

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



ITEM: 3.33
(ID # 20545)

MEETING DATE:

Tuesday, February 07, 2023

FROM : TLMA-TRANSPORTATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:
Adoption of Resolution No. 2023-010 Summarily vacating Parcels "A" and "B" for public road and drainage purposes per Instrument No. 1993-339051, Recorded August 30, 1993, in the Temecula area, CEQA exempt per State CEQA Guidelines section 15060(c) and 15061(b)(3), District 3. [Applicant Fees 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that Summarily vacating Parcels "A" and "B" for public road and drainage purposes per Instrument No. 1993-339051, Recorded August 30, 1993, is exempt from CEQA pursuant to Sections 15060 (c) (not a project under CEQA), and 15061 (b)(3) (Common Sense exemption) of the State CEQA Guidelines;
2. Adopt Resolution 2023-010, Summarily vacating Parcels "A" and "B" for public road and drainage purposes per Instrument No. 1993-339051, Recorded August 30, 1993, in the Temecula 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.

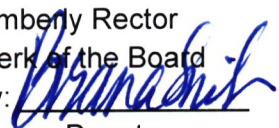
ACTION:Policy


Mark Lancaster, Director of Transportation 1/10/2023

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel, 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 Gutierrez
Nays: None
Absent: None
Date: February 7, 2023
xc: Trans, Recorder

Kimberly Rector
Clerk of the Board
By: 
Deputy

**SUBMITTAL TO THE 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: No General Fund will be used.			Budget Adjustment: N/A	
			For Fiscal Year: 2022/2023	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Easement Deed, recorded August 30, 1993, as Instrument No. 339051, granted the County of Riverside (“County”) an easement (Parcels “A” and “B”), for public road and drainage purposes, as shown on Parcel Map No. 32468 titled “City of Temecula,” on file in Book 233, Pages 41 through, 45, inclusive, both official records of the Recorder of Riverside County. The Riverside County Flood Control and Water Conservation District has requested the County to vacate the easement.

The public road and drainage easement is not currently improved or maintained by the County. Vacating the right to accept road and drainage easements will not eliminate access to any parcels. The Transportation Department has reviewed this vacation and has no objections.

As determined in the attached Notice of Exemption, the vacation is exempt from the provisions of CEQA pursuant to Sections 15060(c) (not a project under CEQA) and 15061(b)(3) (Common Sense exemption) of the State CEQA Guidelines. The vacating the right to accept the public road and drainage easement 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 2023-010 as to form

Impact on Residents and Businesses

The vacation of the public road and drainage easements will not impact residents or businesses.

ATTACHMENTS:

- Resolution No. 2023-010
- Instrument No. 1993-339051
- Attachment “A” (Vicinity Map)
- Notice of Exemption

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

Authorization to Bill



Jason Farin, Principal Management Analyst 1/31/2023



Aaron Gettis, Deputy County Counsel 1/30/2023

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

KIMBERLY R. RECTOR, CLERK OF THE BOARD
RIVERSIDE CO. CLERK OF THE BOARD
4080 LEMON STREET, 1ST 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

2023-0037508

02/08/2023 03:21 PM Fee: \$ 0.00

Page 1 of 11

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



5553

THIS SPACE FOR RECORDERS USE ONLY

RESOLUTION NO. 2023-010

SUMMARILY VACATING PARCELS "A" AND "B" FOR PUBLIC ROAD AND
DRAINAGE EASEMENTS PURPOSES PER INSTRUMENT NO. 1993-339051,
RECORDED AUGUST 30, 1993, IN THE TEMECULA AREA

(SU6120002)

(THIRD SUPERVISORIAL DISTRICTS)

(TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION ~ Item 3.33 of
02/07/2023)

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE
FOR RECORDING INFORMATION

2
3
4 **RESOLUTION NO. 2023-010**

5 SUMMARILY VACATING PARCELS "A" AND "B" FOR PUBLIC ROAD AND
6 DRAINAGE EASEMENTS PURPOSES PER INSTRUMENT NO. 1993-339051,
7 RECORDED AUGUST 30, 1993, IN THE TEMECULA AREA
8 (SU6120002)
9 (Third Supervisorial District)

10
11 **WHEREAS**, the hereinafter-described easements for road and drainage purposes
12 (Parcels "A" and "B"), were granted to the County of Riverside for public use by an
13 Easement Deed, recorded August 30, 1993, as Instrument No. 339051, as shown on
14 Parcel Map No. 32468, on file in Book 233, Pages 41 through 45, inclusive, both official
15 records of the Recorder of Riverside County, California, and;

16
17 **WHEREAS**, the hereinafter-described road and drainage easements have not been
18 used for the purpose for which it was dedicated and are excess easements and are not
19 required for public road purposes, and;

20
21 **WHEREAS**, applicable procedures pertaining to summary vacations were followed
22 pursuant to the County's adopted "Resolutions for Fixing Procedures to Vacate and
23 Accept County 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 February 7th, 2023, as follows:

FORM APPROVED COUNTY COUNSEL

BY: Stephanie K. Nelson DATE: 1/31/23

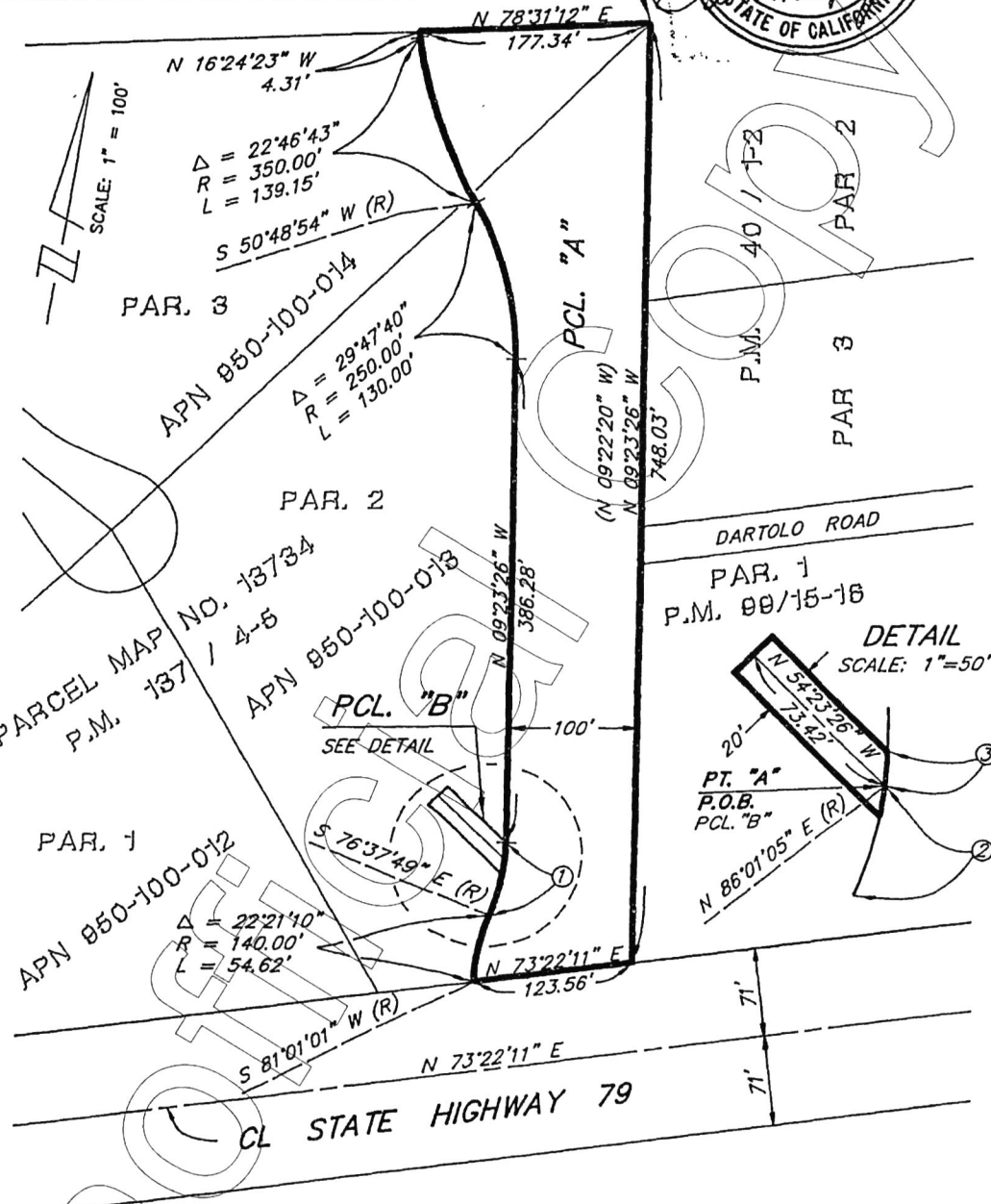
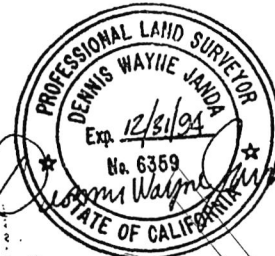
FEB 7 2023 3.33

EXHIBIT "B"

DATA TABLE

NO.	DELTA	RADIUS	LENGTH
①	22°45'37"	150.00'	59.59'
②	17°21'06"	150.00'	45.43'
③	05°24'31"	150.00'	14.16'

P.O.B.
PCL. "A"



DETAIL
SCALE: 1" = 50'

() DENOTES RECORD DATA
PER P.M. 137/4-5

17,8S,2W

RANPAC ENGINEERING CORPORATION 27447 Enterprise Circle West, Temecula, CA., 92390		CIVIL ENGINEERS LAND SURVEYORS, PLANNERS	
THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT PART OF THE WRITTEN DESCRIPTION THEREIN.		SHEET 1 OF 1	W.O.130-22
SCALE: 1" = 100'	DRAWN BY T.B. DATE 7/30/92	EXHIBIT FOR DRAINAGE EASEMENT	

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

FILED / POSTED

County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder

E-202300163
02/08/2023 09:54 AM Fee: \$ 50.00
Page 1 of 2

Removed: By: Deputy


NOTICE OF EXEMPTION

Project Name: Resolution No. 2023-010, Summarily Vacating Parcels "A" and "B" for public road and drainage purposes per Instrument No. 1993-339051, Recorded August 30, 1993, in the Temecula Area

Project Number: SU6120002, Z2055

Project Location- See Attachment A (Vicinity Map)

Description of Project: Resolution No. 2023-010, Summarily Vacating Parcels "A" and "B" for public road and drainage purposes per Instrument No. 1993-339051, Recorded August 30, 1993, in the Temecula 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 road and drainage easements 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 vacation of the road and drainage easements 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 road and drainage easements 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. The vacation of the road and drainage easements 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 road and drainage easements 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, The vacation of the road and drainage easements 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 road and drainage easements 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: _____

11/2/2022

David L. McMillan, Riverside County Surveyor

ATTACHMENT "A"

Summarily Vacating Parcels "A" and "B" for public road and drainage purposes per Instrument No. 1993-339051, Recorded August 30, 1993, in the City of Temecula



 INDICATES AREAS TO BE VACATED

NOTE: TO BE REMOVED PRIOR TO RECORDING

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RESOLUTION NO. 2023-010

1. The vacation hereinafter-described road and drainages easements are categorically exempt from CEQA pursuant to Section 15060(c)(2) and 15061(b)(3) of the State CEQA Guidelines.

2. Pursuant to Division 9, Part 3, Chapter 4, Section 8333(a) of the Streets and Highways Code, the hereinafter-described road and drainage easements have not been used for the intended purpose for which they were granted and are not required by the County of Riverside for public road and drainage purposes and therefore the road and drainage easements are hereby summarily vacated.

- SEE INSTRUMENT NO. 1993-339051 AND MADE A PART HEREOF;

3. Pursuant to Division 9, Part 3, Chapter 4, Section 8335(a) of the Streets and Highways Code, upon the adoption of Resolution 2023-010, Summarily vacate Parcels "A" and "B" for public road and drainage purposes.

4. That the hereinafter-described public road and drainage easements are unnecessary for the County of Riverside's present or prospective public use, including use as a non-motorized transportation facility.

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RESOLUTION NO. 2023-010

5. From and after the date this resolution is recorded the hereinafter-described road and drainage easements no longer constitute public road and drainage easements.

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

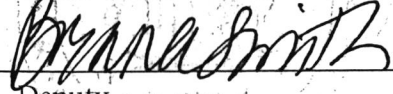
BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Clerk of the Board is directed to cause a certified copy of this resolution to be recorded in the office of the Recorder of the County of Riverside, California.

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

02.07.2023 3.33

CT W.O. # SU6120002

PETER ALDANA
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

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
(EMBOSSSED ON DOCUMENT)



Date: 02/07/2023

Signature: 

Print Name: Breanna Smith, Board Assistant

TWN. 8S RGE. 2W. SEC. 17 ROAD NAME --0--

PROJECT NAME AD-1.59H W.O.# V.II.

339051

CERTIFICATE of ACCEPTANCE of EASEMENT
(Government Code Section 27281)

THIS INSTRUMENT IS FOR THE BENEFIT OF THE COUNTY OF RIVERSIDE AND ENTITLED TO BE RECORDED WITHOUT FEE. (GOV. CODE 6103)

FOR RECORDER'S USE

RETURN TO RIVERSIDE COUNTY SURVEYORS OFFICE.

THIS IS TO CERTIFY that the interest in real property granted by the easement dated 3-24-93 from LOS

RANCHITOS ESTATES, a limited partnership to the COUNTY OF RIVERSIDE, is hereby accepted for the purpose of vesting title in the County of Riverside on behalf of the public for public road and utility uses as part of the County Maintained Road System, subject to improvements in accordance with County standards by the undersigned on behalf of the Board of Supervisors pursuant to the authority contained in County Ordinance No. 689. Grantee consents to recordation thereof by its duty authorized officer.

Dated: Aug. 24, 1993 COUNTY OF RIVERSIDE

By: Franklin E. Sherkow

Franklin E. Sherkow
Director of Transportation

339051

RECEIVED FOR RECORD
AT 12:00 O'CLOCK P.M.

AUG 30 1993

Recorded in Official Records
of Riverside County, California

Recorder
Fees \$

EASEMENT

LOS RANCHITOS ESTATES,
a limited partnership,

grant(s) to the County of Riverside an easement for public road and drainage purposes, including public utility and public services purposes, over, upon, across, and within the real property in the County of Riverside, State of California, described as follows:

SEE LEGAL DESCRIPTION ATTACHED HERETO
AS EXHIBIT "A" AND MADE A PART HEREOF

LOS RANCHITOS ESTATES, a limited
partnership

Dated: March 24, 1993

X [Signature]

President

X

N/A

Secretary

(PLEASE SEE ATTACHED)

Unofficial

ORIGINAL

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

339051

No. 5193

State of CALIFORNIA
County of RIVERSIDE

On 3/24/93 before me, Jean Shetler
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared William P. Johnson
NAME(S) OF SIGNER(S)

personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Jean Shetler
SIGNATURE OF NOTARY

OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

- INDIVIDUAL
- CORPORATE OFFICER(S)
President
TITLE(S)
- PARTNER(S) LIMITED
 GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER: _____

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)
JOHNSON + JOHNSON DEVELOPMENT CORPORATION, a Calif. Corporation

OPTIONAL SECTION

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

TITLE OR TYPE OF DOCUMENT EASEMENT / LOS RANCHITOS ESTATES

NUMBER OF PAGES 4 DATE OF DOCUMENT 3/24/93

SIGNER(S) OTHER THAN NAMED ABOVE None

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

Unofficial

339051

As Beneficiaries under deeds of trust: BRANDT V. NORRIS and NERVA L. NORRIS, husband and wife

Dated: 6/9/93 x Brandt V. Norris.
Brandt V. Norris

Dated: _____
Nerva L. Norris

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

339051

No. 5193

State of California }
County of San Diego }
On June 9, 1993 before me, Debra Kay Fritz, Notary Public
personally appeared Brandt V. Norris

OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

INDIVIDUAL

CORPORATE OFFICER(S)

TITLE(S)

PARTNER(S) LIMITED

GENERAL

ATTORNEY-IN-FACT

TRUSTEE(S)

GUARDIAN/CONSERVATOR

OTHER: _____

personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Debra Kay Fritz
SIGNATURE OF NOTARY

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

OPTIONAL SECTION

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

TITLE OR TYPE OF DOCUMENT: Deed

NUMBER OF PAGES: 5 DATE OF DOCUMENT: 3-21-93

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

SIGNER(S) OTHER THAN NAMED ABOVE: Los Ranchitos Estates

Unofficial

EXHIBIT "A"
LEGAL DESCRIPTION FOR DRAINAGE EASEMENT

BEING PORTIONS OF PARCELS 2 AND 3 OF PARCEL MAP NO. 13734 IN THE CITY OF TEMECULA, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS FILED IN BOOK 137 AT PAGES 4 THROUGH 5 INCLUSIVE OF PARCEL MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY OF RIVERSIDE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL "A"

BEGINNING AT THE NORTHEASTERLY CORNER OF SAID PARCEL MAP NO. 13734;

THENCE ALONG THE EASTERLY LINE OF SAID PARCEL 2 SOUTH 09° 23' 26" EAST, 748.03 FEET TO THE NORTHERLY LINE OF STATE HIGHWAY 79 AS SHOWN ON SAID PARCEL MAP;

THENCE ALONG SAID NORTHERLY LINE SOUTH 73° 22' 11" WEST, 123.56 FEET TO A POINT ON A NON TANGENT, 140.00 FOOT RADIUS CURVE, CONCAVE EASTERLY, A RADIAL LINE TO SAID POINT BEARS SOUTH 81° 01' 01" WEST;

THENCE LEAVING SAID NORTHERLY LINE, NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 22° 21' 10" A DISTANCE OF 54.62 FEET TO A POINT OF A 150.00 FOOT RADIUS REVERSE CURVE, CONCAVE WESTERLY, A RADIAL LINE TO SAID POINT BEARS SOUTH 76° 37' 49" EAST;

THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 17° 21' 06" A DISTANCE OF 45.43 FEET TO POINT "A", A RADIAL LINE TO SAID POINT BEARS NORTH 86° 01' 05" EAST;

THENCE CONTINUING NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 05° 24' 31" A DISTANCE OF 14.16 FEET TO A LINE PARALLEL WITH AND 100.00 FEET WESTERLY OF SAID EASTERLY LINE OF PARCEL 2;

THENCE ALONG SAID PARALLEL LINE NORTH 09° 23' 26" WEST, 386.28 FEET TO THE BEGINNING OF A 250.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 29° 47' 40" A DISTANCE OF 130.00 FEET TO A POINT OF A 350.00 FOOT RADIUS REVERSE CURVE, CONCAVE NORTHEASTERLY, A RADIAL LINE TO SAID POINT BEARS SOUTH 50° 48' 54" WEST;

THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 22° 46' 43" A DISTANCE OF 139.15 FEET;

THENCE NORTH 16° 24' 23" WEST, 4.31 FEET TO THE NORTHERLY LINE OF SAID PARCEL 3;

THENCE ALONG SAID LINE NORTH 78° 31' 12" EAST, 177.34 FEET TO THE POINT OF BEGINNING.

CONTAINING 86,051.55 SQUARE FEET OR 1.98 ACRES, MORE OR LESS.

339051

PARCEL "B"

BEING A 20.00 FOOT WIDE STRIP OF LAND OVER SAID PARCEL 2, THE CENTERLINE OF WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT POINT "A" DESCRIBED IN PARCEL "A" DESCRIPTION HEREIN;

THENCE NORTH 54° 23' 26" WEST, 73.42 FEET TO THE POINT OF TERMINUS.

THE SIDELINES OF SAID STRIP OF LAND SHALL BE PROLONGED OR SHORTENED SO AS TO TERMINATE AT THE WESTERLY LINE OF PARCEL "A" AS DESCRIBED HEREIN.

CONTAINING 1,463.46 SQUARE FEET OR 0.03 ACRES, MORE OR LESS.

SEE ATTACHED EXHIBIT "B"

