

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



ITEM: 11.7
(ID # 14022)

MEETING DATE:

Tuesday, December 15, 2020

FROM: FLOOD CONTROL DISTRICT:

SUBJECT: FLOOD CONTROL DISTRICT: Adopt Resolution No. F2020-38, Declaration of Exempt Surplus Real Property and Notice of Intent to Sell Fee Simple Interest in District-Owned Real Property Located in the City of Temecula, County of Riverside, Identified with Assessor's Parcel Number 909-120-040, Being a Portion of RCFC Parcel 7020-102K, to Eastern Municipal Water District by Grant Deed, Murrieta Creek Channel, Project No. 7-0-00020, District 3. [\$0] (4/5 Vote Required)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. F2020-38, Declaration of Exempt Surplus Real Property and Notice of Intent to Sell Fee Simple Interest in District-Owned Real Property Located in city of Temecula, County of Riverside, Identified with Assessor's Parcel Number (APN) 909-120-040, Being a Portion of RCFC Parcel 7020-102K, to Eastern Municipal Water District (EMWD) by Grant Deed, Murrieta Creek Channel, Project No. 7-0-00020; and
2. Direct the Clerk of the Board to give notice pursuant to Section 6061 of the Government Code.

ACTION: 4/5 Vote Required

Jason Uhley, GENERAL MGR-CHF FLD CNTRL ENG

11/30/2020

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel, seconded by Supervisor Jeffries and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and is set for public meeting on or after Tuesday, January 12, 2021 at 9:30 a.m. or soon thereafter.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: December 15, 2020
xc: Flood, COB

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: N/A	
			For Fiscal Year: N/A	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The Riverside County Flood Control and Water Conservation District (District) owns certain real property located in the city of Temecula, County of Riverside, identified by APN 909-120-040, referenced as RCFC Parcel 7020-102K. EMWD owns APN 909-120-044, which is surrounded on three sides by the District's property with public frontage to Diaz Road. Due to the limited size of their existing lot and necessary repairs to their facilities that require additional property, EMWD has requested to purchase a 120-foot by 80-foot strip of land being approximately 9,600 square feet of land (Property) from the District.

The District has reviewed this proposal and determined that the relinquishment of Property will not impair the design, construction, operation and maintenance of the future Murrieta Creek Channel improvements, therefore, the District recommends that the Property be declared exempt surplus land.

Pursuant to the California Water Code Appendix, Chapters 48-9 and 48-13, the Board of Supervisors of 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 Property can be declared exempt surplus land pursuant to California Government Code Section 54221(f)(1)(D) because the District is transferring the Property to another local agency for that agency's use as the Property is no longer necessary to be retained in fee by the District for public purposes.

Therefore, District staff is recommending the adoption of Resolution No. F2020-38 to declare the Property exempt surplus land and notice the District's intent to sell its fee simple interest in the Property at or after 9:30 a.m. on January 12, 2021 to Eastern Municipal Water District by Grant Deed.

Resolution F2020-38 has been approved as to form by County Counsel.

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

Impact on Residents and Businesses

None

Financial Information

All costs shall be borne by Eastern Municipal Water District.

ATTACHMENTS:

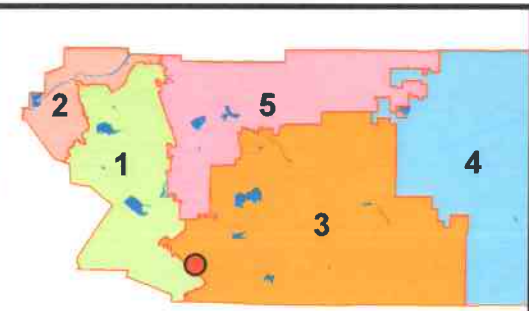
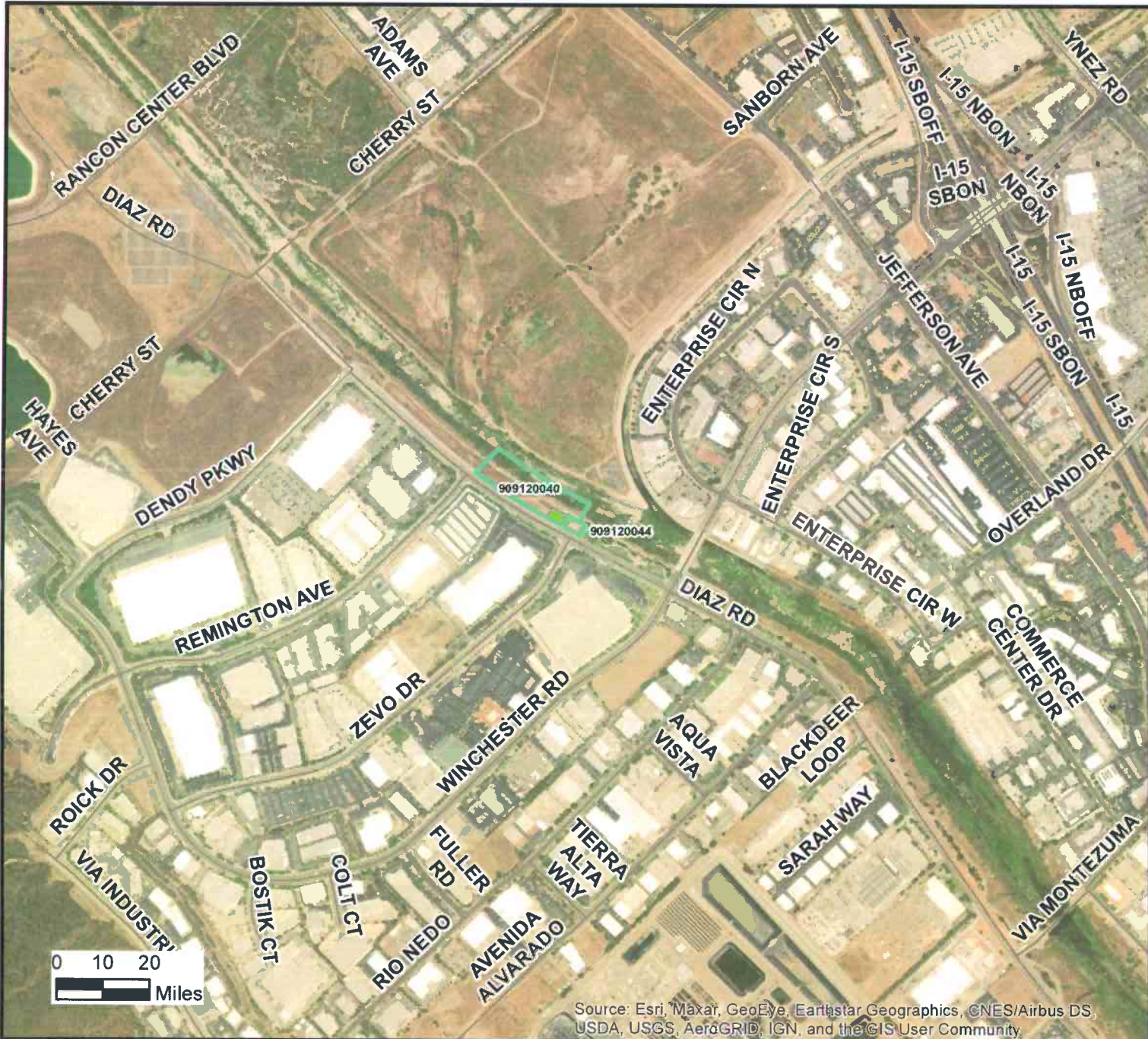
1. Resolution No. F2020-38
2. Map of Subject Area
3. Legal Description of Property

P8\235298

AU:rlp



Gregory E. Priamos, Director County Counsel 12/3/2020



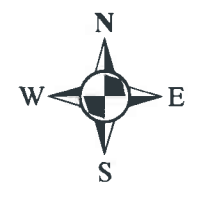
Supervisor Districts

Legend

- Interest
- Assessor Parcels

Description

A Portion of Parcel 3 of Parcel Map No. 4646 in the City of Temecula, County of Riverside, State of California



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



Adopt Resolution No. F2020-38, Declaration of Exempt Surplus Real Property and Notice of Intent to Sell Fee Simple Interest in District-Owned Real Property Located in city of Temecula, County of Riverside, Identified with Assessor's Parcel Number 909-120-040, being a portion of RCFC Parcel 7020-102K, to Eastern Municipal Water District by Grant Deed, Murrieta Creek Channel, Project No. 7-0-00020



Regional Map

1 **BOARD OF SUPERVISORS**

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

4 RESOLUTION NO. F2020-38

5 DECLARATION OF EXEMPT SURPLUS REAL PROPERTY AND NOTICE OF INTENT TO SELL
6 FEE SIMPLE INTEREST IN A PORTION OF DISTRICT-OWNED REAL PROPERTY LOCATED IN
7 THE CITY OF TEMECULA, COUNTY OF RIVERSIDE, IDENTIFIED WITH ASSESSOR'S PARCEL
8 NUMBER 909-120-040, BEING PORTION OF RCFC PARCEL 7020-102K, TO EASTERN
9 MUNICIPAL WATER DISTRICT BY GRANT DEED, MURRIETA CREEK CHANNEL, PROJECT
10 NO. 7-0-00020

11 **WHEREAS**, the Riverside County Flood Control and Water Conservation District (District) is the
12 fee owner of certain real property, referred to as RCFC Parcel 7020-102K, identified within Assessor's
13 Parcel No. 909-120-040, located in the city of Temecula, County of Riverside; and

14 **WHEREAS**, Eastern Municipal Water District (EMWD) owns certain real property known as
15 Assessor's Parcel Number 909-120-044, which is adjacent to and contiguous with RCFC Parcel 7020-
16 102K; and

17 **WHEREAS**, EMWD needs additional property for repairs to their existing facility and has offered
18 to purchase from the District a 120-foot by 80-foot strip of land, being approximately 9,600 square feet
19 (Property), for the fair market value; and

20 **WHEREAS**, the District has reviewed the offer and the Property and determined that the Property
21 is no longer necessary for the District's uses and purposes; and

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

27 **WHEREAS**, the Property can be declared exempt surplus land pursuant to California Government
28 Code Section 54221 (f)(1)(D) because the District is transferring the Property to another local agency for

12.15.2020 11.7

FORWARDED TO COUNCIL 12/15/2020
BY: WESLEY W. STANFIELD DATE

EXHIBIT "A"

**EASTERN MUNICIPAL WATER DISTRICT
GRANT DEED**

WO: 14699

APN: 909-120-040

GRANTOR: RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

LEGAL DESCRIPTION

THAT PORTION OF PARCEL 3 OF PARCEL MAP NO. 4646, IN THE CITY OF TEMECULA, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 6, PAGE 75 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID RIVERSIDE COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE WESTERLY CORNER OF THE LAND DESCRIBED IN THE GRANT DEED TO EASTERN MUNICIPAL WATER DISTRICT RECORDED JUNE 30, 1989 AS INSTRUMENT NO. 218392 OF OFFICIAL RECORDS OF SAID RIVERSIDE COUNTY, SAID CORNER BEING ALSO ON THE NORTHEASTERLY RIGHT OF WAY LINE OF DIAZ ROAD (50 FOOT HALF WIDTH) AS SHOWN ON SAID PARCEL MAP NO. 4646;

THENCE ALONG THE NORTHWESTERLY LINE OF SAID GRANT DEED NORTH 28°01'38" EAST (NORTH 27°30'00" EAST PER SAID GRANT DEED) 80.00 FEET TO THE MOST NORTHERLY CORNER THEREOF;

THENCE LEAVING SAID NORTHWESTERLY LINE NORTH 61°58'22" WEST 70.88 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 4150.00 FEET;

THENCE ALONG SAID CURVE NORTHWESTERLY 49.11 FEET THROUGH A CENTRAL ANGLE OF 00°40'41" TO A LINE PARALLEL WITH AND 120.00 FEET NORTHWESTERLY OF SAID NORTHWESTERLY LINE;

THENCE ALONG SAID PARALLEL LINE SOUTH 28°01'38" WEST 80.01 FEET TO SAID NORTHEASTERLY RIGHT OF WAY LINE OF DIAZ ROAD, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 4230.00 FEET, A RADIAL LINE OF SAID CURVE FROM SAID POINT BEARS NORTH 28°41'33" EAST;

THENCE ALONG SAID CURVE AND SAID NORTHEASTERLY RIGHT OF WAY LINE SOUTHEASTERLY 49.12 FEET THROUGH A CENTRAL ANGLE OF 00°39'55";

THENCE TANGENT FROM SAID CURVE ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE SOUTH 61°58'22" EAST 70.88 FEET TO THE **POINT OF BEGINNING**.

CONTAINING: 9,600 SQUARE FEET, MORE OR LESS.

1 that agency's use as the Property is no longer necessary to be retained in fee by the District for public
2 purposes; and

3 **NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** by vote of the
4 Board of Supervisors of the District (Board) in regular session assembled on December 15, 2020, in the
5 meeting room of the Board of Supervisors of the District located on the 1st Floor of the County
6 Administrative Center, 4080 Lemon Street, Riverside, California, at 9:30 a.m. or soon thereafter, the
7 Property, more particularly described in Exhibit "A", attached hereto and by this reference incorporated
8 herein, is exempt surplus land pursuant to California Government Code Section 54221(f)(1)(D) because the
9 District is transferring the Property to another local agency for that agency's use as the Property is no longer
10 necessary to be retained in fee by the District for public purposes.

11 **BE IT FURTHER RESOLVED, DETERMINED AND ORDERED** that notice is hereby given
12 pursuant to California Water Code Appendix, Chapter 48, Section 13, that the District intends to convey
13 the fee title interest in the exempt surplus property at or after 9:30 a.m. on or after January 12, 2021 to
14 Eastern Municipal Water District by Grant Deed.

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

17 ROLL CALL:

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

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


24 Kecia R. Harper, Clerk of said Board

25 By  Deputy
26
27
28

EXHIBIT "A"
APN: 909-120-040

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

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS' ACT.



THOMAS E. VERLOOP - L.S. 5348
DATE: 10/28/2019



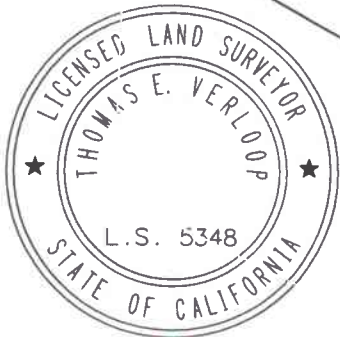
40' 0' 80'



SCALE: 1"=80'

EXHIBIT "B"

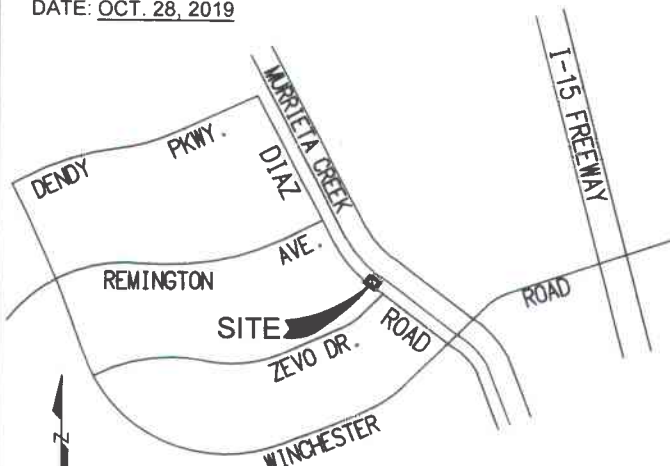
DATA TABLE			
NO	BEARING/DELTA	RADIUS	LENGTH
1	00°40'41"	4150.00'	49.11'
2	00°39'55"	4230.00'	49.12'



PREPARED UNDER MY DIRECTION

Thomas E. Verloop
 THOMAS E. VERLOOP - L.S. 5348

DATE: OCT. 28, 2019



VICINITY MAP
 N.T.S.



INDICATES EASTERN MUNICIPAL WATER DISTRICT FEE ACQUISITION
 9,600 S.F. ±

PROPERTY DESCRIPTION

A PORTION OF PARCEL 3 OF PARCEL MAP NO. 4646 IN THE CITY OF TEMECULA, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 6, PAGE 75 OR PARCEL MAPS, RECORDS OF SAID RIVERSIDE COUNTY, AND LYING WITHIN SECTION 7, TOWNSHIP 7 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN

BASIS OF BEARINGS

THE BEARINGS SHOWN ON THIS PLAT ARE BASED UPON THE CENTERLINE LINE OF DIAZ ROAD, BEARING N61°58'22"W, AS SHOWN ON PARCEL MAP NO. 4646, FILED IN BOOK 6, PAGE 75 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

APN: 909-120-040

SEC. 34, T.7S., R.3W., S.B.M.

EASTERN MUNICIPAL WATER DISTRICT RIVERSIDE COUNTY, CALIFORNIA	INST. NO.	DATE:	RA-
	APPROVALS		SCALE AS SHOWN
GRANT DEED PROPERTY OF: RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT	ENGINEERING	REAL PROPERTY	W.O. 14699
			SHT. 1 OF 1

SCALE AS SHOWN

DRAWN: T. VERLOOP

DATE: 10/28/2019