

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



ITEM: 11.6
(ID # 14757)

MEETING DATE:
Tuesday, March 30, 2021

FROM: FLOOD CONTROL DISTRICT:

SUBJECT: FLOOD CONTROL DISTRICT: Adopt Resolution No. F2021-15 Notice of Intent to Sell Fee Interest in Real Property and Reserve a Maintenance Easement and Rights of Reversion (RCFC Parcel No. 1120-13B, 1120-13C and a Portion of 1120-14A, all Within APN 209-060-023) Located in the City of Riverside, County of Riverside, to AFG Development, LLC by Grant Deed and Reservation of Easement Agreement, Project No. 1-0-00120, District 2. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. F2021-15, Notice of Intent to Sell Fee Interest in Real Property and Reserve a Maintenance Easement and Rights of Reversion (RCFC Parcel No. 1120-13B, 1120-13C and a Portion of 1120-14A, all Within APN 209-060-023) located in the City of Riverside, County of Riverside, to AFG Development, LLC by Grant Deed and Reservation of Easement Agreement, Project No. 1-0-00120;
2. Declare property as exempt surplus land; and
3. 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 3/18/2021

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Hewitt, 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: March 30, 2021
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) acquired the subject real property in three parts as (1) RCFC Parcel No. 1120-13B by Grant Deed recorded September 20, 1976 as Instrument No. 139472, (2) RCFC Parcel No. 1120-13C by Grant Deed recorded November 17, 1980 as Instrument No. 214763 and (3) RCFC Parcel No. 1120-14A by Grant Deed recorded March 18, 1988 as Instrument No. 72192 (re-recorded March 30, 1988 as Instrument No. 83442), all of which are Official Records of the County of Riverside. The purchase of the parcels was part of the University Wash Channel Project (Project) which consisted of the construction, operation and maintenance of an open channel. The District owns the parcels in fee.

The District received an unsolicited inquiry from AFG Development, LLC proposing to purchase RCFC Parcel Nos. 1120-13B, 1120-13C and a portion of 1120-14A (together, known as the "Property") and convert the existing open channel into an underground storm drain in order to develop the Property. The District was able to determine the feasibility of the request with the requirement of an easement reservation for maintenance of the underground storm drain as well as reversionary rights to the District. Selling the Property would reduce both maintenance costs and responsibilities of the District. The District requests this Property be declared exempt surplus land as the Property is a right of way conveyed to an owner of an adjacent property.

The Property will go back onto the Riverside County real property tax roll providing property tax revenue, and the reversionary rights would also insure that the District would not lose rights in the event AFG Development, LLC later sells the Property or fails to construct the project.

The District has determined that the surface of the Property is not needed for any current or any future facilities, thereby making the surface unnecessary for the District's use or purposes, and it is in the public's interest to sell the fee interest and reserve an easement on the Property as well as protect the District's rights on an active facility.

Pursuant to the California Water Code Appendix, Ch. 48, Section 9, the Board of Supervisors for the District has the power to take by grant, purchase, gift, devise, or lease, or otherwise, to

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

hold, use, enjoy, and to lease or dispose of real, personal, or mixed property of every kind within or without the District necessary or convenient to the full exercise of its powers, and to lease its property to public agencies, or to grant any interest therein to public agencies, which lease or grant does not interfere with the use of the property for the purposes of the District.

Pursuant to the California Water Code Appendix Ch. 48, Section 13, the Board of Supervisors for the District may determine any real property 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, or lease the same.

Therefore, District staff is recommending the adoption of Resolution F2021-15 to notice the District's intent to sell its fee simple interest in the Property and declare the Property as exempt surplus land.

Resolution No. F2021-15 has been approved as to form by County Counsel.

Impact on Residents and Businesses

No impact to residences or businesses.

Financial Information

All costs shall be borne by AFG Development, LLC.

ATTACHMENTS:

1. Resolution No. F2021-15
2. Vicinity Map of the subject area

P8/237123
JP:rlp



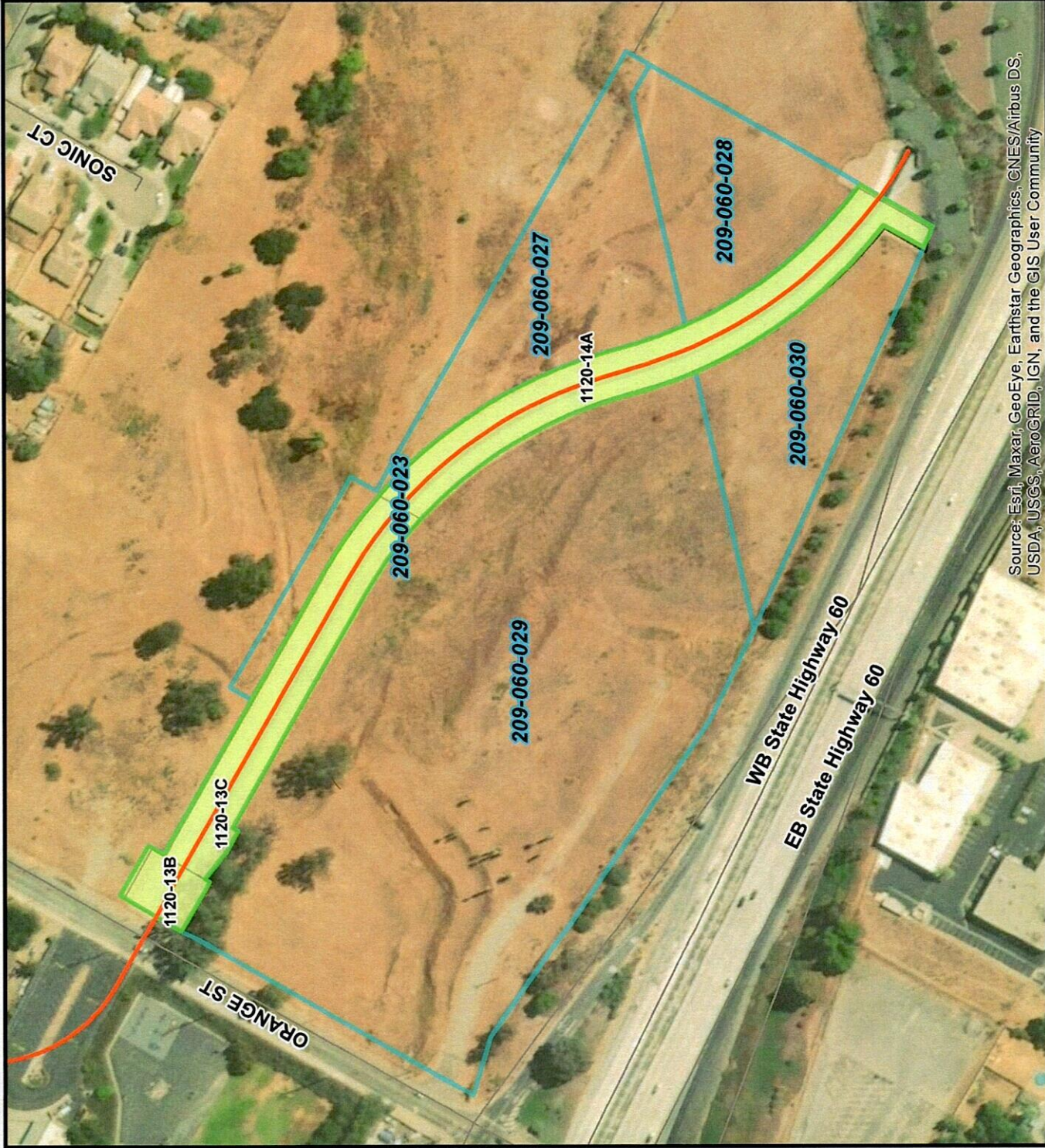
Jason Farin, Principal Management Analyst

3/23/2021

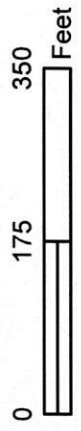
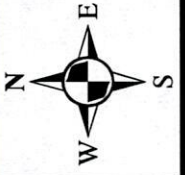


Gregory J. Priamos, Director County Counsel

3/18/2021



RIVERSIDE COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT
 Subject Property - APN 209-060-023
 RCFC Parcels - 1120-13B, 1120-13C, 1120-14A
 Vicinity Map



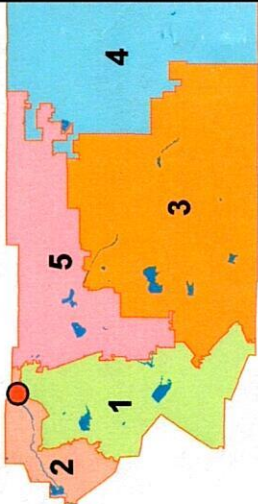
Date Created: 1/13/2021

Description
UNIVERSITY WASH
CHANNEL
 Project No. 1-0-00120

Legend

- Project Location
- Existing Facility
- Subject Property
- Assessor's Parcels
- District Parcels

Supervisory Districts



BOARD OF SUPERVISORS

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

RESOLUTION NO. F2021-15

**NOTICE OF INTENT TO SELL FEE INTEREST IN REAL PROPERTY AND RESERVE A
MAINTENANCE EASEMENT AND RIGHTS OF REVERSION (RCFC PARCEL NOS. 1120-13B,
1120-13C AND A PORTION OF 1120-14A, ALL WITHIN APN 209-060-023) LOCATED IN THE CITY
OF RIVERSIDE, COUNTY OF RIVERSIDE, TO AFG DEVELOPMENT, LLC BY GRANT DEED AND
RESERVATION OF EASEMENT AGREEMENT, PROJECT NO. 1-0-00120**

WHEREAS, the Riverside County Flood Control and Water Conservation District (District) acquired the subject real property in three parts as (1) RCFC Parcel No. 1120-13B by Grant Deed recorded September 20, 1976 as Instrument No. 139472, (2) RCFC Parcel No. 1120-13C by Grant Deed recorded November 17, 1980 as Instrument No. 214763 and (3) RCFC Parcel No. 1120-14A by a Grant Deed March 18, 1988 as Instrument No. 72192 (re-recorded March 30, 1988 as Instrument No. 83442) all of which are Official Records of the County of Riverside; and

WHEREAS, the purchase of the parcels was a part of the University Wash Channel Project (Project), which consisted of the construction, operation and maintenance of an open channel; and

WHEREAS, the District received an unsolicited inquiry from AFG Development, LLC proposing to purchase RCFC Parcel Nos. 1120-13B, 1120-13C and a portion of 1120-14A as described on Exhibit "A" and depicted on Exhibit "B" attached hereto and incorporated herein (together known as the "Property") and convert that portion of the existing open channel into an underground storm drain in order to develop the Property; and

WHEREAS, the District was able to determine the feasibility of the request with the requirement of an easement reservation for maintenance of the underground canal as well as reversionary rights to the District; and

WHEREAS, selling the Property would reduce both the obligation of maintenance and responsibility of the District; and

WHEREAS, the Property would go back onto the Riverside County real property tax roll, and the reversionary rights would also insure that the District would not lose rights in the event AFG Development, LLC later sells the Property or fails to construct the project; and

FORM APPROVED COUNTY COUNSEL
BY Ryan D. Yabko 3/18/21
DATE

1 **WHEREAS**, pursuant to the California Water Code Appendix, Ch. 48, Section 9, the Board of
2 Supervisors for the District has the power to take by grant, purchase, gift, devise, or lease, or otherwise, to
3 hold, use, enjoy, and to lease or dispose of real, personal, or mixed property of every kind within or without
4 the District necessary or convenient to the full exercise of its powers, and to lease its property to public
5 agencies, or to grant any interest therein to public agencies, which lease or grant does not interfere with the
6 use of the property for the purposes of the District; and

7 **WHEREAS**, pursuant to the California Water Code Appendix, Ch. 48, Section 13, the Board of
8 Supervisors for the District may determine any real property held by the District is no longer necessary to be
9 retained for the uses and purposes thereof, and may thereafter sell or otherwise dispose of said property, or
10 lease the same; and

11 **WHEREAS**, the District declares the Property is exempt surplus land under the California Surplus
12 Land Act and may proceed with the conveyance of the Property without providing prior written offers or
13 notices of availability to other public agencies or housing sponsors because the surplus land is a former right
14 of way and is being conveyed to an owner of an adjacent property (Government Code Section
15 54221(f)(1)(E)).

16 **NOW THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED** by the Board of
17 Supervisors of the District ("Board"), in regular session assembled on March 30, 2021 at 9:30 a.m. or soon
18 thereafter, in the meeting room of the Board, located on the 1st Floor of the County Administrative Center,
19 4080 Lemon Street, Riverside, California, that this Board has evaluated and determined that the conveyance
20 of the Property to AFG Development, LLC will not interfere with the use of the property for the intended
21 purposes of the District; and

22 **BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED** that the Board has evaluated
23 and determined that the real property which is intended to be conveyed to AFG Development, LLC is no
24 longer necessary to be retained for the uses and purposes of the District; and

25 **BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED** that the District intends to
26 convey the fee simple interest to the Property with a reservation of a permanent easement in favor of the
27 District for operation and maintenance, which includes a right of reversion; and
28

1 **BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED** that the District declares the
2 Property exempt surplus land; and

3 **BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED** by this Board that the Clerk
4 of the Board is directed to give notice pursuant to Section 6061 of the Government Code.

5
6
7 ROLL CALL:

8 Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
9 Nays: None
10 Absent: None

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

13 Kecia R. Harper, Clerk of said Board

14 By 
15 Deputy



EXHIBIT "A"
LEGAL DESCRIPTION

IN THE CITY OF RIVERSIDE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA:

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT PARCEL NO. 1120-13A AND 1120-13B AS DESCRIBED IN THE GRANT DEED RECORDED SEPTEMBER 20, 1976 AS INSTRUMENT NO. 139472, TOGETHER WITH THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE GRANT DEED TO RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT RECORDED NOVEMBER 17, 1980 AS INSTRUMENT NO. 214763, TOGETHER WITH RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT PARCEL NO. 1120-14A AS DESCRIBED IN DEED RECORDED MARCH 30, 1988 AS INSTRUMENT NO. 83442, ALSO SHOWN ON THE UNIVERSITY WASH RIGHT OF WAY MAP DRAWING NO. 1-397, RECORDS OF RIVERSIDE COUNTY FLOOD CONTROL, EXCEPTING THEREFROM THAT PORTION OF SAID PARCEL NO. 1120-14A LYING SOUTHERLY OF A LINE REFERRED TO AS *COURSE "A"* DESCRIBED IN THE GRANT DEED RECORDED MARCH 13, 2017 AS DOCUMENT NO. 2017-0101440, ALL OFFICIAL RECORDS OF SAID COUNTY.

CONTAINING 1.54 ACRES, MORE OR LESS.

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

PREPARED BY ME OR UNDER MY DIRECTION:

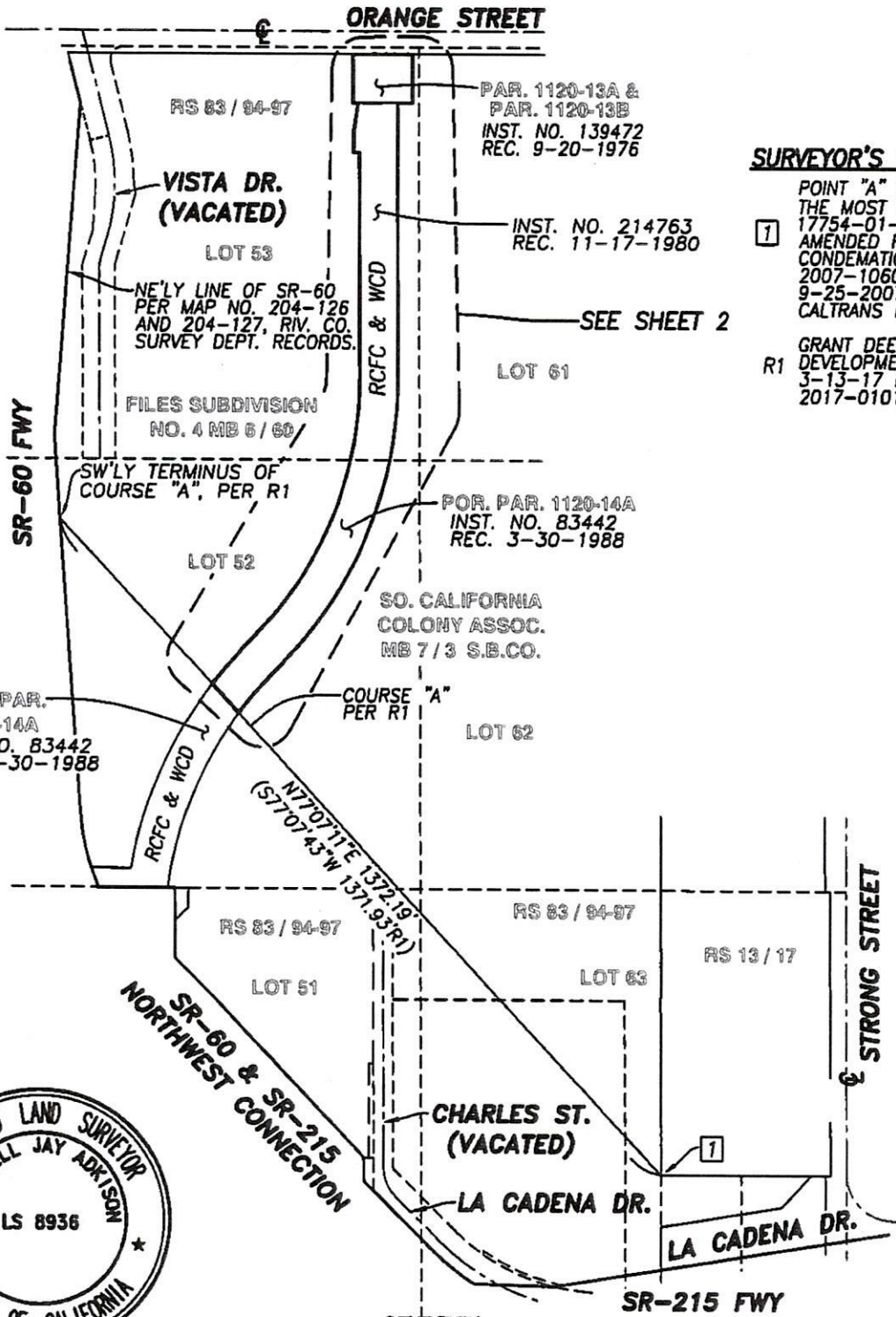
 2-10-2021
MITCHELL JAY ADKISON, PLS 8936



EXHIBIT "B"



1"=250'



SURVEYOR'S NOTES

POINT "A" DESC. IN R1, ALSO THE MOST W'LY COR. PAR. 17754-01-01 DESC. IN AMENDED FINAL ORDER OF CONDEMNATION, DOC. NO. 2007-10601014, O.R. REC. 9-25-2007 AND SHOWN IN CALTRANS RW MAP 67308-2

GRANT DEED TO AFG DEVELOPMENT, LLC REC. 3-13-17 DOC. NO. 2017-0101440, O.R.



PLAT PREPARED BY:
adkan ENGINEERS
Civil Engineering · Surveying · Planning
6879 Airport Drive, Riverside, CA 92504
Tel:(951) 688-0241 · Fax:(951) 688-0599

JOB NO. 9179 DATE: 2-10-21 CLIENT: AFG DEVELOPMENT, LLC

APPROVED BY:
Mitchell Jay Adkison 2-10-2021
MITCHELL JAY ADKISON, PLS 8936

PLAT TO ACCOMPANY LEGAL DESCRIPTION

EXHIBIT "B"



1"=120'

ORANGE STREET

N29°45'50"E
93.15'

N60°09'22"W
75.22'

75.11'
S60°16'24"E

PAR. 1120-13A &
PAR. 1120-13B
INST. NO. 139472
REC. 9-20-1976

S29°41'47"W 7.95'
N51°42'25"W 46.51'

N60°10'47"W 29.86'

S30°06'41"W 9.06'

S29°41'47"W 23.23'

VISTA DR.
(VACATED)

INST. NO. 214763
REC. 11-17-1980

LOT 53

LOT 61

NE'LY LINE OF SR-60
PER MAP NO. 204-126
AND 204-127, RIV. CO.
SURVEY DEPT. RECORDS.

N60°14'27"W 347.95'

PAR. 1120-13C
UNIVERSITY WASH
RCFC DWG NO. 1-397

S60°14'27"E 423.93'

SR-60 FWY

FILES SUBDIVISION NO. 4
MB 6 / 60

1.54 ACRES
RCFC & WCD

SW'LY TERMINUS
OF COURSE "A",
PER R1

SO. CALIFORNIA
COLONY ASSOC.
MB 7 / 3 S.B.CO.

RS 83 / 94-97

LOT 52

LOT 62

COURSE "A"
PER R1

N77°07'11"E 1372.19'
(S77°07'43"W 1371.93'R)

N15°57'53"W
34.57'
R=630.00'
L=68.65'

POR. PAR. 1120-14A
INST. NO. 83442
REC. 3-30-1988

S77°07'11"W
60.89'

S15°57'53"E
34.57'

Δ=7°14'07" R=570.00'
L=71.98'

N66°48'00"E(R)

Δ=4°16'34" R=570.00' L=440.48'
POR. PAR. 1120-14A
INST. NO. 83442
REC. 3-30-1988

Δ=4°16'34" R=630.00' L=486.84'

THE PRESS-ENTERPRISE

Ad Copy:

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.: Notice of Intent - Resolution No. F2021-15 /

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:

04/07/2021

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

Date: April 07, 2021
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

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

Ad Number: 0011453457-01

P.O. Number:

Flood Control

Item 11.6 of 03/30/21

**RESOLUTION NO. R2021-15
 NOTICE OF INTENT TO SELL FEE INTEREST IN REAL PROPERTY AND
 RESERVE A MAINTENANCE EASEMENT AND RIGHTS OF REVERSION
 (RCFC PARCELS 1120-13B AND 1120-13C) LOCATED IN THE CITY OF RIVERSIDE, COUNTY OF
 RIVERSIDE, TO AFG DEVELOPMENT, LLC BY GRANT DEED AND
 RESERVATION OF EASEMENT AGREEMENT, PROJECT NO. 14-00120**

WHEREAS, the Riverside County Flood Control and Water Conservation District (District) acquired the subject real property in three parts as (1) RCFC Parcel No. 1120-13B by Grant Deed recorded September 20, 1976 as Instrument No. 139472, (2) RCFC Parcel No. 1120-13C, by Grant Deed recorded November 17, 1980 as Instrument No. 214763 and (3) RCFC Parcel No. 1120-14A by a Grant Deed March 18, 1988 as Instrument No. 72197 (re-recorded March 30, 1988 as Instrument No. 83442), all of which are Official Records of the County of Riverside; and

WHEREAS, the purchase of the parcels was a part of the University Wash Channel Project (Project), which consisted of the construction, operation and maintenance of an open channel; and

WHEREAS, the District received an unsolicited inquiry from AFG Development, LLC proposing to purchase RCFC Parcel Nos. 1120-13B, 1120-13C and a portion of 1120-14A as described on Exhibit "A" and depicted on Exhibit "B" attached hereto and incorporated herein together known as "Property"; and

WHEREAS, the District was able to determine the feasibility of the request with the requirement of an easement reservation for maintenance of the underground canal as well as reversionary rights to the District; and

WHEREAS, selling the Property would reduce both the obligation of maintenance and responsibility of the District; and

WHEREAS, the Property would go back onto the Riverside County real property tax roll, and the reversionary rights would also insure that the District would not lose rights in the event AFG Development, LLC later sells the Property or fails to construct the project; and

WHEREAS, pursuant to the California Water Code Appendix, Ch. 48, Section 9, the Board of Supervisors for the District has the power to take by grant, purchase, gift, devise, or lease, or otherwise, to hold, use, enjoy, and to lease or dispose of real, personal, or mixed property of every kind within or without the District necessary or convenient to the full exercise of its powers, and to lease its property to public agencies, or to grant any interest therein to public agencies, which lease or grant does not interfere with the use of the property for the purposes of the District; and

WHEREAS, pursuant to the California Water Code Appendix, Ch. 48, Section 13, the Board of Supervisors for the District may determine any real property 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, or lease the same; and

WHEREAS, the District declares the Property is excess surplus land under the California Surplus Land Act and may proceed with the conveyance of the Property without providing prior written offers or notices of availability to other public agencies or housing sponsors because the surplus land is a former right of way and is being conveyed to an owner of an adjacent property (Government Code Section 54211(d)(1)(E));

NOW THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED by the Board of Supervisors of the District ("Board"), in regular session assembled on March 30, 2021 at 9:30 a.m. or soon thereafter, in the meeting room of the Board, located on the 1st Floor of the County Administrative Center, 4080 Lemon Street, Riverside, California, that this Board has evaluated and determined that the conveyance of the Property to AFG Development, LLC will not interfere with the use of the property for the intended purposes of the District; and

BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED that the Board has evaluated and determined that the real property which is intended to be conveyed to AFG Development, LLC is no longer necessary to be retained for the uses and purposes of the District; and

BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED that the District intends to convey the fee simple interest to the Property with a reservation of a permanent easement in favor of the District for operation and maintenance, which includes a right of reversion; and

BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED that the District declares the Property exempt surplus land; and

BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED by this Board that the Clerk of the Board is directed to give notice pursuant to Section 6661 of the Government Code.

**EXHIBIT "A"
 LEGAL DESCRIPTION**

IN THE CITY OF RIVERSIDE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA:

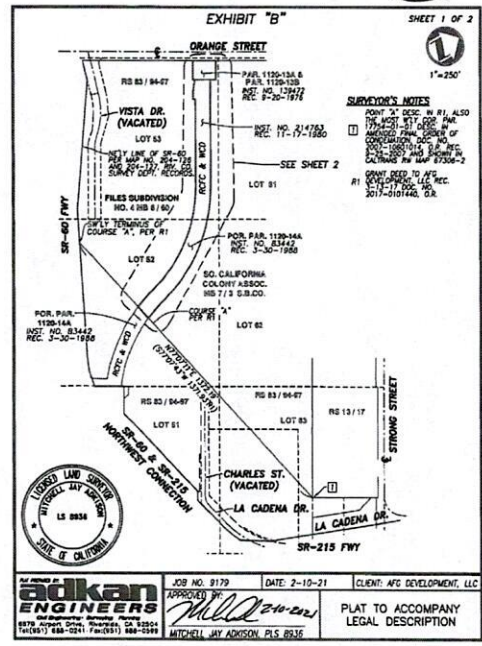
RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT PARCEL NO. 1120-13B AND 1120-13C AS DESCRIBED IN THE GRANT DEED RECORDED SEPTEMBER 20, 1976 AS INSTRUMENT NO. 139472, TOGETHER WITH THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE GRANT DEED TO RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT RECORDED NOVEMBER 17, 1980 AS INSTRUMENT NO. 214763, TOGETHER WITH RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT PARCEL NO. 1120-14A AS DESCRIBED IN DEED RECORDED MARCH 30, 1988 AS INSTRUMENT NO. 83442, ALSO SHOWN ON THE UNIVERSITY WASH CHANNEL PROJECT DRAWING NO. 13-397, RECORDS OF RIVERSIDE COUNTY FLOOD CONTROL, EXCEPTING THEREFROM THAT PORTION OF SAID PARCEL NO. 1120-14A LYING SOUTHERLY OF A LINE REFERRED TO AS COURSE "A" DESCRIBED IN THE GRANT DEED RECORDED MARCH 18, 2001 AS DOCUMENT NO. 2017-010140, ALL OFFICIAL RECORDS OF SAID COUNTY.

CONTAINING 1.54 ACRES, MORE OR LESS.

SEE EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF, PREPARED BY ME OR UNDER MY DIRECTION:

PREPARED BY ME OR UNDER MY DIRECTION:

Mitchell Jay Adkison 2-10-2021
 MITCHELL JAY ADKISON, PLS 8936

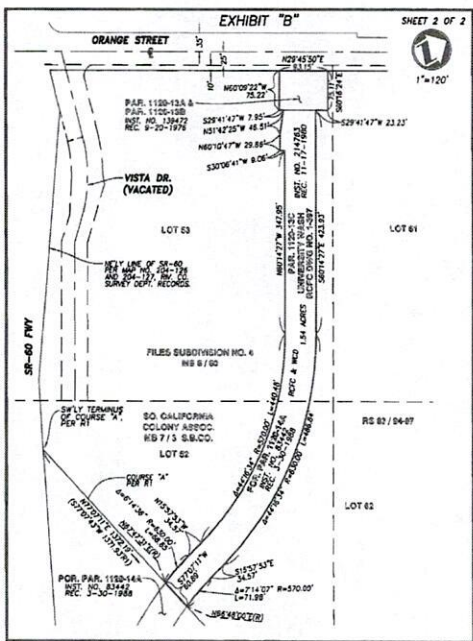


adkan ENGINEERS
 8770 ALYSON DRIVE, RIVERSIDE, CA 92504
 (951) 508-7000 FAX (951) 508-5399

JOB NO. 9179 DATE: 2-10-21 CLIENT: AFG DEVELOPMENT, LLC

APPROVED BY: *Mitchell Jay Adkison* 2-10-21
 MITCHELL JAY ADKISON, PLS 8936

PLAT TO ACCOMPANY LEGAL DESCRIPTION



ROLL CALL:
 Ayes: Jeffries, Spiegel, Washington, Perez, and Hewitt
 Noys: None
 Absent: None

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on March 30, 2021.

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

Alternative formats available upon request to individuals with disabilities.

Dated: March 30, 2021 Kecia R. Harper, Clerk of the Board
 By: Hannah Lumanow, Board Assistant Press-Enterprise: 407



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

March 30, 2021

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

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

**RE: RESOLUTION NO. F2021-15 INTENT TO SELL FEE INTEREST IN REAL
PROPERTY AND RESERVE A MAINTENANCE EASEMENT AND RIGHTS OF
REVERSION**

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Wednesday, April 07, 2021**.

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

RESOLUTION NO. F2021-15

NOTICE OF INTENT TO SELL FEE INTEREST IN REAL PROPERTY AND RESERVE A MAINTENANCE EASEMENT AND RIGHTS OF REVERSION (RCFC PARCEL NOS. 1120-13B, 1120-13C AND A PORTION OF 1120-14A, ALL WITHIN APN 209-060-023) LOCATED IN THE CITY OF RIVERSIDE, COUNTY OF RIVERSIDE, TO AFG DEVELOPMENT, LLC BY GRANT DEED AND RESERVATION OF EASEMENT AGREEMENT, PROJECT NO. 1-0-00120

WHEREAS, the Riverside County Flood Control and Water Conservation District (District) acquired the subject real property in three parts as (1) RCFC Parcel No. 1120-13B by Grant Deed recorded September 20, 1976 as Instrument No. 139472, (2) RCFC Parcel No. 1120-13C by Grant Deed recorded November 17, 1980 as Instrument No. 214763 and (3) RCFC Parcel No. 1120-14A by a Grant Deed March 18, 1988 as Instrument No. 72192 (re-recorded March 30, 1988 as Instrument No. 83442) all of which are Official Records of the County of Riverside; and

WHEREAS, the purchase of the parcels was a part of the University Wash Channel Project (Project), which consisted of the construction, operation and maintenance of an open channel; and

WHEREAS, the District received an unsolicited inquiry from AFG Development, LLC proposing to purchase RCFC Parcel Nos. 1120-13B, 1120-13C and a portion of 1120-14A as described on Exhibit "A" and depicted on Exhibit "B" attached hereto and incorporated herein (together known as the "Property") and convert that portion of the existing open channel into an underground storm drain in order to develop the Property; and

WHEREAS, the District was able to determine the feasibility of the request with the requirement of an easement reservation for maintenance of the underground canal as well as reversionary rights to the District; and

WHEREAS, selling the Property would reduce both the obligation of maintenance and responsibility of the District; and

WHEREAS, the Property would go back onto the Riverside County real property tax roll, and the reversionary rights would also insure that the District would not lose rights in the event AFG Development, LLC later sells the Property or fails to construct the project; and

WHEREAS, pursuant to the California Water Code Appendix, Ch. 48, Section 9, the Board of Supervisors for the District has the power to take by grant, purchase, gift, devise, or lease, or otherwise, to hold, use, enjoy, and to lease or dispose of real, personal, or mixed property of every kind within or without the District necessary or convenient to the full exercise of its powers, and to lease its property to public agencies, or to grant any interest therein to public agencies, which lease or grant does not interfere with the use of the property for the purposes of the District; and

WHEREAS, pursuant to the California Water Code Appendix, Ch. 48, Section 13, the Board of Supervisors for the District may determine any real property 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, or lease the same; and

WHEREAS, the District declares the Property is exempt surplus land under the California Surplus Land Act and may proceed with the conveyance of the Property without providing prior written offers or notices of availability to other public agencies or housing sponsors because the surplus land is a former right of way and is being conveyed to an owner of an adjacent property (Government Code Section 54221(f)(1)(E)).

NOW THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED by the Board of Supervisors of the District ("Board"), in regular session assembled on March 30, 2021 at 9:30 a.m. or soon thereafter, in the meeting room of the Board, located on the 1st Floor of the County Administrative Center, 4080 Lemon Street, Riverside, California, that this Board has evaluated and determined that the conveyance of the Property to AFG Development, LLC will not interfere with the use of the property for the intended purposes of the District; and

BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED that the Board has evaluated and determined that the real property which is intended to be conveyed to AFG Development, LLC is no longer necessary to be retained for the uses and purposes of the District; and

BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED that the District intends to convey the fee simple interest to the Property with a reservation of a permanent easement in favor of the District for operation and maintenance, which includes a right of reversion; and

BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED that the District declares the Property exempt surplus land; and

BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED by this Board that the Clerk of the Board is directed to give notice pursuant to 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 March 30, 2021.

KECIA R. HARPER, Clerk of said Board

By: Hannah Lumanauw, Board Assistant

Alternative formats available upon request to individuals with disabilities.

Dated: March 30, 2021

Kecia R. Harper, Clerk of the Board

By: Hannah Lumanauw, Board Assistant

EXHIBIT "A"
LEGAL DESCRIPTION

IN THE CITY OF RIVERSIDE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA:

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT PARCEL NO. 1120-13A AND 1120-13B AS DESCRIBED IN THE GRANT DEED RECORDED SEPTEMBER 20, 1976 AS INSTRUMENT NO. 139472, TOGETHER WITH THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE GRANT DEED TO RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT RECORDED NOVEMBER 17, 1980 AS INSTRUMENT NO. 214763, TOGETHER WITH RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT PARCEL NO. 1120-14A AS DESCRIBED IN DEED RECORDED MARCH 30, 1988 AS INSTRUMENT NO. 83442, ALSO SHOWN ON THE UNIVERSITY WASH RIGHT OF WAY MAP DRAWING NO. 1-397, RECORDS OF RIVERSIDE COUNTY FLOOD CONTROL, EXCEPTING THEREFROM THAT PORTION OF SAID PARCEL NO. 1120-14A LYING SOUTHERLY OF A LINE REFERRED TO AS *COURSE "A"* DESCRIBED IN THE GRANT DEED RECORDED MARCH 13, 2017 AS DOCUMENT NO. 2017-0101440, ALL OFFICIAL RECORDS OF SAID COUNTY.

CONTAINING 1.54 ACRES, MORE OR LESS.

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

PREPARED BY ME OR UNDER MY DIRECTION:

 2-10-2021
MITCHELL JAY ADKISON, PLS 8936

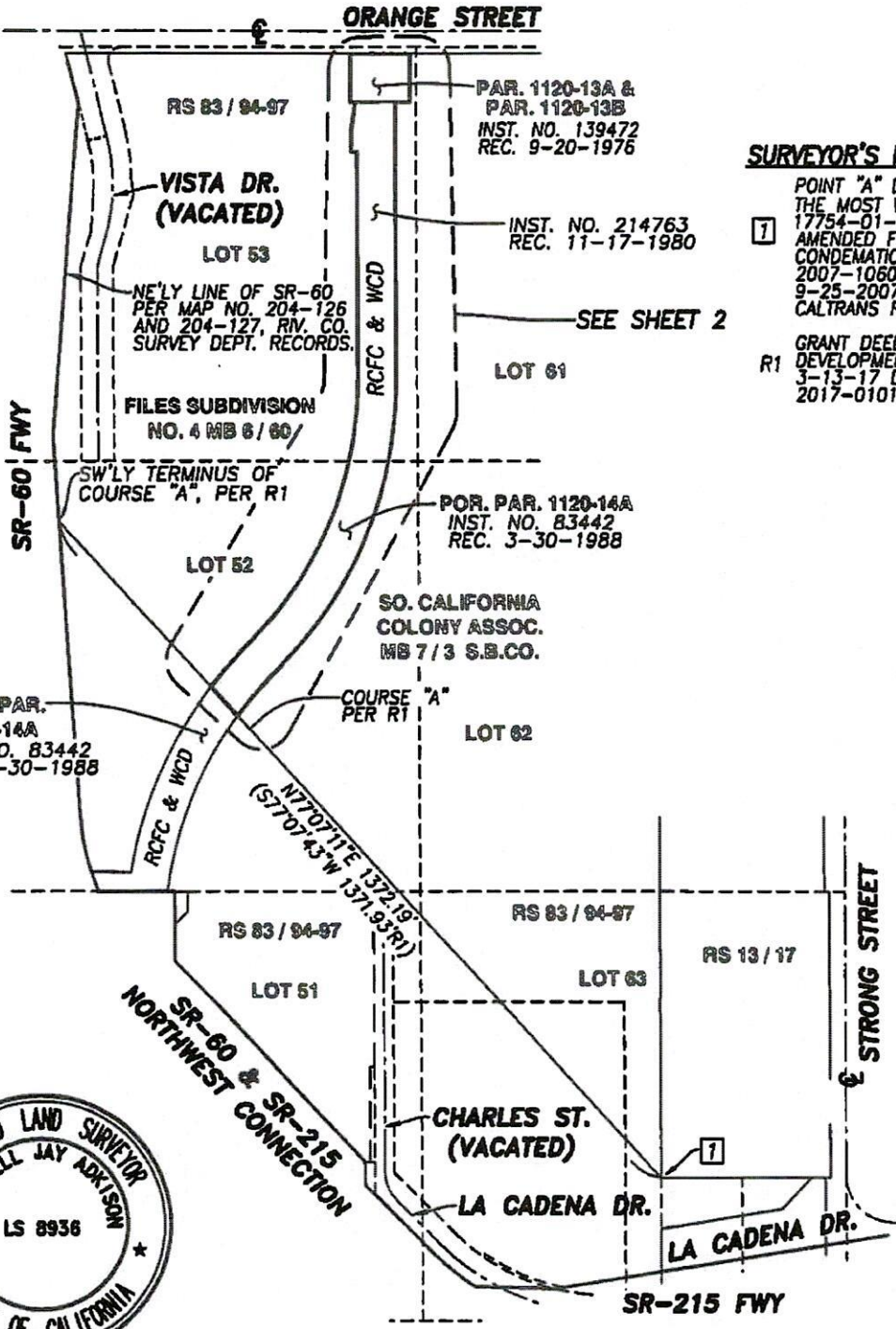


EXHIBIT "B"

SHEET 1 OF 2



1"=250'



SURVEYOR'S NOTES

POINT "A" DESC. IN R1, ALSO THE MOST W'LY COR. PAR. 17754-01-01 DESC. IN AMENDED FINAL ORDER OF CONDEMNATION, DOC. NO. 2007-10601014, O.R. REC. 9-25-2007 AND SHOWN IN CALTRANS RW MAP 67308-2

R1 GRANT DEED TO AFG DEVELOPMENT, LLC REC. 3-13-17 DOC. NO. 2017-0101440, O.R.



PLAT PREPARED BY:
adkan ENGINEERS
 Civil Engineering - Surveying - Planning
 6878 Airport Drive, Riverside, CA 92504
 Tel:(951) 688-0241 · Fax:(951) 688-0599

JOB NO. 9179 DATE: 2-10-21
 APPROVED BY:
Mitchell Jay Adkison 2-10-2021
 MITCHELL JAY ADKISON, PLS 8936

CLIENT: AFG DEVELOPMENT, LLC
 PLAT TO ACCOMPANY
 LEGAL DESCRIPTION

EXHIBIT "B"



1"=120'

ORANGE STREET

SR-60 FWY

PAR. 1120-13A &
PAR. 1120-13B
INST. NO. 139472
REC. 9-20-1976

VISTA DR.
(VACATED)

LOT 53

NE'LY LINE OF SR-60
PER MAP NO. 204-126
AND 204-127, RIV. CO.
SURVEY DEPT. RECORDS.

FILES SUBDIVISION NO. 4
MB 6 / 60

INST. NO. 214763
REC. 11-17-1980

PAR. 1120-13C
UNIVERSITY WASH
RCFC DWG NO. 1-397

1.54 ACRES
RCFC & WCD

LOT 61

SW'LY TERMINUS
OF COURSE "A",
PER R1

SO. CALIFORNIA
COLONY ASSOC.
MB 7 / 3 S.B.CO.

LOT 52

RS 93 / 94-97

COURSE "A"
PER R1

N77°07'11"E 1372.19'
(S77°07'43"W 1371.93'R1)

N15°57'53"W
34.57'
L=630.00'
L=68.85'

POR. PAR. 1120-14A
INST. NO. 83442
REC. 3-30-1988

S77°07'11"W
60.89'

S15°57'53"E
34.57'

Δ=7°14'07" R=570.00'
L=71.98'

N66°48'00"E(R)

Δ=44°16'34" R=570.00' L=440.48'
POR. PAR. 1120-14A
INST. NO. 83442
REC. 3-30-1988

Δ=44°16'34" R=630.00' L=486.84'

LOT 62

