

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



ITEM: 11.8
(ID # 14557)

MEETING DATE:

Tuesday, March 02, 2021

FROM: FLOOD CONTROL DISTRICT:

SUBJECT: FLOOD CONTROL DISTRICT: Adopt Resolution No. F2021-04, Authorization to Convey Easement Interest in Real Property over a Portion of RCFC Parcel No. 3175-1A, Within Assessor's Parcel Number 377-140-023, to Southern California Edison by Easement Deed, Third Street Channel, Project No. 3-0-00175, CEQA Exempt, District 1. [\$0] (4/5 vote required)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that the conveyance of the easement (Project) is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301(b), Existing Facilities Exemption; and
2. Adopt Resolution No. F2021-04 Authorization to Convey Easement Interest in Real Property over a Portion of RCFC Parcel No. 3175-1A, Within Assessor's Parcel Number 377-140-023, to Southern California Edison (SCE) by Easement Deed, Third Street Channel, Project No. 3-0-00175; and
3. Authorize the Chair of the Riverside County Flood Control and Water Conservation District Board of Supervisors (Board) to execute the Easement Deed in favor of SCE; and
4. Authorize the General Manager-Chief Engineer or his designee to execute any other related documents and administer all actions necessary to complete this transaction.

ACTION: 4/5 Vote Required

Jason Uhley, GENERAL MGR-CHF FLD CNTRL ENG 2/17/2021

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Hewitt 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: March 2, 2021
xc: Flood, Record

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 real property in fee identified as Assessor's Parcel Number 377-140-023, which is referenced as RCFC Parcel No. 3175-1A (ROW), in the city of Lake Elsinore and is associated with Third Street Channel.

Southern California Edison (SCE) was granted an easement in 1933 for the transmission of power and its associated transmission lines and poles, which is located within the southeasterly access road of ROW. The commercial property immediately adjacent to the ROW has been developed and requires electrical supply. As SCE's existing easement is located approximately 33 feet from the ROW property line, SCE has requested the dedication of a 4-foot-wide easement for the installation and maintenance of underground power conduits, which will allow for service and connection to their existing transmission line. The total area of the easement is approximately 132 square feet. The District has reviewed and approved the utility improvement plans and has issued Encroachment Permit No. 3-0-0175-3830 for the construction of improvements within ROW. The District is now prepared to convey an easement for utility purposes to SCE for maintenance of these improvements.

Pursuant to the California Water Code Appendix §48-9, the Board has the power to convey an interest in real property which it owns when necessary or convenient to the full exercise of its powers. District staff has evaluated and determined that the conveyance of the easement interest to SCE will not interfere with the use of the property by the District as is necessary or convenient to the full exercise of the District's powers.

Pursuant to CEQA, the conveyance of the easement interest was reviewed and determined to be exempt from CEQA under State CEQA Guidelines Section 15301(b), Existing Facilities Exemption. This "Class 1" exemption allows for the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing investor and publicly owned utilities used to provide electrical power, natural gas, sewerage or other public utility services.

Resolution No. F2021-04 has been approved as to form by County Counsel.

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COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

Impact on Residents and Businesses

None.

Additional Fiscal Information

All costs shall be borne by Southern California Edison.

ATTACHMENTS:

1. Resolution No. F2021-04
2. Vicinity Map of the Subject Area
3. Easement Deed

P8\236684

JP:rlp



Scott Bruckner

2/22/2021



Gregory L. Priamos, Director County Counsel

2/18/2021

BOARD OF SUPERVISORS

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

RESOLUTION NO. F2021-04

AUTHORIZATION TO CONVEY EASEMENT INTEREST IN REAL PROPERTY
OVER A PORTION OF RCFC PARCEL NO. 3175-1A,
WITHIN ASSESSOR'S PARCEL NUMBER 377-140-023,
TO SOUTHERN CALIFORNIA EDISON COMPANY BY EASEMENT DEED
THIRD STREET CHANNEL, PROJECT NO. 3-0-00175

WHEREAS, the Riverside County Flood Control and Water Conservation District (District) owns certain real property in fee identified as Assessor's Parcel Number (APN) 377-140-023, referenced as RCFC Parcel No. 3175-1A (ROW), in the city of Lake Elsinore, County of Riverside, State of California; and

WHEREAS, Southern California Edison Company (SCE) has an existing easement for the transmission of power and transmission lines located within the southeasterly portion ROW; and

WHEREAS, the adjacent commercial property, APN 377-140-034, has constructed site improvements and these improvements require electrical supply; and

WHEREAS, the existing SCE easement within ROW is located approximately 33 feet from the property line; and

WHEREAS, SCE has requested an easement for the construction and maintenance of an underground power conduit to connect to their existing pole and transmission line; and

WHEREAS, the District has reviewed the improvement plans and determined that these facilities are compatible with the District's use of the ROW; and

WHEREAS, Encroachment Permit No. 3-0-0175-3830 has been issued for the construction of said improvements within ROW; and

WHEREAS, pursuant to the California Water Code Appendix Chapter 48, Section 48-9, the Board of Supervisors for the District has the power to convey an interest in real property it owns when such conveyance does not interfere with the use of the property for the purposes of the District; and

WHEREAS, the District has reviewed and determined that the conveyance of an easement interest is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15301(b), Existing Facilities Exemption, which allows for the operation, repair, maintenance,

FORM APPROVED COUNTY COUNSEL
BY: WESLEY W. STANFIELD DATE: 2/19/2021

1 permitting, leasing, licensing or minor alteration of existing investor and publicly owned utilities used to
2 provide electrical power, natural gas, sewerage or other public utility services.

3 **NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** by the Board of
4 Supervisors (Board) of the Riverside County Flood Control and Water Conservation District, in regular
5 session assembled on or after March 2, 2021, at or after 9:30 a.m., in its meeting room located on the 1st
6 Floor of the County Administrative Center, 4080 Lemon Street, Riverside, California, with at least four-fifths
7 of all members concurring, that the environmental impacts of the project have been sufficiently assessed and
8 the proposed action falls within the Existing Facilities Exemption in State CEQA Guidelines Section
9 15301(b), which allows for the operation, repair, maintenance, permitting, leasing, licensing or minor
10 alteration of existing investor and publicly owned utilities used to provide electrical power, natural gas,
11 sewerage or other public utility. The District is merely conveying an easement interest to a utility company
12 for facility construction and maintenance purposes.

13 **BE IT FURTHER RESOLVED, DETERMINED AND ORDERED** by a vote of this Board that
14 this Board finds that the proposed easement conveyance would not unreasonably interfere with the use of the
15 ROW for the District's purposes and is necessary or convenient to the full exercise of its powers.

16 **BE IT FURTHER RESOLVED, DETERMINED AND ORDERED** that the Board authorizes the
17 conveyance of an easement for utility purposes to SCE over a portion of the ROW, more particularly
18 described in Exhibit "A" and shown in Exhibit "B", being approximately ±132 square feet.

19 **BE IT FURTHER RESOLVED, DETERMINED AND ORDERED** that the Chair of the Board
20 of Supervisors of the District is authorized to execute the Easement Deed on behalf of the District.

21 ROLL CALL:

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

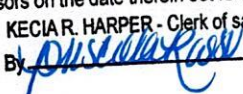
25 The foregoing is certified to be a true copy of a
26 resolution duly adopted by said Board of Super-
27 visors on the date therein set forth.
28 KECIA R. HARPER - Clerk of said Board
By:  Deputy

EXHIBIT "A"

A 6.00 FOOT WIDE STRIP OF LAND LYING WITHIN LOT 11 OF GOODWIN, WHITTEN AND ELLIOTT'S SUBDIVISIONS, AS PER MAP RECORDED IN BOOK 4, PAGE 241 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, IN THE STATE OF CALIFORNIA, THE CENTERLINE OF SAID STRIP IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST EASTERLY CORNER OF SAID LOT 11; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID LOT 11, SOUTH 43°44'07" WEST 95.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 46°15'53" WEST 33.00 FEET TO A POINT OF ENDING.

FOR SKETCH TO ACCOMPANY LEGAL DESCRIPTION, SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.



Prepared by me or under my supervision:

Dated: March 24, 2020

Glenn M. Bakke

Glenn M. Bakke R.C.E. #18619 Exp. 06-30-2021

EXHIBIT "B"

POR. LOT 11 OF
GOODWIN, WHITTEN AND ELLIOTT'S
SUBDIVISIONS
M.B. 4/241
SAN DIEGO CO.

EXISTING CHANNEL

THIRD STREET

MOST E'LY CORNER
OF LOT 11 (POC)

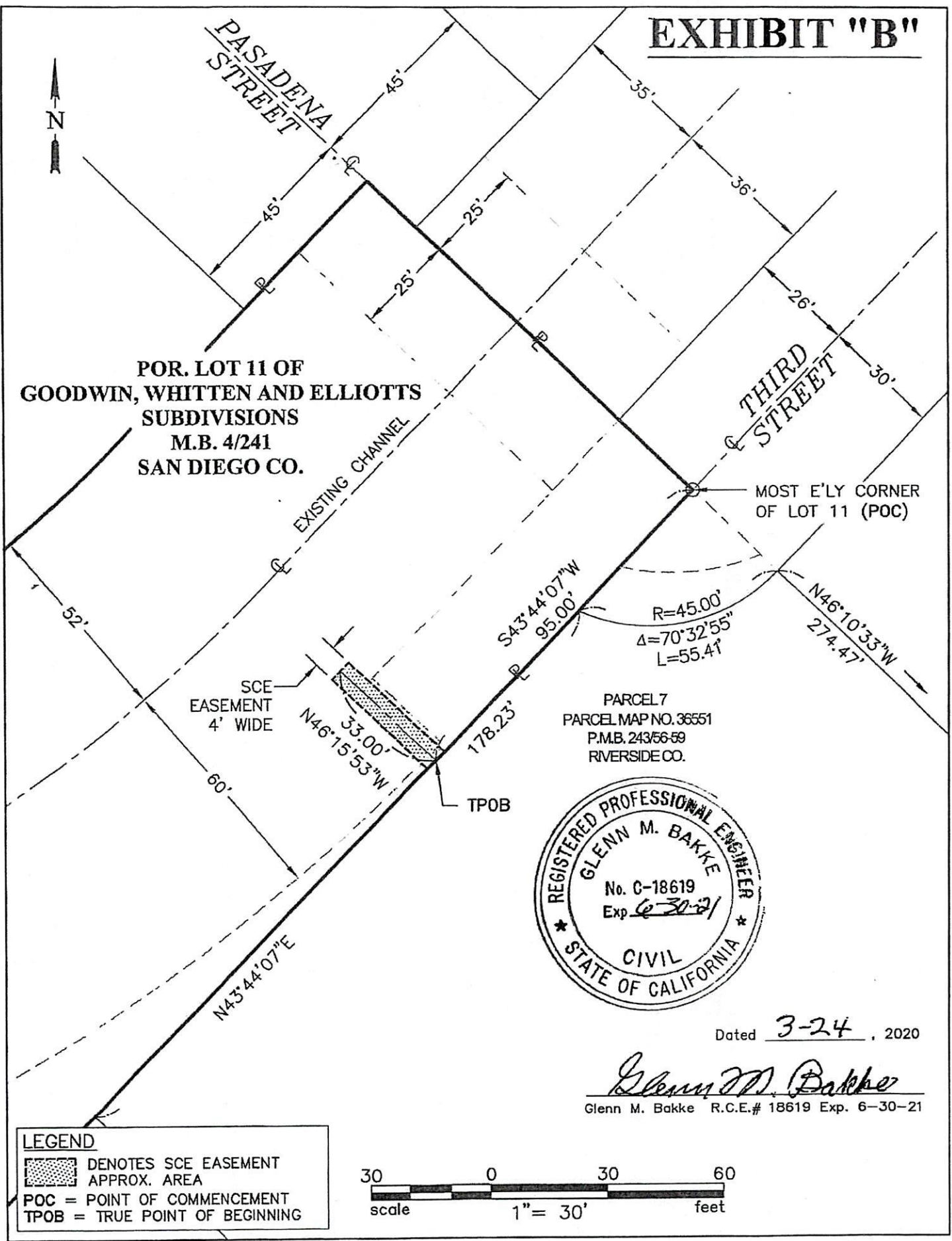
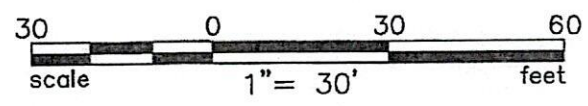
PARCEL 7
PARCEL MAP NO. 36551
P.M.B. 243/56-59
RIVERSIDE CO.



Dated 3-24, 2020

Glenn M. Bakke
Glenn M. Bakke R.C.E.# 18619 Exp. 6-30-21

LEGEND
 DENOTES SCE EASEMENT APPROX. AREA
POC = POINT OF COMMENCEMENT
TPOB = TRUE POINT OF BEGINNING



RECORDING REQUESTED BY



SOUTHERN CALIFORNIA
EDISON

An EDISON INTERNATIONAL Company

WHEN RECORDED MAIL TO
SOUTHERN CALIFORNIA EDISON COMPANY

2 INNOVATION WAY, 2nd FLOOR
POMONA, CA 91768

Attn: Title and Real Estate Services

COPY

sent to Dept. to file/record

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SCE Doc. No.

**GRANT OF
EASEMENT**

DOCUMENTARY TRANSFER TAX \$ NONE VALUE AND CONSIDERATION LESS THAN \$100.00)		DISTRICT Wildomar	SERVICE ORDER TD1608567	SERIAL NO.	MAP SIZE
SCE Company		FIM 553-1668-0	APPROVED:	BY	DATE
SIG. OF DECLARANT OR AGENT DETERMINING TAX	FIRM NAME	APN 377-140-023	GEOMATICS, LAND & INFORMATION MANAGEMENT	SLS/GB	02/5/2021

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, a body corporate and politic (hereinafter referred to as "Grantor"), hereby grants to SOUTHERN CALIFORNIA EDISON COMPANY, a corporation, its successors and assigns (hereinafter referred to as "Grantee"), an easement and right of way to construct, use, maintain, operate, alter, add to, repair, replace, reconstruct, inspect and remove at any time and from time to time underground electrical supply systems and communication systems (hereinafter referred to as "systems"), consisting of wires, underground conduits, cables, vaults, manholes, handholes, and including above-ground enclosures, markers and concrete pads and other appurtenant fixtures and equipment necessary or useful for distributing electrical energy and for transmitting intelligence, data and/or communications (eg. through fiber optic cable), in, on, over, under, across and along that certain real property in the County of Riverside, State of California, described as follows:

FOR LEGAL DESCRIPTION, SEE EXHIBITS "A" AND "B", BOTH ATTACHED HERETO AND MADE A PART HEREOF.

Grantor agrees for himself, his heirs and assigns, not to erect, place or maintain, nor to permit the erection, placement or maintenance of any building, planter boxes, earth fill or other structures except walls and fences on the above described real property. The Grantee, and its contractors, agents and employees, shall have the right to trim or cut tree roots as may endanger or interfere with said systems and shall have free access to said systems and every part thereof, at all times, for the purpose of exercising the rights herein granted; provided, however, that in making any excavation on said property of the Grantor, the Grantee shall make the same in such a manner as will cause the least injury to the surface of the ground around such excavation, and shall replace the earth so removed by it and restore the surface of the ground to as near the same condition as it was prior to such excavation as is practicable.

MAR 02 2021 11:8

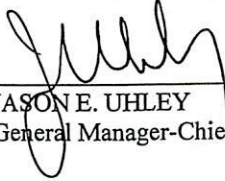
IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on


MAR 02 2021

(to be filled in by Clerk of the Board)

RECOMMENDED FOR APPROVAL:

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

By 
JASON E. UHLEY
General Manager-Chief Engineer

By 
KAREN SPIEGEL, Chairman
Riverside County Flood Control and Water
Conservation District Board of Supervisors

APPROVED AS TO FORM:

ATTEST:

GREGORY P. PRIAMOS
County Counsel

KECIA HARPER
Clerk of the Board

By 
WESLEY W. STANFIELD
Deputy County Counsel

By 
Deputy

(SEAL)

[Signed in Counterpart]

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of _____)

On _____ before me, _____, a Notary Public, personally appeared

_____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

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)



MAR 02 2021

Date: _____

Signature: 

Print Name: Oksana Estrada, Deputy Clerk of the Board

EXECUTED this ____ day of _____, 20__.

GRANTEE

SOUTHERN CALIFORNIA EDISON COMPANY,
a corporation

Signature

Print Name

Title

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of _____)

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I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

EXHIBIT "A"

A 6.00 FOOT WIDE STRIP OF LAND LYING WITHIN LOT 11 OF GOODWIN, WHITTEN AND ELLIOTT'S SUBDIVISIONS, AS PER MAP RECORDED IN BOOK 4, PAGE 241 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, IN THE STATE OF CALIFORNIA, THE CENTERLINE OF SAID STRIP IS DESCRIBED AS FOLLOWS:

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FOR SKETCH TO ACCOMPANY LEGAL DESCRIPTION, SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.



Prepared by me or under my supervision:

Dated: March 24, 2020

Glenn M. Bakke
Glenn M. Bakke R.C.E. #18619 Exp. 06-30-2021

EXHIBIT "B"



PASADENA STREET

THIRD STREET

POR. LOT 11 OF
GOODWIN, WHITTEN AND ELLIOTT'S
SUBDIVISIONS
M.B. 4/241
SAN DIEGO CO.

EXISTING CHANNEL

MOST E'LY CORNER
OF LOT 11 (POC)

SCE
EASEMENT
4' WIDE

PARCEL 7
PARCEL MAP NO. 36551
P.M.B. 243/56-59
RIVERSIDE CO.

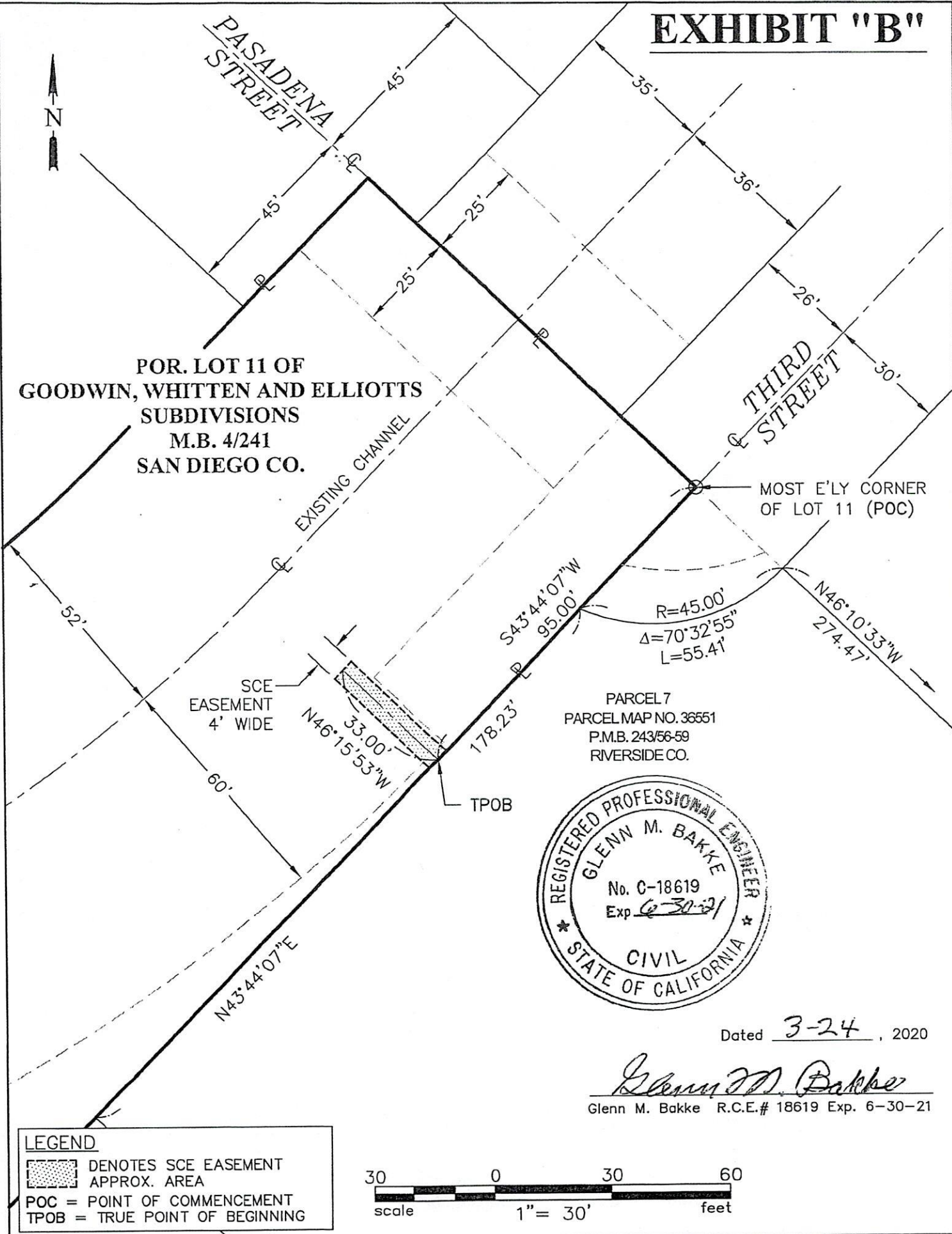
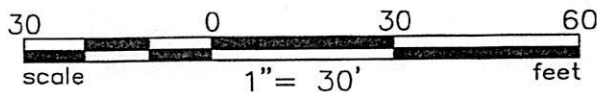


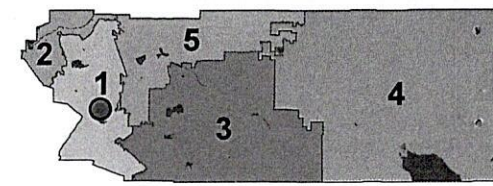
Dated 3-24, 2020

Glenn M. Bakke
Glenn M. Bakke R.C.E.# 18619 Exp. 6-30-21

LEGEND

- DENOTES SCE EASEMENT APPROX. AREA
- POC = POINT OF COMMENCEMENT
- TPOB = TRUE POINT OF BEGINNING





Supervisor Districts

Legend

- Easement Location
- Existing Facility
- Assessor Parcels
- ▒ RCFC Parcel
- Facility Location

Description

Subject Property: 377-140-023



RIVERSIDE COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT
 Resolution 2021-004, Authorization to Convey Easement to Southern California Edison Company
 RCFC Parcel No. 3175-1, Third Street Channel, Project No. 3-0-00175

