

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



ITEM: 11.6  
(ID # 18645)

**MEETING DATE:**  
Tuesday, March 29, 2022

**FROM :** FLOOD CONTROL DISTRICT:

**SUBJECT:** FLOOD CONTROL DISTRICT: Adoption of Resolution No. F2022-05 Declaration of Exempt Surplus Land and Notice of Intent to Sell Fee Interest in Real Property to and Reserve a Maintenance Easement with Spreen Investment 4, LLC, a California Limited Liability Company, by Grant Deed and Reservation of Easement Agreement, RCFC Parcel Nos. 2070-103A and 2070-103G, Also Known as APN 118-250-018, Located in the City of Corona, County of Riverside, Project No. 2-0-00070, District 2. [\$0]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Adopt Resolution No. F2022-05 Declaration of Exempt Surplus Land and Notice of Intent to Sell Fee Interest in Real Property to and Reserve a Maintenance Easement with Spreen Investment 4, LLC, a California Limited Liability Company, by Grant Deed and Reservation of Easement Agreement, RCFC Parcel Nos. 2070-103A and 2070-103G, Also Known as APN 118-250-018, Located in the City of Corona, County of Riverside, Project No. 2-0-00070; and
2. Direct the Clerk of the Board to give notice by posting a copy of Resolution No. F2022-05 in at least three (3) public places within the County of Riverside for no less than twenty-one (21) days.

**ACTION:Policy**

Jason Uhley, GENERAL MGR-CHF FLD'CNTRL ENG

3/16/2022

Aaron Gettis, Deputy County Counsel

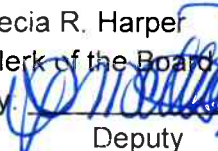
3/16/2022

---

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Washington, seconded by Supervisor Jeffries 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 29, 2022  
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**

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS:</b>			<b>Budget Adjustment:</b>	<b>NO</b>
			<b>For Fiscal Year:</b>	2021/2022

**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 Corona, County of Riverside, State of California, identified with Assessor's Parcel Number ("APN") 118-250-018, also known as RCFC Parcel Nos. 2070-103A and 2070-103G, hereinafter referred to as the "Property".

The District desires to sell to Spreen Investment 4, LLC, a California limited liability company, ("Spreen") the Property in the amount of \$5,500 (Five Thousand Five Hundred Dollars). Spreen owns the adjacent property, identified with APN 118-250-016, and holds an easement over the Property, which was recorded as Instrument No. 10666 in the Official Records by Grant Deed on January 12, 1999. Upon Spreen's purchase of the Property, the easement will merge because a person cannot have an easement on his or her own land, per Civil Code Sections 805 and 811.

The District will be reserving an easement for maintenance purposes of the Oak Street Channel. The District was able to determine the feasibility for maintenance of the underground storm drain. Selling the Property would reduce both maintenance costs and responsibilities of the District due to illegal activity on the Property.

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.

The District requests this Property be declared exempt surplus land as the Property is a former street, right of way or easement and is conveyed to an owner of an adjacent property, per Government Code Section 54221(f)(1)(E).

Pursuant to the California Water Code Appendix Ch. 48, Section 9, the District's Board of Supervisors ("Board") has the power to take by grant, purchase, gift, devise, 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

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

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. District staff has evaluated and determined that the conveyance of the fee interest to Spreen will not interfere with the use of the Property for the intended 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.

Therefore, District staff is recommending the adoption of Resolution F2022-05 to declare the Property as exempt surplus land and notice the District's intent to sell its fee simple interest in the Property and reserve a maintenance easement.

Resolution No. F2022-05 has been approved as to form by County Counsel.

**Impact on Residents and Businesses**

There is no impact to the residences and business.

**ATTACHMENTS:**

Resolution No. F2022-05

Vicinity Map

WL:rlp:bad:amh

P8/242062

  
\_\_\_\_\_  
Jason Farin, Principal Management Analyst      3/21/2022

**BOARD OF SUPERVISORS**

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

RESOLUTION NO. F2022-05

DECLARATION OF EXEMPT SURPLUS LAND AND NOTICE OF INTENT TO SELL FEE INTEREST IN REAL PROPERTY TO AND RESERVE A MAINTENANCE EASEMENT WITH SPREEN INVESTMENT 4, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, BY GRANT DEED, RCFC PARCEL NOS. 2070-103A AND 2070-103G, ALSO KNOWN AS APN 118-250-018, LOCATED IN THE CITY OF CORONA, COUNTY OF RIVERSIDE, PROJECT NO. 2-0-00070


**WHEREAS**, the Riverside County Flood Control and Water Conservation District ("District") acquired RCFC Parcel Nos. 2070-103A and 2070-103G by a Grant Deed recorded May 6, 1992 as Instrument No. 163773 and rerecorded May 17, 1992 as Instrument No. 304956 in the Official Records of the County of Riverside; and

**WHEREAS**, the purchase of RCFC Parcel Nos. 2070-103A and 2070-103G was part of the Oak Street Channel Project ("Project"), which consisted of the construction, operation and maintenance of an underground storm drain; and

**WHEREAS**, the District received an inquiry from Spreen Investment 4, LLC, a California limited liability company ("Spreen"), owner of the adjacent property identified with APN 118-250-016, to purchase APN 118-250-018, also known as RCFC Parcel Nos. 2070-103A and 2070-103G (Property), as described in Exhibit "A"; and

**WHEREAS**, Spreen holds an easement over the Property, which was recorded as Instrument No. 10666 in the Official Records by Grant Deed on January 12, 1999, and upon Spreen's purchase of the Property, the easement will merge because a person cannot have an easement on his or her own land pursuant to Civil Code Sections 805 and 811; and

**WHEREAS**, the District was able to determine the feasibility of the request with the requirement the District reserve an easement for maintenance of the underground storm drain;

APPROVED AS TO FORM:  
COUNTY COUNSEL  
By:   
Ryan Rabko  
Deputy County Counsel

MAR 29 2022

11-6

1 and

2           **WHEREAS**, selling the Property would reduce both obligation of maintenance and  
3 responsibilities of the District, including illegal activity on the Property; and

4  
5           **WHEREAS**, the District has determined that the surface of the Property is not needed  
6 for any current or any future facilities, thereby making the surface unnecessary for the District's  
7 use or purposes, and it is in the public's interest to sell the fee interest and reserve an easement  
8 on the Property as well as protect the District's rights on an active facility; and

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

17  
18           **WHEREAS**, pursuant to the California Water Code Appendix Ch. 48, Section 13,  
19 the Board may determine any real property held by the District is no longer necessary to be  
20 retained for the uses and purposes thereof and may thereafter sell or otherwise dispose of  
21 said property or lease the same; and

22  
23           **WHEREAS**, pursuant to California Government Code Section 54221(f)(1)(E) and  
24 Section 54222.3, surplus land that is former street, right of way, or easement, and is  
25 conveyed to an owner of an adjacent property is exempt from the requirements of the Surplus  
26 Land Act.

27  
28           **NOW, THEREFORE, BE IT FURTHER RESOLVED, DETERMINED AND  
ORDERED** by the Board, in regular session on March 29, 2022 at 9:30 a.m. or soon

1 thereafter, in the meeting room of the Board located on the first floor of the County  
2 Administrative Center, 4080 Lemon Street, Riverside, California, that this Board has  
3 evaluated and determined that the conveyance of the Property to Spreen Investment 4, LLC  
4 will not interfere with the use of the Property for the intended purpose of the District.

5 **BE IT FURTHER RESOLVED, DETERMINED AND ORDERED** that the  
6 Board has evaluated and determined that the Property intended to be conveyed to Spreen  
7 Investment, LLC is no longer necessary to be retained for the uses and purposes of the  
8 District.  
9

10 **BE IT FURTHER RESOLVED, DETERMINED AND ORDERED** that the  
11 District intends to convey the fee simple interest in the Property to Spreen Investment, LLC  
12 and a reservation of a permanent easement in favor of the District for maintenance purposes  
13 on or after 9:30 a.m. on April 26, 2022.  
14

15 **BE IT FURTHER RESOLVED, DETERMINED AND ORDERED** that the  
16 District declares the Property exempt surplus land pursuant to California Government Code  
17 Section 54221(f)(1)(E) and Section 54222.3.  
18

19 **BE IT FURTHER RESOLVED, DETERMINED AND ORDERED** by this Board  
20 that the Clerk of the Board is directed to give notice by posting a copy of Resolution No.  
21 F2022-05 in at least three (3) public places within the County of Riverside for no less than  
22 twenty-one (21) days.  
23  
24  
25  
26  
27  
28

2  
3 RESOLUTION NO. F2022-05

4 **DECLARATION OF EXEMPT SURPLUS LAND AND NOTICE OF INTENT TO SELL FEE**  
5 **INTEREST IN REAL PROPERTY TO AND RESERVE A MAINTENANCE EASEMENT WITH**  
6 **SPREEN INVESTMENT 4, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, BY GRANT**  
7 **DEED, RCFC PARCEL NOS. 2070-102A AND 2070-103G, ALSO KNOWN AS APN 118-250-018,**  
8 **LOCATED IN THE CITY OF CORONA, COUNTY OF RIVERSIDE, PROJECT NO 2-0-00070**

9 ADOPTED by Riverside County Board of Supervisors on March 29, 2022

10 ROLL CALL:

11 Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt  
12 Nays: None  
13 Absent:

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

16 KECIA R. HARPER, Clerk of said Board

17 By:   
18 Deputy

19  
20  
21  
22 03.29.2022 11.6  
23  
24  
25

EXHIBIT "A"

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE CITY OF CORONA, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 1:

THAT PORTION OF LOT 10 IN BLOCK 66 OF SOUTH RIVERSIDE LAND AND WATER COMPANY AS SHOWN BY MAP ON FILE IN BOOK 9, PAGE 6, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, IN THE CITY OF CORONA, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ALSO DESCRIBED AS PARCELS 2070-103A AND 2070-103G BOOK 90, PAGES 3 THROUGH 16 INCLUSIVE ON RECORD OF SURVEY

PARCEL 2:

A NON-EXCLUSIVE SURFACE RIGHTS EASEMENT FOR PARKING AND LANDSCAPING AS SET OUT IN EASEMENT DEED RECORDED JANUARY 12, 1999 AS INSTRUMENT NO. 99-10666 OF OFFICIAL RECORDS.

Assessor's Parcel Number: 118-250-018

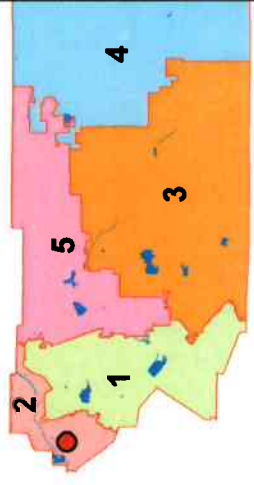




Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community






**RIVERSIDE COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT**  
**ASSESSOR'S PARCEL NUMBER 118-250-018**



**Supervisor Districts**

**Legend**

-  Existing Facility
-  Assessor Parcel
-  Supervisorial District

**Description**

Oak Street Channel

**Exhibit B**  
 Vicinity Map

