

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**ITEM: 3.22  
(ID # 20359)**

**MEETING DATE:**  
Tuesday, January 31, 2023

**FROM :** TLMA-TRANSPORTATION:

**SUBJECT:** TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:  
Adoption of Resolution No. 2023-005 Vacation of Utility Reservation per Resolution No. 2020-006, Recorded April 16, 2020, as Instrument No. 0168208, in the Mead Valley area, Not a project under CEQA or CEQA Exempt pursuant to State CEQA Guidelines sections 15060(c) and 15061(b)(3), District 1. [Applicant Fees 100%]

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

1. Find that Vacation of Utility Reservation per Resolution No. 2023-005, recorded April 16, 2020, as Instrument No. 0168208, is not a project under the California Environmental Quality Act (CEQA) or is exempt from CEQA pursuant to State CEQA Guidelines sections 15060 (c), and 15061 (b)(3);
2. Adopt Resolution 2023-005 Vacation of Utility Reservation per Resolution No. 2020-006, Recorded April 16, 2020 as Instrument No. 0168208, in the Mead Valley area;
3. Direct the Clerk of the Board to deliver the Notice of Exemption to the Office of the County Clerk for filing within five (5) working days of this Board hearing; and
4. Authorize the Chair of the Board to cause a certified copy of this resolution to be recorded in the office of the Recorder of the County of Riverside, California.

**ACTION:**Policy

  
Mark Lancaster, Director of Transportation 1/13/2023

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Washington, seconded by Supervisor Gutierrez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Gutierrez  
Nays: None  
Absent: None  
Date: January 31, 2023  
xc: Transp., Recorder

Kimberly Rector  
Clerk of the Board

By:   
Deputy

**SUBMITTAL TO THE 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> Applicant Fees 100% No General Fund will be used.			<b>Budget Adjustment:</b> N/A	
			<b>For Fiscal Year:</b> 2022/2023	

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

Resolution No. 2020-006, Recorded April 16, 2020, as Instrument No. 0168208, vacated the public road easement, but reserved from the vacation an easement for any public utilities and public service facilities, together to maintain, operate, replace, remove, or renew such facilities, pursuant to Section 8340 of the Streets and Highways Code. Utility easements are often reserved as a part of the vacation process. A vacation of the reserved utility easement is sometimes necessary to further “unencumber” the area. The applicant for Plot Plan requesting the vacation of the utility easement reservation to facilitate the development of their property in the Mead Valley area.

The applicant proposes to construct three (3) warehouse/distribution/manufacturing facilities totaling approximately 1,185,000 square feet. The applicant owns all property affected by this vacation. The area surrounding the utility reservation area has not been improved and is not County Maintained. The vacation of the utility reservation will not eliminate access to any parcels. The applicant has provided Vacation/Abandonment Approval letter from the local utility companies. The Transportation Department has reviewed this vacation and has no objections.

As stated in detail in the attached Notice of Exemption, the vacation is not a project under the California Environmental Quality Act (CEQA) or is exempt from CEQA, pursuant to State CEQA Guidelines sections 15060(c) and 15061(b)(3) of the State CEQA Guidelines. The vacation will not result in any specific or general exceptions to the use of the categorical exemption and will not cause any direct or indirect physical environmental impacts.

County Counsel has approved resolution Number 2023-005 as to form.

**Impact on Residents and Businesses**

The vacation of the utility reservation will not impact residents or businesses.

**Additional Fiscal Information**

All fees are paid by the applicant. There is no General Fund obligation.

SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA

**ATTACHMENTS:**

Resolution No. 2023-005

Resolution Exhibits "A" & "B" (Legal Description and Plat)

Attachment "A" (Vicinity Map)

Notice of Exemption

Authorization to Bill

  
\_\_\_\_\_  
Jason Farin, Principal Management Analyst 1/23/2023

  
\_\_\_\_\_  
Aaron Gettis, Deputy County Counsel 1/18/2023

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

KIMBERLY R. RECTOR, CLERK OF THE BOARD  
RIVERSIDE CO. CLERK OF THE BOARD  
4080 LEMON STREET, 1<sup>ST</sup> FLOOR CAC  
P O BOX 1147 – RIVERSIDE, CA 92502

**MAIL STOP # 1010**

AND WHEN RECORDED MAIL TO:

**RETURN TO: STOP #1010**  
**RIVERSIDE COUNTY CLERK OF THE BOARD**  
**P. O. BOX 1147 – RIVERSIDE, CA 92502**

**2023-0030160**

02/01/2023 10:17 AM Fee: \$ 0.00

Page 1 of 13

Recorded in Official Records  
County of Riverside  
Peter Aldana  
Assessor-County Clerk-Recorder



THIS SPACE FOR RECORDERS USE ONLY **3036**

**RESOLUTION NO. 2023-005**

VACATION OF THE "PUBLIC UTILITY AND PUBLIC SERVICE FACILITY  
EASEMENT, AS "EXCEPTED AND RESERVED" BY RESOLUTION NO. 2020-006,  
RECORDED APRIL 16, 2020, AS INSTRUMENT NO. 0168208 IN THE MEAD  
VALLEY AREA

(ABS22008)

(FIRST SUPERVISORIAL DISTRICTS)

(TRANSPORTATION AND LAND MANAGEMENT AGENCY-TRANSPORTATION ~ Item 3.22 of  
01/31/2023)

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE  
FOR RECORDING INFORMATION

1 **BOARD OF SUPERVISORS**

**COUNTY OF RIVERSIDE**

2  
3  
4 **RESOLUTION NO. 2023-005**

5 VACATION OF THE "PUBLIC UTILITY AND PUBLIC SERVICE FACILITY  
6 EASEMENT, AS "EXCEPTED AND RESERVED" BY RESOLUTION  
7 NO. 2020-006, RECORDED APRIL 16, 2020, AS INSTRUMENT NO. 0168208  
8 IN THE MEAD VALLEY AREA  
9 (ABS22008)  
10 (First Supervisorial District)

11  
12 **WHEREAS**, the hereinafter-described "public utility and public service facility  
13 easement" created when Vacating Palatium Circle and a Portion of Messenia Lane by  
14 "exception and reservation" pursuant to Resolution No. 2020-006, Recorded April 16,  
15 2020, as Instrument No. 0168208 records of the Recorder of Riverside County, California,  
16 and

17  
18 **WHEREAS**, the hereinafter-described "public utility and public service facility"  
19 easement is excess, and is not required for public street or highway purposes, and;

20  
21 **WHEREAS**, applicable procedures pertaining to vacations were followed pursuant  
22 to the County's adopted "Resolutions for Fixing Procedures to Vacate and Accept County  
23 Highways and Property Offered for Dedication," now, therefore;

24  
25 **BE IT RESOLVED, DETERMINED AND ORDERED** by the Board of Supervisors of  
26 the County of Riverside, State of California, in regular session assembled on  
27 January 31<sup>st</sup>, 2023, as follows:  
28

FORM APPROVED COUNTY COUNSEL  
BY: Stephanie K Nelson / 1/18/23  
DATE

JAN 31 2023 3.22

1 **RESOLUTION NO. 2023-005**

2  
3 1. The vacation of the hereinafter described "public utility and public service  
4 facility" reservation easement is categorically exempt from CEQA pursuant  
5 to Section 15060(c) and Section 15061(b)(3) of the State CEQA Guidelines.

6  
7 2. Pursuant to Division 9, Part 3, Chapter 4, Section 8333(c) of the Streets and  
8 Highways Code, the hereinafter-described "public utility and public service  
9 facility" easement is determined to be excess by the easement holders, and  
10 there are no other public facilities located within the easement, and is  
11 hereby summarily vacated.

12  
13 **SEE LEGAL DESCRIPTION AND PLAT ATTACHED HERETO**  
14 **AS EXHIBITS "A" & "B" AND MADE A PART HEREOF.**

15  
16 3. Pursuant to Division 9, Part 3, Chapter 4, Section 8335 (b)(5) of the Streets  
17 and Highway Code, all entities having any right, title, or interest in the  
18 described "public utility and public service facility" easement have been  
19 notified of this action.

20  
21 4. From and after the date this resolution is recorded the hereinafter-described  
22 "public utility and public service facility" easement no longer constitutes an  
23 easement for public utilities and public service facilities.

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25 **BE IT FURTHER RESOLVED, DETERMINED AND ORDERED** that the Clerk of  
26 the Board is directed to file with the Office of the County Clerk the Notice of Exemption  
27 within five (5) working days of the Board hearing date.

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**RESOLUTION NO. 2023-005**

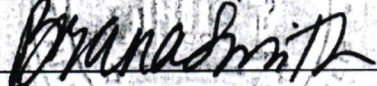
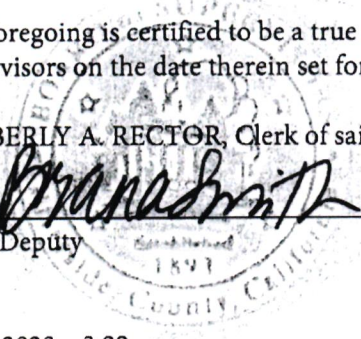
**BE IT FURTHER RESOLVED, DETERMINED AND ORDERED** that the Chair of the Board is directed to cause a certified copy of this resolution to be to be recorded in the office of the Recorder of the County of Riverside, California.

ROLL CALL:

Ayes: Jeffries, Spiegel, Washington, Perez and Gutierrez  
Nays: None  
Absent: None

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

KIMBERLY A. RECTOR, Clerk of said Board

By:   
Deputy 

01.31.2023 3.22

CT W.O. # ABS22008

**PETER ALDANA  
COUNTY OF RIVERSIDE  
ASSESSOR-COUNTY CLERK-RECORDER**

**Recorder**  
P.O. Box 751  
Riverside, CA 92502-0751  
(951) 486-7000  
[www.riversideacr.com](http://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  
(EMBOSED ON DOCUMENT)



Date: 1/31/2023

Signature: *Breanna Smith*

Print Name: Breanna Smith, Board Assistant

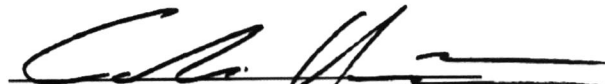


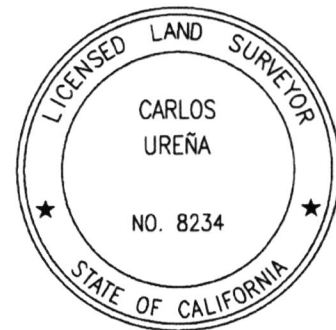
**EXHIBIT 'A'**  
**LEGAL DESCRIPTION**  
**"PUBLIC UTILITY AND PUBLIC SERVICE FACILITY" EASEMENT - VACATION**

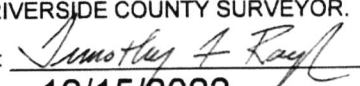
BEING AN EASEMENT OVER ALL OF FORMER LOTS "I" AND "J" OF PARCEL MAP No. 24110 IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, RECORDED IN BOOK 165, PAGES 11 THROUGH 18 INCLUSIVE OF PARCEL MAPS, AS "EXCEPTED AND RESERVED" BY RESOLUTION No. 2020-006, GENERAL VACATION AND TERMINATION OF MAINTENANCE OF PALATIUM CIRCLE AND A PORTION OF MESSENA LANE, IN THE MEAD VALLEY AREA, RECORDED APRIL 16, 2020 AS INSTRUMENT No. 2020-0168208, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, LYING WITHIN SECTION 12, TOWNSHIP 4 SOUTH, RANGE 4 WEST, S.B.M.

SAID PARCEL CONSISTS OF 5.70 ACRES, MORE OR LESS.

SHOWN ON EXHIBIT "B" ATTACHED  
HERETO AND MADE A PART HEREOF.

  
CARLOS URENA P.L.S. 8234 12/12/2022  
EXP. 12/31/2023



THIS DOCUMENT REVIEWED BY RIVERSIDE COUNTY SURVEYOR.	
BY:	
DATE:	12/15/2022

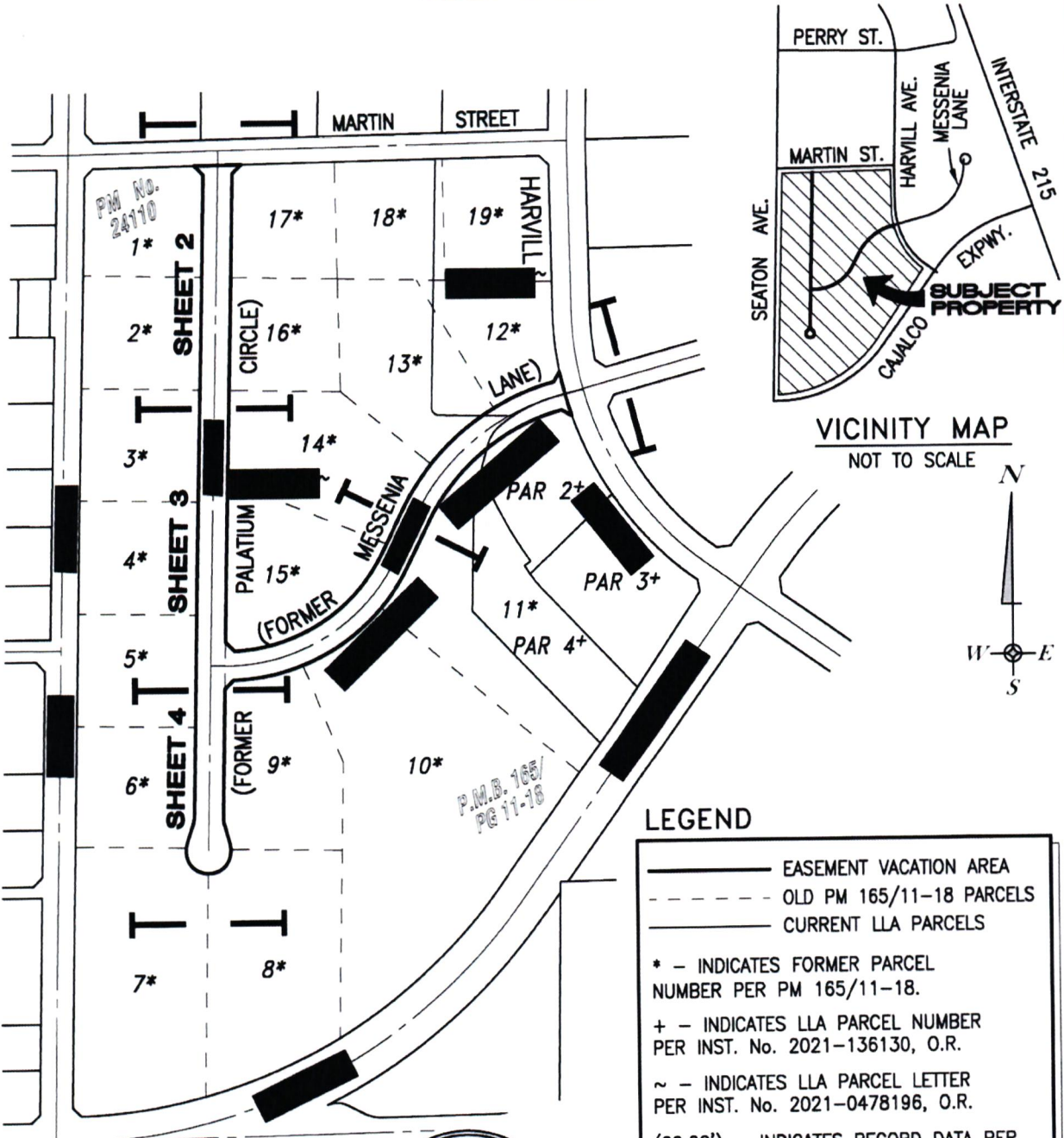
SECTION 12, TOWNSHIP 4 SOUTH,  
RANGE 4 WEST, S.B.M.

# EXHIBIT 'B' PLAT

SHEET 1 OF 7  
SCALE: 1" = 400'

## 'PUBLIC UTILITY & PUBLIC SERVICE FACILITY' EASEMENT-VACATION

### INDEX SHEET



**LEGEND**

- EASEMENT VACATION AREA
- - - OLD PM 165/11-18 PARCELS
- CURRENT LLA PARCELS

\* - INDICATES FORMER PARCEL NUMBER PER PM 165/11-18.  
 + - INDICATES LLA PARCEL NUMBER PER INST. No. 2021-136130, O.R.  
 ~ - INDICATES LLA PARCEL LETTER PER INST. No. 2021-0478196, O.R.  
 (00.00') - INDICATES RECORD DATA PER PM 165/11-18 AND RES. No. 2020-006.

THIS DOCUMENT REVIEWED BY  
RIVERSIDE COUNTY SURVEYOR.

BY: *Smothery & Ray*

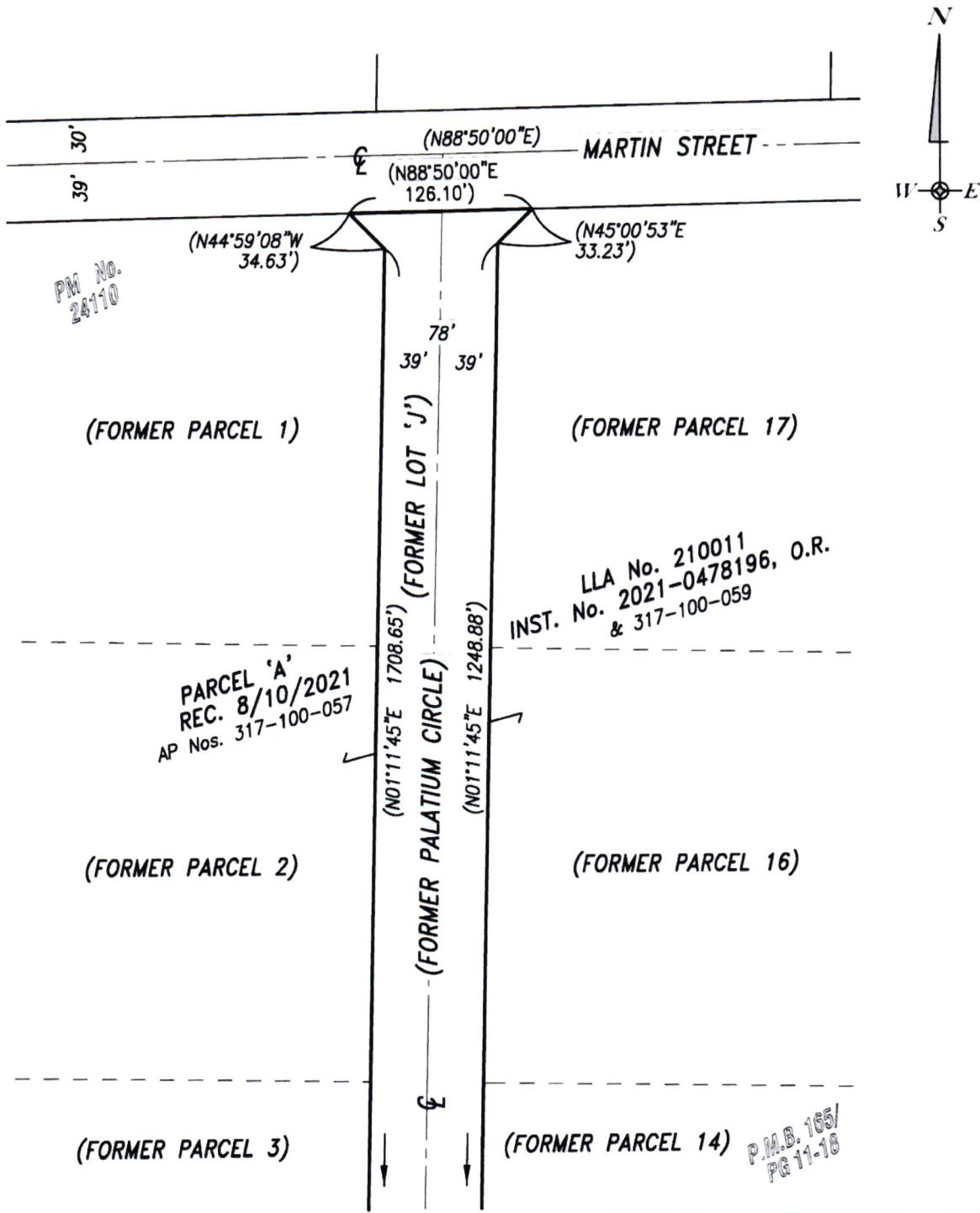
DATE: 12/15/2022



*Carlos Urena* 12/12/2022  
CARLOS URENA LS 8234 EXP. 12-31-23 DATE

# EXHIBIT 'B' PLAT

## 'PUBLIC UTILITY & PUBLIC SERVICE FACILITY' EASEMENT-VACATION

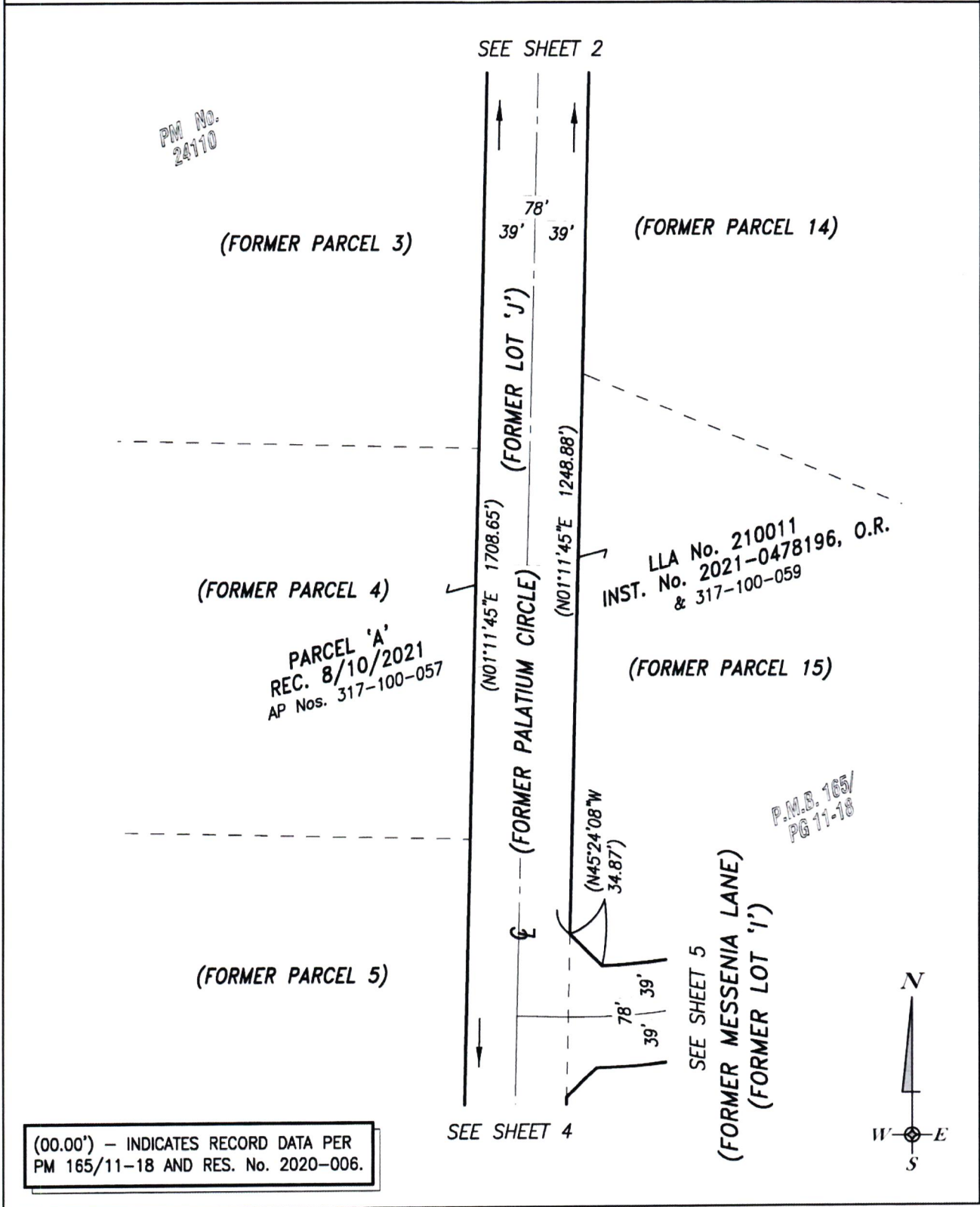


SEE SHEET 3

(00.00') - INDICATES RECORD DATA PER  
PM 165/11-18 AND RES. No. 2020-006.

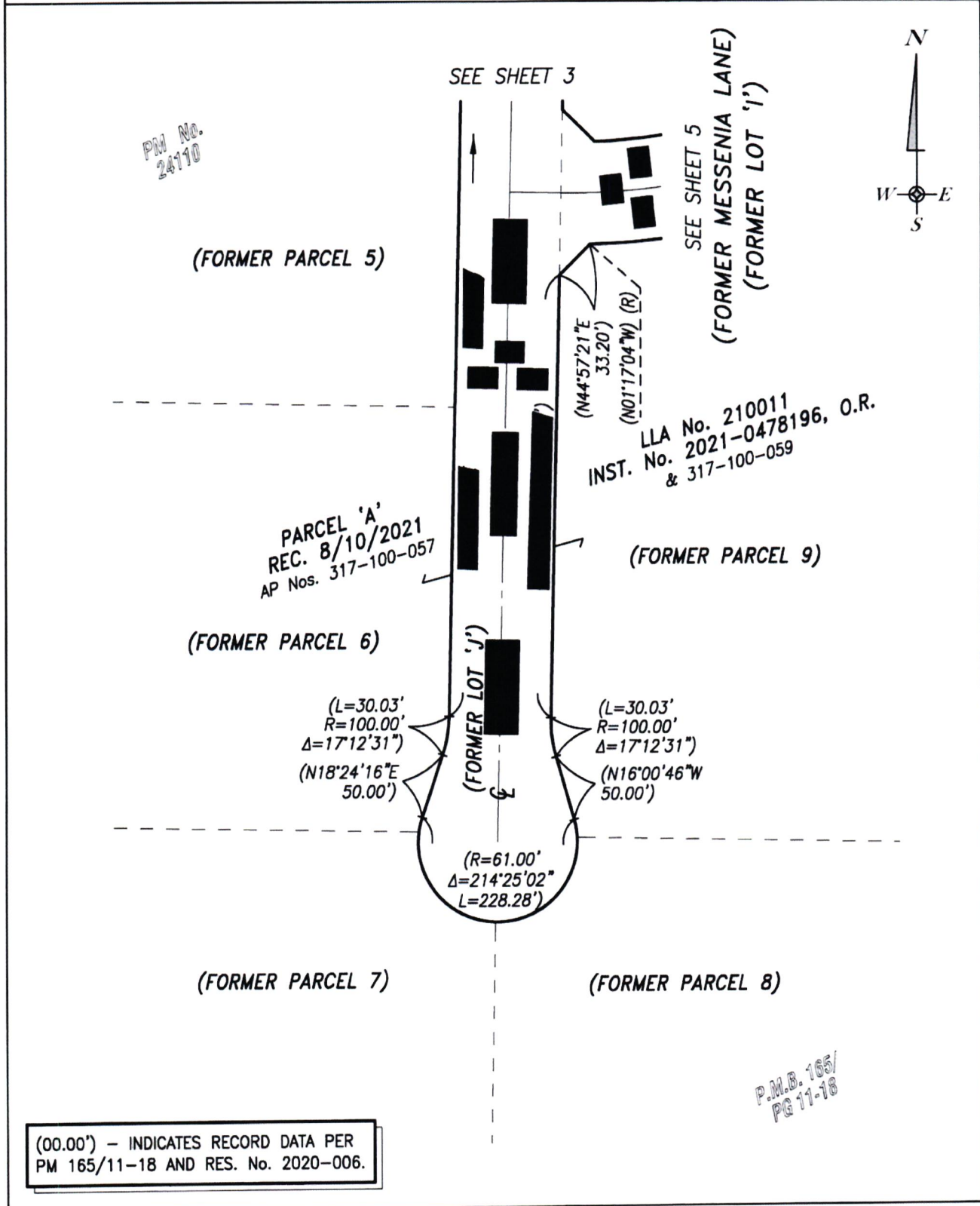
# EXHIBIT 'B' PLAT

## 'PUBLIC UTILITY & PUBLIC SERVICE FACILITY' EASEMENT-VACATION



# EXHIBIT 'B' PLAT

## 'PUBLIC UTILITY & PUBLIC SERVICE FACILITY' EASEMENT-VACATION



# EXHIBIT 'B' PLAT

## 'PUBLIC UTILITY & PUBLIC SERVICE FACILITY' EASEMENT-VACATION



(00.00') - INDICATES RECORD DATA PER  
PM 165/11-18 AND RES. No. 2020-006.

PM No.  
24110

(FORMER PARCEL 14)

SEE SHEET 6

PARCEL 'A'  
REC. 8/10/2021  
AP Nos. 317-100-057 & 317-100-059

(FORMER PARCEL 15)

(FORMER  
PALATIUM CIRCLE)  
SEE SHEET 3

(FORMER  
PARCEL 11)

(FORMER LOT 'J')

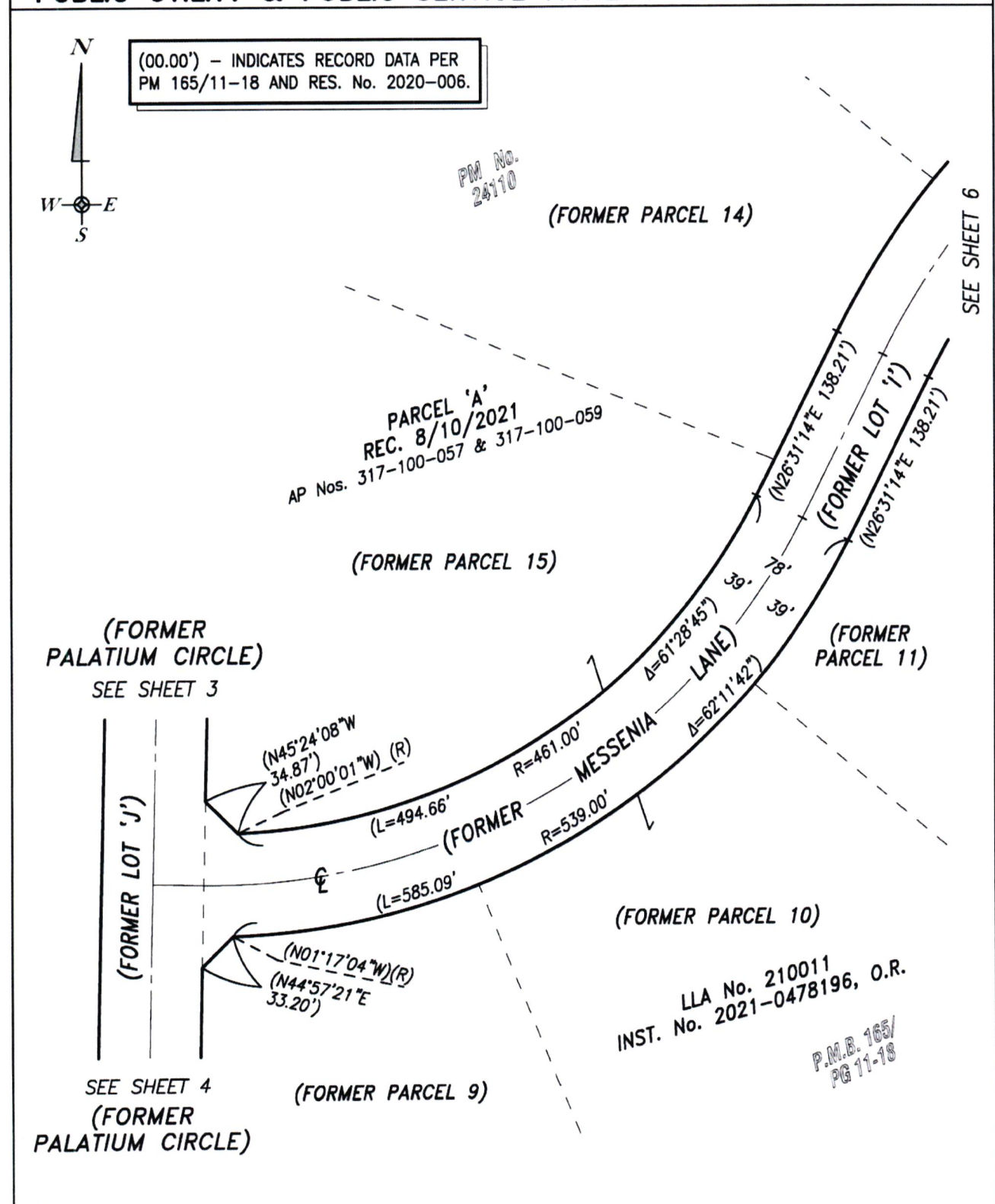
(FORMER PARCEL 10)

LLA No. 210011  
INST. No. 2021-0478196, O.R.

P.M.B. 165/  
PG 11-18

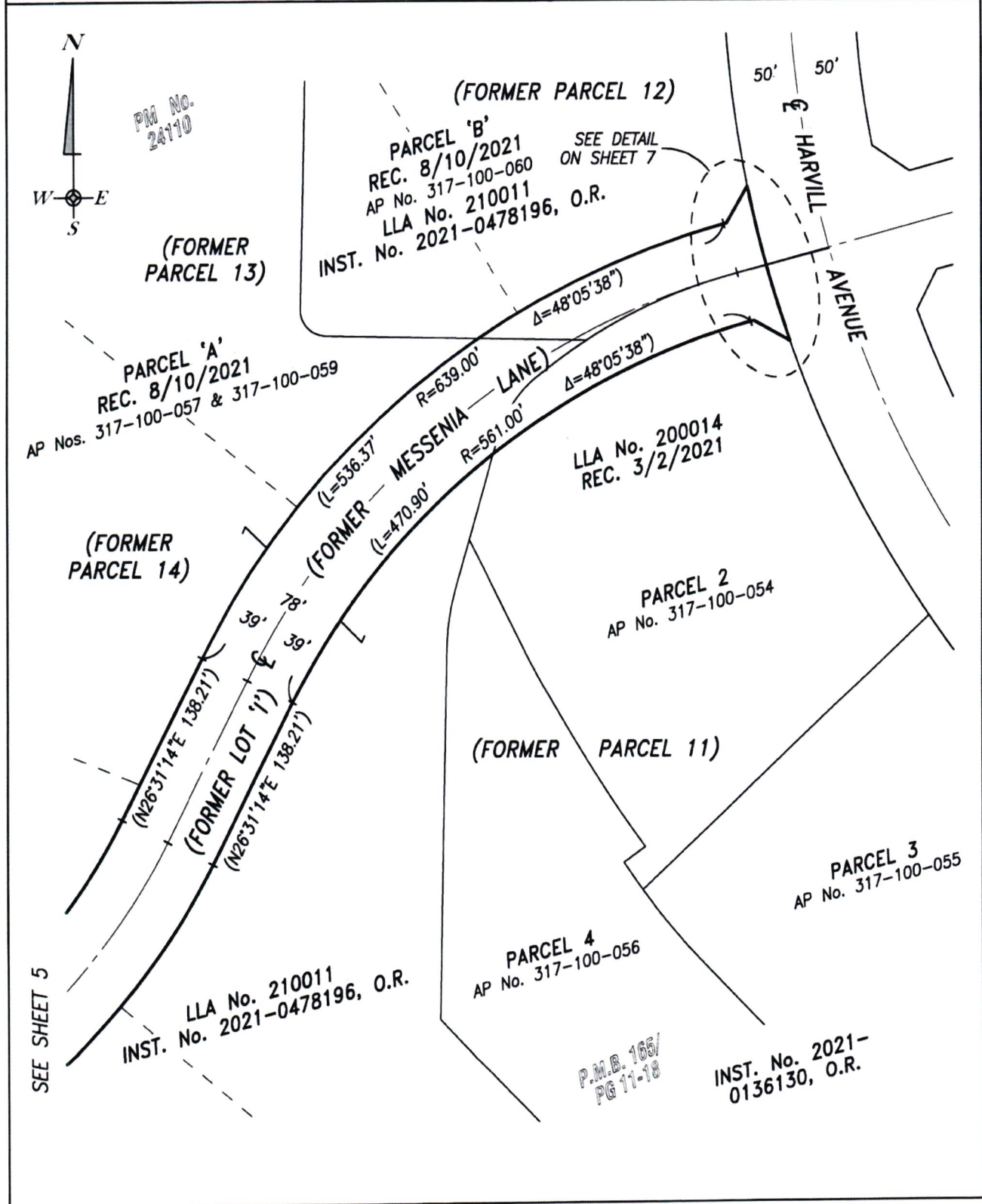
SEE SHEET 4  
(FORMER  
PALATIUM CIRCLE)

(FORMER PARCEL 9)



**EXHIBIT "B"**  
**PLAT**

**'PUBLIC UTILITY & PUBLIC SERVICE FACILITY' EASEMENT-VACATION**



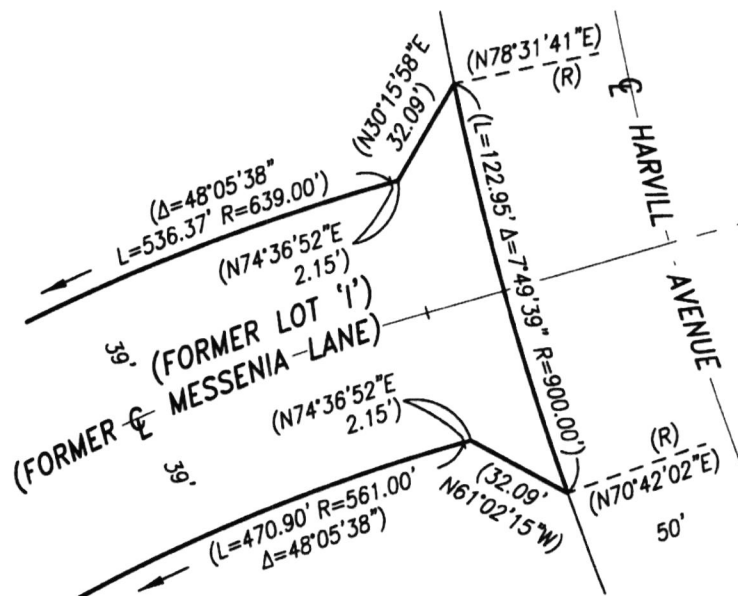
# EXHIBIT "B" PLAT

## 'PUBLIC UTILITY & PUBLIC SERVICE FACILITY' EASEMENT-VACATION



### DETAIL

NOT TO SCALE - SEE SHEET 6





FILING REQUESTED BY AND WHEN FILED  
RETURN TO: STOP NO. 1080  
RIVERSIDE COUNTY SURVEYOR'S OFFICE  
4080 LEMON STREET, 8<sup>TH</sup> FLOOR  
RIVERSIDE, CA 92501

FILED / POSTED

County of Riverside  
Peter Aldana  
Assessor-County Clerk-Recorder

E-202300119  
01/31/2023 02:27 PM Fee: \$ 50.00  
Page 1 of 3

Removed: By: Deputy

## NOTICE OF EXEMPTION

**Project Name:** Resolution No. 2023-005, Vacation of a "Public Utility and Public Service Facility Easement" as "excepted and reserved" by Resolution No. 2020-006, Recorded April 16, 2020, as Instrument No. 0168208, in the Mead Valley area.

**Project Number:** ABS22008, SU14

**Project Location-** See Exhibits "A" & "B"

**Description of Project:** Resolution No. 2023-005, Vacation of a "Public Utility and Public Service Facility Easement" as "excepted and reserved" by Resolution No. 2020-006, Recorded April 16, 2020, as Instrument No. 0168208, in the Mead Valley area.

**Name of Public Agency Approving Project:** Riverside County Transportation Department, Survey Division, County of Riverside.

**Name of Person or Agency Carrying Out Project:** David L. McMillan, Riverside County Transportation Department, Survey Division, County of Riverside.

**Exempt Status:** California Environmental Quality Act (CEQA) Guidelines, Section 15061(b)(3), General Rule "Common Sense" Exemption. Not a "project" as defined under State CEQA Guidelines, Section 15060(c).

**Reasons Why Project is Exempt:** The vacation of the reserved public utility and public service facility easement has been determined to not be a "project" as defined under State CEQA Guidelines section 15060(c). However, even if it was determined to be a project under CEQA for analysis purposes, the project is exempt from the provisions of CEQA specifically by the State CEQA Guidelines as identified below. The reserved public utility and public service facility easement will not result in any specific or general exceptions to the use of the categorical exemption as detailed under State CEQA Guidelines Section 15300.2. The project will not cause any impacts to scenic resources, historic resources, or unique sensitive environments. Further, no unusual circumstances or potential cumulative impacts would occur that may reasonably create an environmental impact. The vacation of the reserved public utility and public service facility easement will not have an effect on the environment; thus, the County has deemed this does not meet the definition of a "project" under CEQA and no environmental impacts are anticipated to occur.

- Section 15061(b)(3) - General Rule "Common Sense" Exemption. With certainty, there is no possibility that the proposed project may have a significant effect on the environment. Vacating the reserved public utility and public service facility easement

01.31.23 3.22

will not require any construction activities, change the use or intensity of the existing site to create a physical environmental impact, and would not lead to any direct or reasonably foreseeable indirect physical environmental impacts. Therefore, in no way would vacating the reserved public utility and public service facility easement have the potential to cause a significant environmental impact and the vacation is exempt from further CEQA analysis.

- Section 15060(c) – for purposes of analysis under CEQA, Vacating the reserved public utility and public service facility easement is not a “project” under CEQA pursuant to Section 15060(c). An action by a public agency is only a “project” subject to CEQA if the action might result in a physical change in the environment. Based upon a review of the whole action undertaken, supported, or authorized by the County, in no way will Vacating the reserved public and public service utility easement increase the use of the site, result in increased development or construction impacts, or lead to any direct, indirect, or cumulative physical environmental impacts.

Based upon the identified exemptions above, the County of Riverside hereby concludes that no physical environmental impacts are anticipated to occur and the project as proposed is exempt under CEQA. No further environmental analysis is warranted.

Signed: \_\_\_\_\_



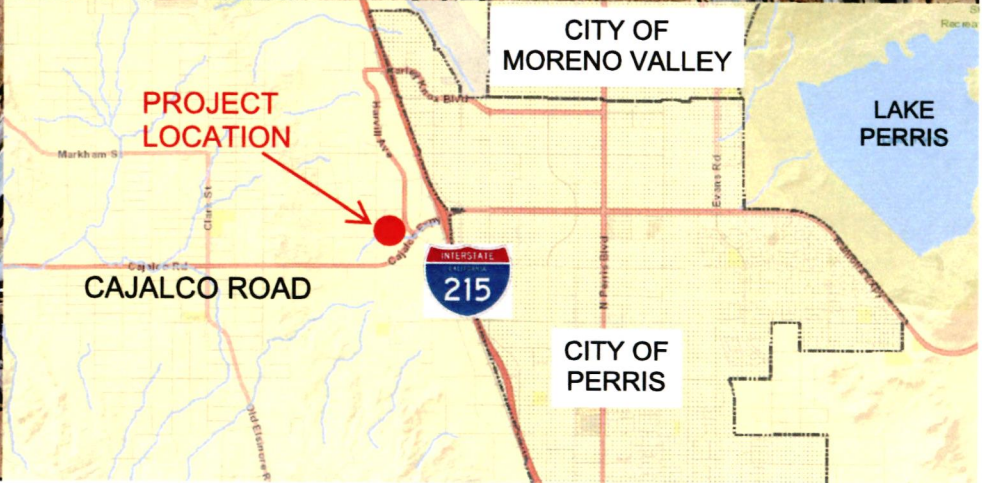
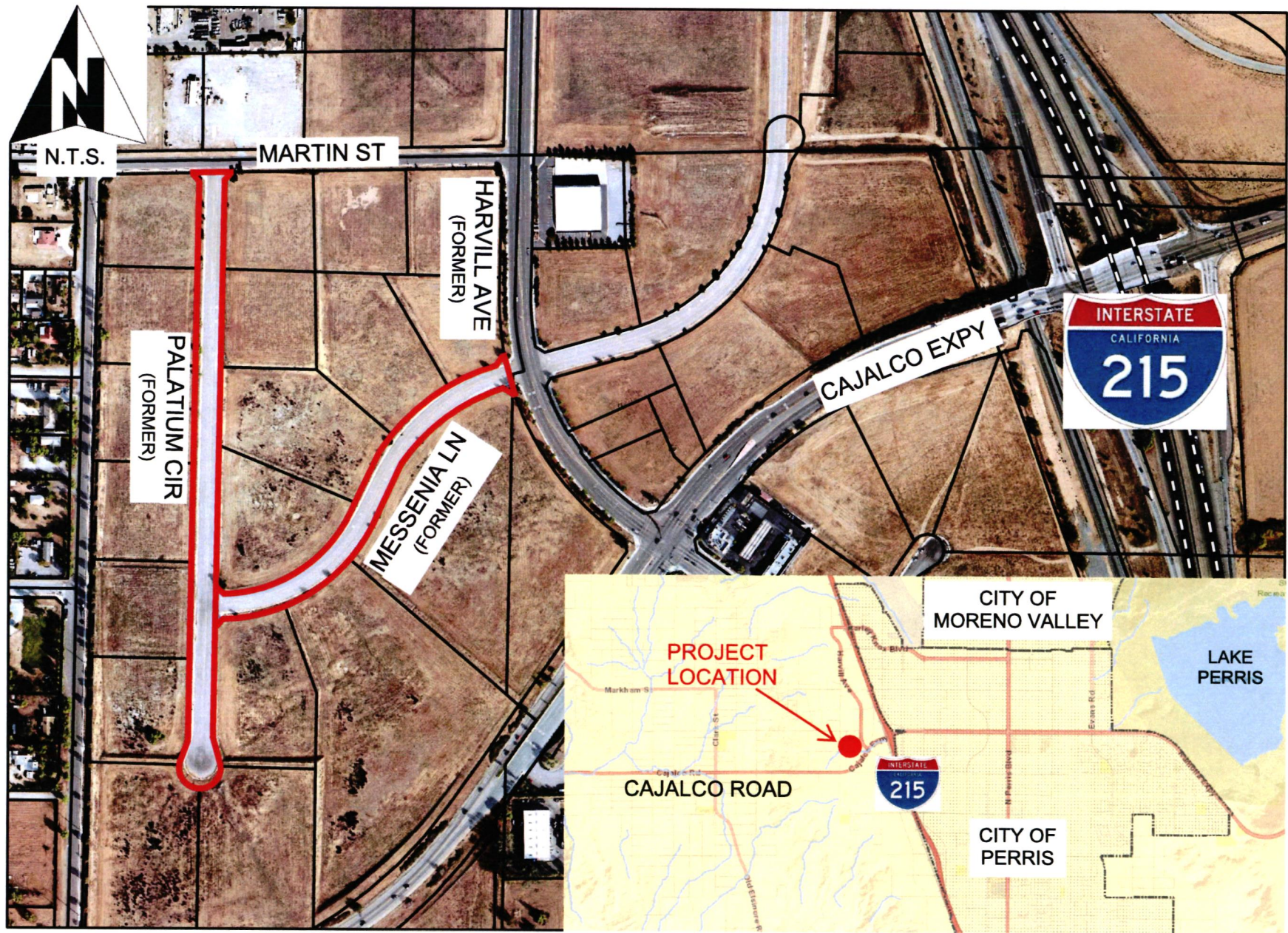
Date: 10/13/2022


David L. McMillan, Riverside County Surveyor

Accounting String: ZABS22008, Task Code: SU14

ATTACHMENT "A"

VACATION OF UTILITY RESERVATION PER RESOLUTION  
NO. 2020-006, RECORDED APRIL 16, 2020, AS INSTRUMENT NO. 0168208



 INDICATES AREAS TO BE VACATED

**NOTE: TO BE REMOVED PRIOR TO RECORDING**