

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



ITEM: 11.10
(ID # 15304)

MEETING DATE:

Tuesday, June 08, 2021

FROM: FLOOD CONTROL DISTRICT:

SUBJECT: FLOOD CONTROL DISTRICT: Adopt Resolution No. F2021-25, Notice of Intent to Sell Fee Simple Interest in Real Property and Reserve an Inundation Easement (RCFC Parcel No. 6135-8C, Also Known as APN 654-270-031), Located in the County of Riverside, to Alibaba Farzaneh and Dan Hamilton by Quitclaim Deed, Project No. 6-0-00135, District 4. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. F2021-25, Notice of Intent to Sell Fee Simple Interest in Real Property and Reserve an Inundation Easement (RCFC Parcel No. 6135-8C, also known as APN 654-270-031), Located in the County of Riverside, to Alibaba Farzaneh and Dan Hamilton by Quitclaim Deed, Project No. 6-0-00135;
2. Declare property as exempt surplus land pursuant to California Government Code Section 54221(f)(1)(E); 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

5/26/2021

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Washington, 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: June 8, 2021
xc: Flood, COB

Kecia R. Harper
Clerk of the Board

By: 
Deputy



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| 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 known as RCFC Parcel No. 6135-8C (Property) by Grant Deed recorded December 17, 1976 as Instrument No. 193970 in the Official Records of the County of Riverside.

The purchase of the Property was part of the Wide Canyon Channel Project (Project) which consisted of construction, operation and maintenance of an open channel. The District owns the Property in fee.

The District received an unsolicited request from Alibaba Farzaneh and Dan Hamilton (adjacent owner) proposing to purchase the Property in order to create access to their property which is currently landlocked. The Property is in the inundation area for the Long Canyon Dam spillway. Consequently, the District was able to determine that the sale of the Property to the adjacent owner would be feasible if the District were to reserve an inundation easement over the Property to flood and/or submerge the Property. Selling the Property would reduce both maintenance costs and responsibilities of the District. The District recommends 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.

Pursuant to California Water Code Appendix, Ch. 48, Section 9, the Board of Supervisors of the District (Board) 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.

Pursuant to the California Water Code Appendix Ch. 48, Section 13, the Board 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.

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Pursuant to California Government Code Section 54221(f)(1)(E), surplus land that is a former street, right of way or easement, and is conveyed to an owner of an adjacent property is exempt surplus land and thus the Surplus Land Act does not apply to this transaction. Therefore, the District can proceed to negotiate a purchase price with the potential buyer. After negotiations have concluded, District staff will present an agreement for the disposition of the Property to the Board for approval.

The District has determined that the Property is no longer needed for any current or future facilities, thereby making it unnecessary for the District's use or purposes, and it is in the public interest to sell the Property. Therefore, District staff is recommending the adoption of Resolution No. F2021-25 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. F2021-25 has been approved as to form by County Counsel.

Impact on Residents and Businesses

Increase in private property ownership and create access to a landlocked parcel.

ATTACHMENTS:

1. Resolution No. F2021-25
2. Vicinity Map

P8/238140
JP:rlp



Jason Farin, Principal Management Analyst

6/2/2021



Gregory L. Priamos, Director County Counsel

5/27/2021

BOARD OF SUPERVISORS**RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT****RESOLUTION NO. F2021-25**

**NOTICE OF INTENT TO SELL A FEE SIMPLE INTEREST IN REAL PROPERTY AND RESERVE
AN INUNDATION EASEMENT (RCFC PARCEL NO. 6135-8C, ALSO KNOWN AS APN 654-270-
031), LOCATED IN THE COUNTY OF RIVERSIDE, TO ALIBABA FARZANEH AND DAN
HAMILTON BY QUITCLAIM DEED, PROJECT NO. 6-0-00135**

WHEREAS, the Riverside County Flood Control and Water Conservation District (District) acquired the subject property as RCFC Parcel No. 6135-8C by a Grant Deed recorded December 17, 1976 as Instrument No. 193970 in the Official Records of the County of Riverside, attached hereto as Exhibit "A" and incorporated herein; and

WHEREAS, the purchase of RCFC Parcel No. 6135-8C was part of the Wide Canyon Channel Project (Project) which consisted of the construction, operation and maintenance of an open channel; and

WHEREAS, the District received an unsolicited request from Alibaba Farzaneh and Dan Hamilton to purchase RCFC Parcel No. 6135-8C as described in Exhibit "A" (hereinafter "Property") to create access to their adjacent property which is currently landlocked; and

WHEREAS, pursuant to California Water Code Appendix, Ch. 48, Section 9, the Board of Supervisors for the District (Board) 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 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, pursuant to California Government Code Section 54221(f)(1)(E) and Section 54222.3, surplus land that is a former street, right of way, or easement, and is conveyed to an owner of an adjacent property is exempt from the requirements of the Surplus Land Act.

06.08.2021 11.10

FORM APPROVED COUNTY COUNSEL

5/27/2021
DATE

BY: WESLEY W. STANFIELD

1 **NOW THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED** by the Board, in
 2 regular session assembled on June 8, 2021 at 9:30 a.m. or soon thereafter, in the meeting room of the Board
 3 of Supervisors of the District, located on the 1st Floor of the County Administrative Center, 4080 Lemon
 4 Street, Riverside, California, that the Board has determined that the Property is no longer necessary to be
 5 retained for the uses and purposes of the District.

6 **BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED** that the Board hereby
 7 declares that the Property is exempt surplus land under the California Government Code Section
 8 54221(f)(1)(E) and may proceed with the conveyance of the Property because the Property is a former right
 9 of way and is being conveyed to an owner of an adjacent property.

10 **BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED** that the District intends to
 11 convey the fee simple interest to the Property at or after 9:30 a.m. on July 20, 2021 with a reservation of a
 12 permanent easement in favor of the District for inundation purposes.

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

15
 16 ROLL CALL:

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

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

23 Kecia R. Harper, Clerk of said Board

24 By 
 25 Deputy

EXHIBIT "A"

193970 193970

Recorded at request of, and return to:
Riverside County Flood Control
and Water Conservation District
P.O. Box 1683
Riverside, California

RECEIVED FOR RECORD
DEC 17 1976
AT 9:00 O'CLOCK A.M.
As Requested of
FIRST AMERICAN TITLE COMPANY
OF RIVERSIDE
Book 1976, Page 193970
Recorded in Official Records
of Riverside County, California
W.W. Dwyer
FEB 1

FREE RECORDING

This instrument is for the benefit of
Riverside County Flood Control and
Water Conservation District, and is
entitled to be recorded without fee.
(Govt. Code 6103).

Parcel s 6135-8A and 8B

Project: Wide Canyon Channel

GRANT DEED

METHA RILEY

grants to RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION
DISTRICT the real property in the
County of Riverside, State of California, described as:

Parcel 6135-8A and Parcel 6135-8B as shown on
Record of Survey filed August 11, 1976, in Record
of Surveys Book 62, pages 1 through 10, inclusive,
Office of the County Recorder, Riverside County,
California, and Parcel 6135-8C described as all
that portion of the East half of the Southeast
quarter of the Southwest quarter of the Northeast
quarter of Section 12, Township 3 South, Range 5
East, San Bernardino Base and Meridian, lying
Northerly of the Northerly line of Parcel 6135-8B
as shown on said Record of Survey.

EXCEPTING THEREFROM all oil, gas and other mineral
deposits together with the right to mine, prospect
for, and remove same as reserved by the United
States of America in Patent recorded February 25,
1957, in Book 2045, page 36, of Official Records
of Riverside County, California.

1483027092

193970

Metha Riley
METHA RILEY

DATED November 17, 1976

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.

On November 17, 1976, before me, the undersigned, a Notary Public in
and for said State, personally appeared

METHA RILEY

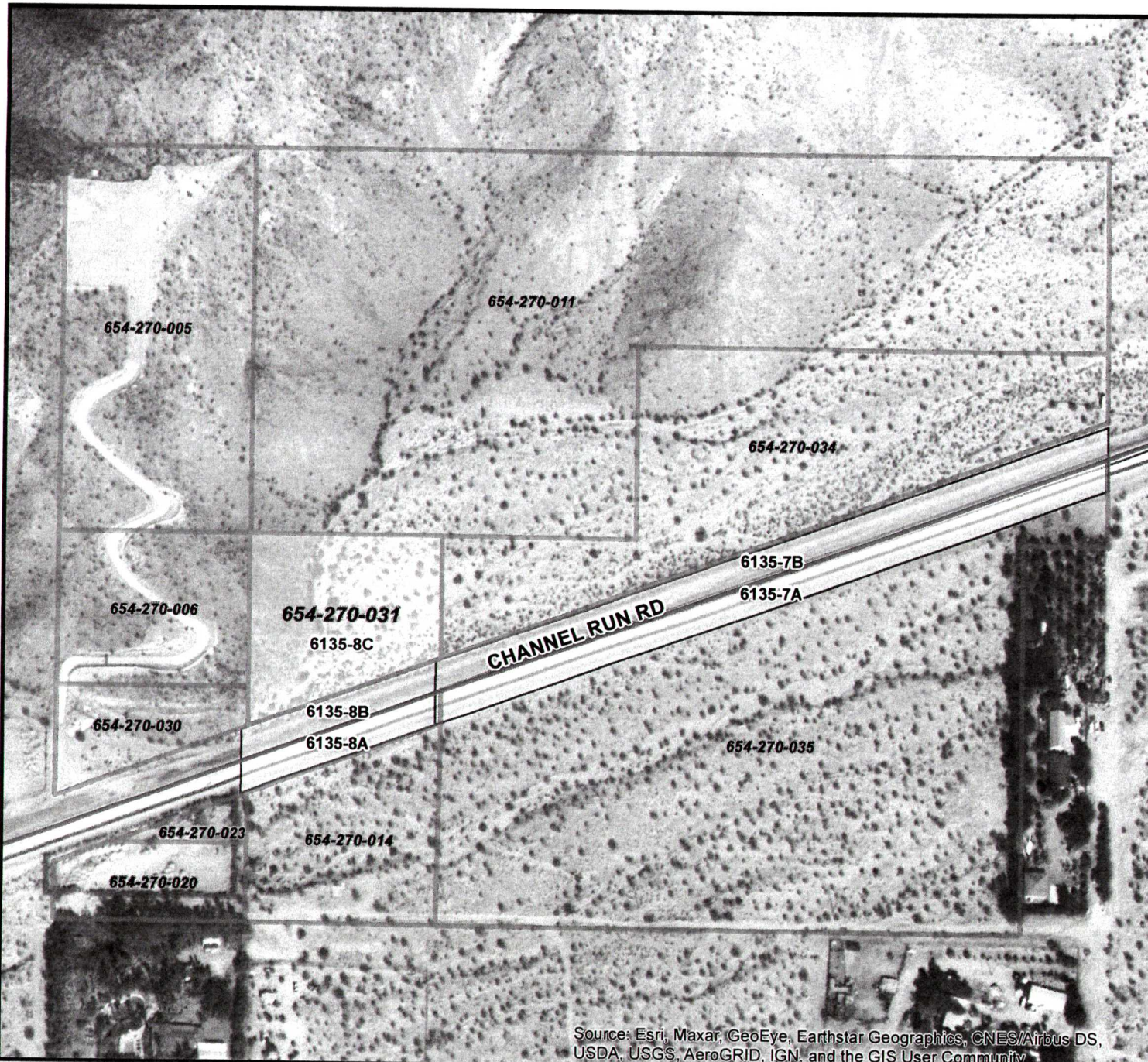
to be the person _____ whose name is _____, known to me
that she executed the same. subscribed to the within instrument and acknowledged

WITNESS my hand and official seal.
Larry E. Van Dam
LARRY E. VAN DAM Notary Public

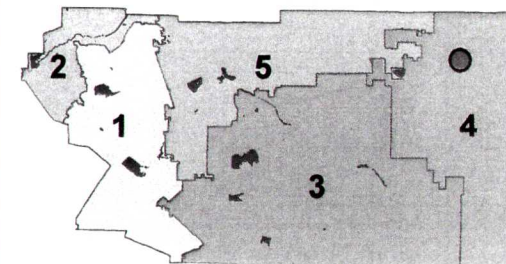
CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the within deed to Riverside County Flood Control and Water Conservation District is hereby accepted by the under-signed officer pursuant to authority conferred by resolution of the Board of Supervisors of said District adopted on May 12, 1961, and the grantee consents to the recordation thereof by its duly authorized officer.

Date December 14, 1976
John R. Bryant
Chief Engineer



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



Supervisorial Districts

Legend

- Project Location
- Existing Facility
- Subject Property
- Assessors Parcels
- District Parcels

Description

**WIDE CANYON
CHANNEL**
Project No. 6-0-00135

Date Created: 1/26/2021



RIVERSIDE COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT
Subject Property - APN 654-270-031
RCFC Parcels - 6135-8A, 6135-8B, 6135-8C, 6135-7A, 6135-7B
Vicinity Map

