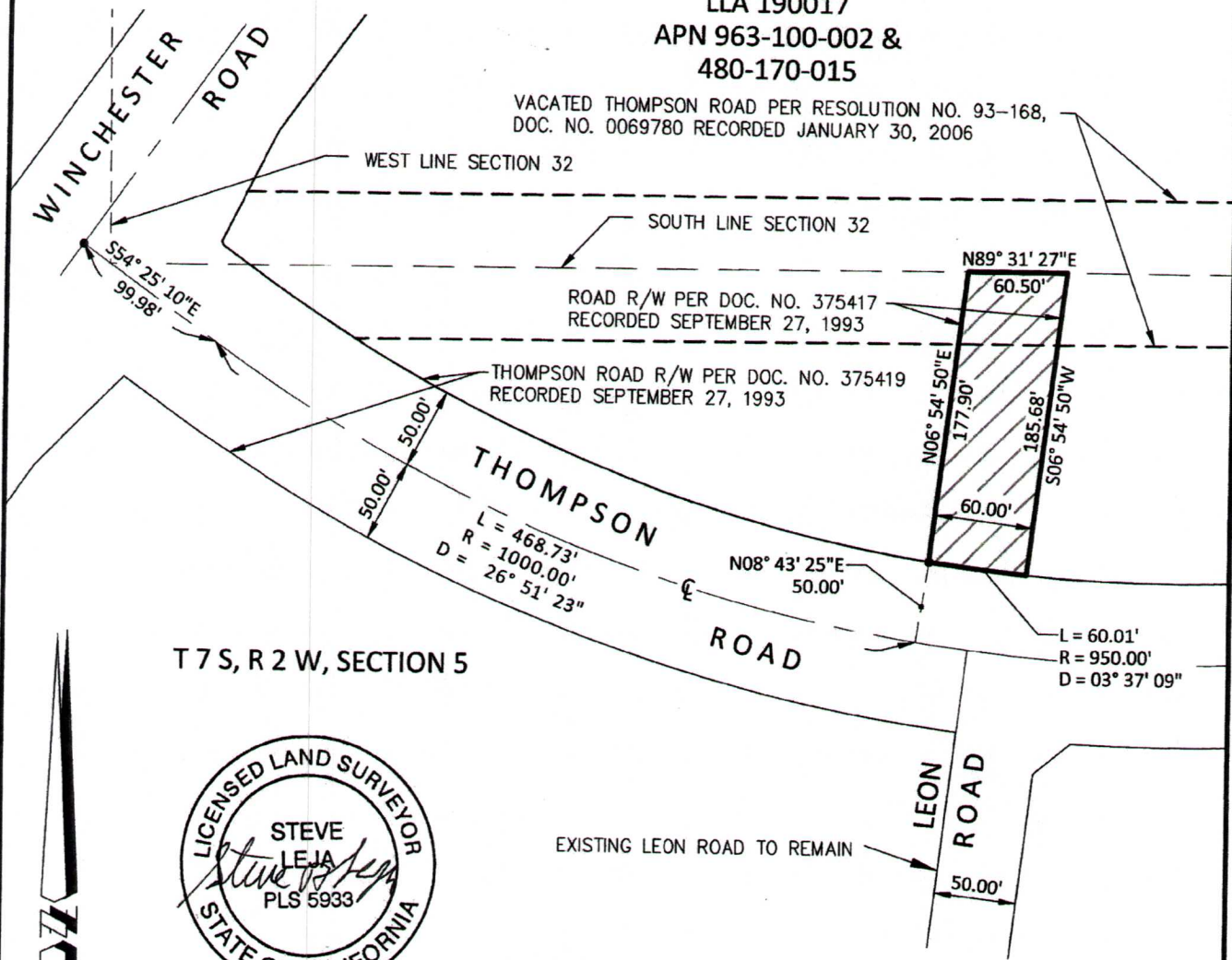
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 480-170-015

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 RIVERSIDE COUNTY SURVEYOR.

BY: *[Signature]*

DATE: 7/20/2020

VACATED THOMPSON ROAD PER RESOLUTION NO. 93-168,
 DOC. NO. 0069780 RECORDED JANUARY 30, 2006



7/13/2020

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MAIL STOP # 1010

AND WHEN RECORDED MAIL TO:

RETURN TO: STOP #1010
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THIS SPACE FOR RECORDERS USE ONLY

RESOLUTION NO. 2020-182

Title of Document

**SUMMARILY VACATING A PORTION OF LEON ROAD IN THE MURRIETA AREA.
(ABS20002)
(Third Supervisorial District)**

(TLMA-Transportation Department ~ Item 2.7 of 09/01/2020)

COPY
sent 9/4/20

2
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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 *[Signature]*
Deputy

PH W.O. # ABS20002

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BY: *Steve A. Leja*

DATE: 7/20/2020

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7/13/2020

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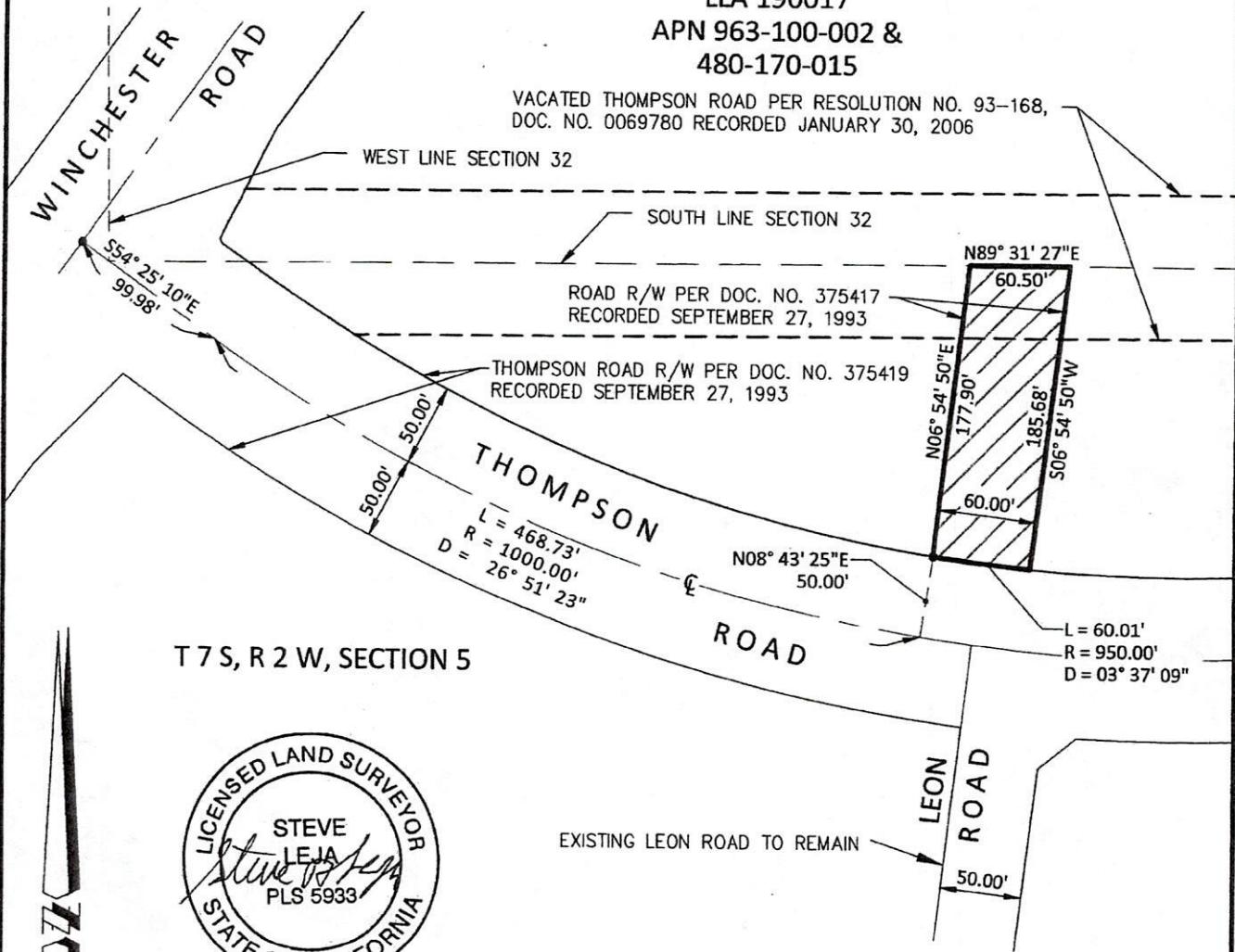
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BY: *[Signature]*

DATE: 7/20/2020

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DOC. NO. 0069780 RECORDED JANUARY 30, 2006



T 7 S, R 2 W, SECTION 5



7/13/2020

EXISTING LEON ROAD TO REMAIN