

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



ITEM: 11.5
(ID # 19867)

MEETING DATE:
Tuesday, September 13, 2022

FROM : FLOOD CONTROL DISTRICT:

SUBJECT: FLOOD CONTROL DISTRICT: Adoption of Resolution No. F2022-28, Declaration of Exempt Surplus Land and Notice of Intent to Sell a Fee Simple Interest in Real Property (RCFC Parcel No. 4320-4C, Also Known As a Portion of Assessor's Parcel Number 427-140-031), Located in the County of Riverside, Lakeview Dam, Project No. 4-0-00320, District 5. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. F2022-28, Declaration of Exempt Surplus Land and Notice of Intent to Sell a Fee Simple Interest in Real Property (RCFC Parcel No. 4320-4C, Also Known as a Portion of Accessor's Parcel Number (APN) 427-140-031), Located in the County of Riverside, Lakeview Dam, Project No. 4-0-00320; and
2. Declare the 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 by posting a copy of Resolution No. F2022-28 in at least three (3) public places within the County of Riverside for no less than twenty-one (21) days.

ACTION:Policy

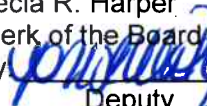
Jason Uhley, GENERAL MGR-CHF FLD CNTRL ENG

8/31/2022

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 is set for public meeting on or after October 18, 2022, at 9:30 a.m. or as soon as possible thereafter.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: September 13, 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**

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: 22/23	

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. 4320-4C ("Property") by Grant Deed recorded August 27, 1992, as Instrument No. 323140 in the Official Records of the County of Riverside.

The District purchased the Property as part of the Lakeview Dam Project ("Project"), which consisted of construction, operation, and maintenance of a dam and detention basin. The District owns the Property in fee.

The District received a request from an adjacent owner to purchase the Property to add area to their fee owned adjacent property. The Property is excess land originally acquired for the construction of the Project. Consequently, the District was able to determine that the sale of the Property to an adjacent owner would be feasible. Selling the Property would reduce both maintenance costs and responsibilities of the District. The District recommends this Property be declared exempt surplus land pursuant to California Government Code Section 54221(f)(1)(E) as the Property is a right of way that will be 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 District's Board of Supervisors ("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 District's Board may determine any real property held by the District is no longer necessary to be retained for the uses and purposes of the District, and may thereafter sell or otherwise dispose of said property or lease the same.

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

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 the disposal of this property. 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 its 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. F2022-28 to notice the District's intent to sell its fee simple interest in the Property and declare the Property as exempt surplus land.

The Form 11 and Resolution No. F2022-28 have been approved as to form by County Counsel.

Impact on Residents and Businesses

Increase in private property ownership.

ATTACHMENTS:

1. Resolution No. F2022-28
2. Vicinity Map

JP:amh
P8/245264



Jacqueline Ruiz, Sr. Management Analyst 9/7/2022



Aaron Gettis, Deputy County Counsel 9/1/2022

BOARD OF SUPERVISORS

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

RESOLUTION NO. F2022-28

DECLARATION OF EXEMPT SURPLUS LAND AND NOTICE OF INTENT TO SELL A FEE SIMPLE INTEREST IN REAL PROPERTY (RCFC PARCEL NO. 4320-4C, ALSO KNOWN AS A PORTION OF ASSESSOR'S PARCEL NUMBER 427-140-031), LOCATED IN THE COUNTY OF RIVERSIDE, LAKEVIEW DAM, PROJECT NO. 4-0-00320

WHEREAS, the Riverside County Flood Control and Water Conservation District ("District") acquired property identified with Assessor's Parcel Number ("APN") 427-140-031 (hereinafter "Property") by Grant Deed recorded August 27, 1992 as Instrument No. 323140 in the Official Records of the County of Riverside, attached hereto as Attachment "A" and by this reference incorporated herein; and

WHEREAS, the District acquired the Property as part of the Lakeview Dam Project ("Project"), which consisted of the construction, operation, and maintenance of a dam and detention basin; and

WHEREAS, the District received a request from an adjacent owner to purchase RCFC Parcel No. 4320-4C as described and delineated in Attachment "B" (hereinafter "Parcel No. 4320-4C") to add area to their fee owned adjacent property; and

WHEREAS, pursuant to 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, 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 District's Board may determine that any real property held by the District is no longer necessary to be retained for the uses and purposes of the District, and may thereafter sell or otherwise dispose of said property, or lease the same; and

WHEREAS, pursuant to the California Government Code Section 54221(b)(1) and Surplus Land Act Guidelines Section 102(x), "[1]and must be declared either 'surplus' or 'exempt surplus' as supported by written findings before a local agency may take any action to dispose of it consistent with an agency's policies or procedures; and

FORM APPROVED COUNTY COUNSEL
BY: WESLEY W. STANFIELD DATE 9/1/2022

SEP 13 2022 11.5

1 **WHEREAS**, pursuant to California Government Code Section 54221(f)(1)(E), surplus land that is a
2 former street, right of way, or easement, and is conveyed to an owner of an adjacent property is exempt from
3 the requirements of the Surplus Land Act; and

4 **WHEREAS**, District staff has reviewed and determined that the portion of the property also known
5 as Parcel No. 4320-4C is surplus is not needed for the District's Project.

6 **NOW THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED** by the District's
7 Board, in regular session assembled on or after September 13, 2022 at 9:30 a.m. or soon thereafter, in the
8 meeting room of the Board, located on the 1st Floor of the County Administrative Center, 4080 Lemon Street,
9 Riverside, California, that this Board has determined that Parcel No. 4320-4C is no longer necessary to be
10 retained for the uses and purposes of the District.

11 **BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED** that this Board hereby
12 declares that Parcel No. 4320-4C is exempt surplus land under California Government Code Section
13 54221(f)(1)(E) because Parcel No. 4320-4C is a former right of way and is being conveyed to an owner of
14 an adjacent property.

15 **BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED** that the District intends to
16 convey the fee simple interest to Parcel No. 4320-4C at 9:30 a.m. or soon thereafter on October 18, 2022.

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

21 ROLL CALL:

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

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

28 Kecia R. Harper, Clerk of said Board

By 
Deputy

ATTACHMENT "A"

323140

Quality
43213 CD

Recorded at request of and return to:
Department of Building Services
Real Property Management Division
3133 7th Street
Riverside, California 92507

RECEIVED FOR RECORD
AT 2:00 O'CLOCK

AUG 27 1992

Recorded in Official Records
of Riverside County, California

W. J. [Signature]
Recorder
Fees \$ [Signature]

0

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: A.P.N. 427-140-031-0

Project: LAKEVIEW DAM

43213-1A, B, C

D.T.T. [Signature]

GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

JACK ROBERTSON
an unmarried man

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

LOT 13 OF LAKE VIEW TRACT NO. 6, AS SHOWN BY MAP ON FILE IN BOOK
2, PAGE 29 OF MAPS, RECORDED IN THE OFFICE OF THE COUNTY RECORDER
OF RIVERSIDE COUNTY.

EXCEPTING THEREFROM THAT PORTION OF LOT 16 LYING SOUTH OF THE
NORTH LINE OF NUEVO ROAD.

Jack Robertson
JACK ROBERTSON

DATED 7-13-92

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.

On July 13, 1992 before me, the undersigned, a Notary Public in
and for said State, personally appeared

Jack Robertson

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

WITNESS my hand and official seal.
Pamela L. Stamen
Notary Public



CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the within deed to the Riverside County Flood Control and Water Conservation District is hereby accepted by the undersigned 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 August 7, 1992
Kenneth J. Edwards
Chief Engineer

ATTACHMENT "B"

RIVERSIDE COUNTY FLOOD CONTROL AND WATER
CONSERVATION DISTRICT

EXHIBIT "A"

LEGAL DESCRIPTION

LAKE VIEW DAM

Parcel No. 4320-4C

APN: 427-140-031

In the County of Riverside, State of California, being all of Lot 13 of Map No. 6 of Lake View Tract, filed in book 2, page 29 of maps, records of said County.

Except Parcels 4320-4A and 4320-4B as shown on a Record of Survey, filed in book 91, pages 51 through 58, inclusive, of Records of Surveys, records of said County.

Containing 136,456 square feet / 3.133 acres more or less.

The distances shown herein are in grid. Ground distances may be obtained by dividing grid distance by the combination factor of 0.9999123.

See Exhibit "B" attached hereto and made a part hereof.



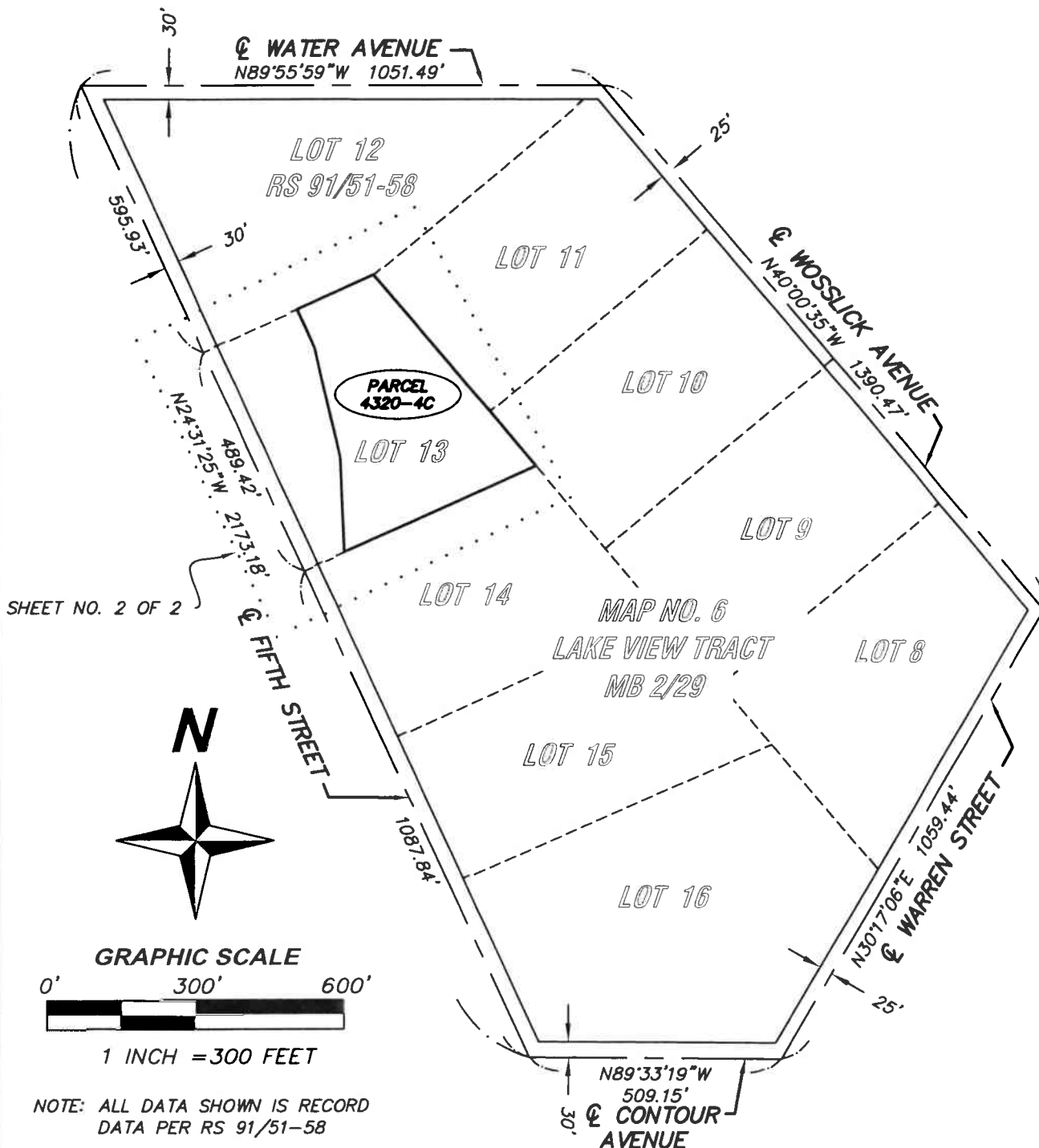


JAMES R. McNEILL

Land Surveyor No. 7752

Date: 4-6-21

EXHIBIT "B"

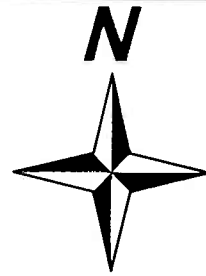


NOTE: ALL DATA SHOWN IS RECORD DATA PER RS 91/51-58

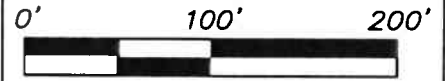
RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
 1995 MARKET STREET, RIVERSIDE, CA. 92501

PROJECT NAME:	LAKE VIEW DAM	SCALE 1"=300'	DRAWN BY CGS
RCFC-WCD PARCEL NUMBER(S):	4320-4C	DATE 03/24/21	CHECK BY SB
RCFC-WCD PROJECT NUMBER:	4-0-00320	SHEET NO.	1 OF 2

EXHIBIT "B"



GRAPHIC SCALE



1 INCH = 100 FEET

LOT 12

LOT 11

LOT 13

LOT 10

MAP NO. 6
LAKE VIEW TRACT
MB 2/29

LOT 14

RS 91/51-58

TO THE NORTHEAST
CORNER RIGHT OF
WAY OF LOT 12

TO THE CENTERLINE
INTERSECTION OF
WATER AVENUE

TO THE CENTERLINE
INTERSECTION OF
CONTOUR AVENUE

PARCEL
4320-4A

PARCEL
4320-4C

PARCEL
4320-4B

FIFTH STREET

549.28'

N65°35'55"E 377.48'

178.18'

N23°30'00"W 85.43'

169.30'

N40°00'48"W 507.84'

N13°04'21"W 228.69'

N24°31'25"W 489.42'

2173.18'

N2°30'00"W 193.70'

N65°33'49"E 424.49'

513.10'

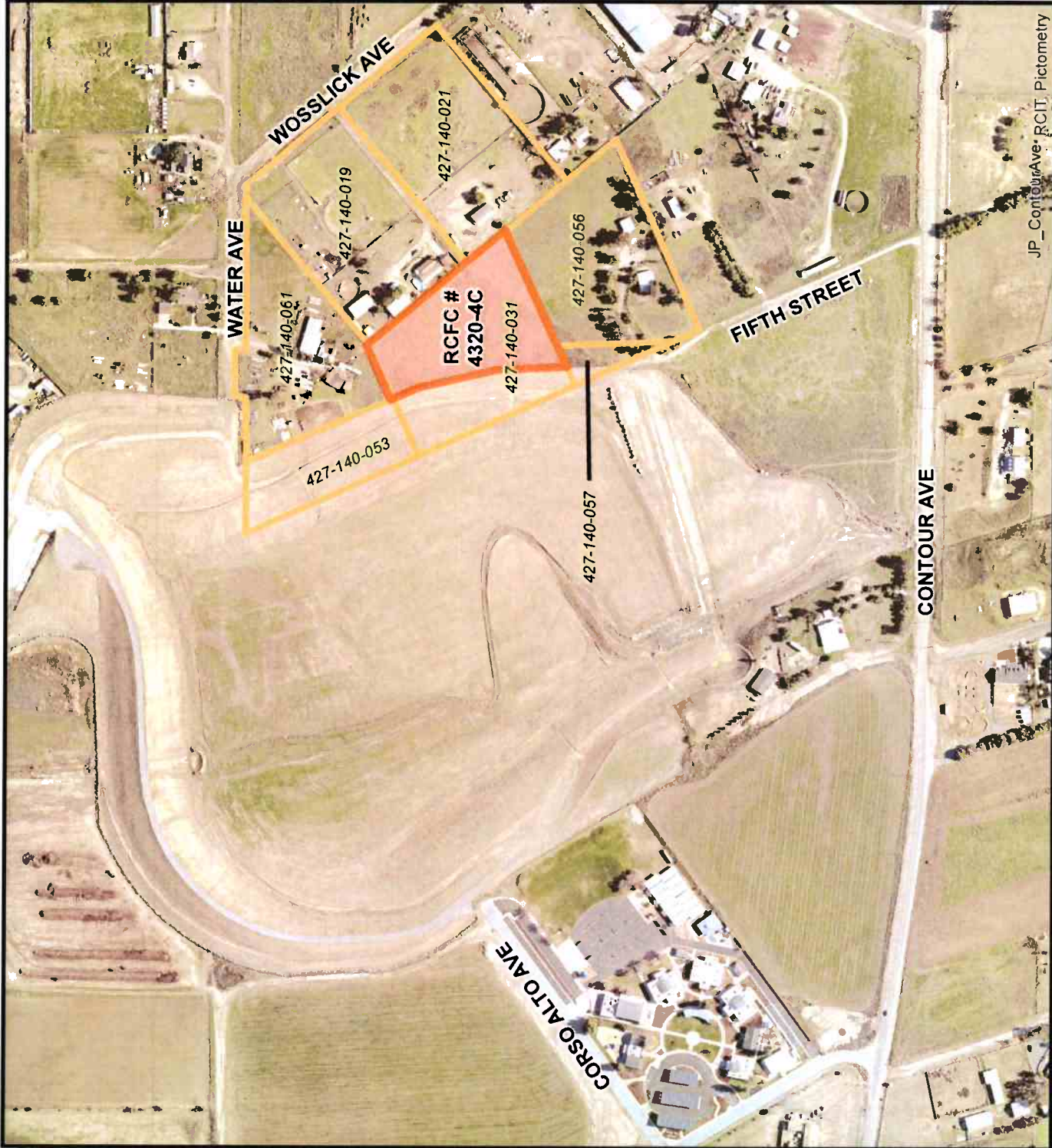
58.61'

NOTE: ALL DATA SHOWN IS RECORD
DATA PER RS 91/51-58

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

1995 MARKET STREET, RIVERSIDE, CA. 92501

PROJECT NAME:	LAKE VIEW DAM	SCALE 1"=100'	DRAWN BY CGS
RCFC-WCD PARCEL NUMBER(S):	4320-4C	DATE 03/24/21	CHECK BY SB
RCFC-WCD PROJECT NUMBER:	4-0-00320	SHEET NO.	2 OF 2



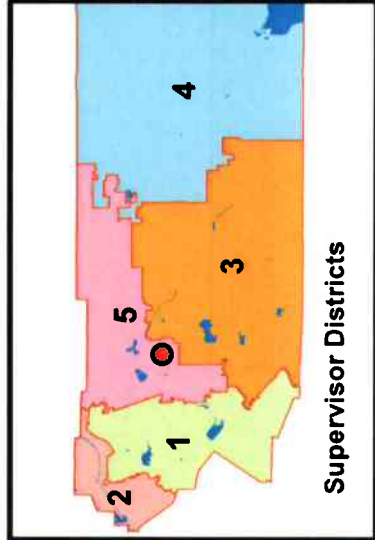
JP_ContourAve.RCFC.Pictometry



RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT




Subject Property - RCFC Parcel No. 4320-4C

Portion Assessor's Parcel No. 427-140-031



Supervisor Districts

Legend

-  Subject Property
-  Assessor Parcels
-  Parcel Location

Description

Lakeview Dam Project
Project No. 4-6-00320



Vicinity Map

