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



ITEM: 11.8 (ID # 21966)

MEETING DATE:

FROM: FLOOD CONTROL DISTRICT:

Tuesday, May 23, 2023

SUBJECT: FLOOD CONTROL DISTRICT: Adoption of Resolution No. F2023-14, Authorization to Convey an Easement Interest in Real Property Within a Portion of Assessor's Parcel Number 112-310-002, Referenced as RCFC Parcel No. 2070-101, to Southern California Edison Company by Easement Deed, Oak Street Channel Project, Project No. 2-0-00070, CEQA Exempt per State CEQA Guidelines Section 15061(b)(3), District 2. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

- 1. Find that the conveyance of the utility easement interest as described in Resolution No. F2023-14 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3), the "Common Sense Exemption";
- 2. Adopt Resolution No. F2023-14, Authorization to Convey an Easement Interest in Real Property Within a Portion of Assessor's Parcel Number 112-310-002, Referenced as RCFC Parcel No. 2070-101, to Southern California Edison Company by Easement Deed, Oak Street Channel Project, Project No. 2-0-00070;
- 3. Authorize the Chair of the Riverside County Flood Control and Water Conservation District's ("District") Board of Supervisors to execute the Easement Deed in favor of Southern California Edison Company; and
- 4. Authorize the General Manager-Chief Engineer or his designee to execute any other related documents and administer all actions necessary to complete the transaction.

ACTION:Policy

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel, seconded by Supervisor Washington 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:

May 23, 2023

RAL MGR-CHF FLD CNTRL ENG

XC:

Flood

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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:				Budget Adjustment: No		
			For F	iscal Yea	ar: 20	22/2023

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

On April 18, 2023, the District's Board of Supervisors approved Minute Order 11.4 to adopt Resolution No. F2023-11, Notice of Intent to Convey an Easement Interest in Real Property Within a Portion of Assessor's Parcel Number (APN) 112-310-002, Referenced as RCFC Parcel Number 2070-101, to Southern California Edison Company (SCE) by Easement Deed, Oak Street Channel, Project No. 2-0-00070.

The District owns fee title interest in real property located in the city of Corona identified as APN 112-310-002, referenced as RCFC Parcel Number 2070-101 ("District ROW").

The District has agreed to grant a permanent easement to SCE for an electrical transformer conduit, which is necessary for electric transmission to the proposed leased area between the District and New Cingular Wireless, PCS, LLC, a Delaware limited liability company, also known as the Oak Street Channel Project ("Project").

The District has reviewed and approved the easement area SCE provided authorizing the Project and is now prepared to convey an easement to SCE for the operation of the Project per the terms and conditions contained in the Easement Deed.

Pursuant to the California Water Code Appendix, Ch. 48, Section 9, the District's Board of Supervisors has the power to convey an interest in real property which it owns when necessary or convenient to the full exercise of its powers. District staff has evaluated and determined that the conveyance of the easement interest to SCE will not interfere with the use of the property by the District as is necessary or convenient to the full exercise of the District's power.

Pursuant to the California Water Code Appendix, Ch. 48, Section 13, the District's Board of Supervisors 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.

Environmental Findings

Pursuant to CEQA Statues and Guidelines Section 15061(b)(3), the "Common Sense Exemption", which provides, "The activity is covered by the common-sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the

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

environment. Where it can be seen with certainty that there is no possibility that the authorization to convey an easement interest to SCE by easement deed may have a significant effect on the environment, the activity is not subject to CEQA.

Resolution No. F2023-14 has been approved as to form by County Counsel.

Impact on Residents and Businesses

There is no impact to the residences and business.

ATTACHMENTS:

- 1. Resolution No. F2023-14
- 2. Easement Deed
- 3. Vicinity Map

YK:ju P8/250982

Jason Farin, Principal Management Analyst

5/16/2023

Aaron Gettis, Deputy County Sounsel

5/12/202

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BOARD OF SUPERVISORS

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

RESOLUTION NO. F2023-14

AUTHORIZATION TO CONVEY AN EASEMENT INTEREST IN REAL PROPERTY WITHIN A PORTION OF ASSESSOR'S PARCEL NUMBER 112-310-002. REFERENCED AS RCFC PARCEL NUMBER 2070-101, TO SOUTHERN CALIFORNIA EDISON COMPANY BY EASEMENT DEED, OAK STREET CHANNEL, PROJECT NO. 2-0-00070

WHEREAS, on April 18, 2023, the Riverside County Flood Control and Water Conservation District's ("District") Board of Supervisors ("Board") approved Minute Order 11.4 to adopt Resolution No. F2023-11, Notice of Intent to Convey an Easement Interest in Real Property Within a Portion of Assessor's Parcel Number 112-310-002, Referenced as RCFC Parcel Number 2070-101, to Southern California Edison Company ("SCE") by Easement Deed; and

WHEREAS, the District owns certain real property in fee, identified as Assessor's Parcel Number ("APN") 112-310-002, referenced as RCFC Parcel Number 2070-101, located in the County of Riverside, State of California; and

WHEREAS, the District intends convey to SCE a permanent easement for an electrical conduit transformer, which is necessary for electric transmission to the proposed leased area between the District and New Cingular Wireless, PCS, LLC, a Delaware limited liability company, ("Project"); and

WHEREAS, SCE has requested an easement interest from the District over portions of the referenced right of way ("Easements"), hereinafter described in Exhibits "A" and "B" attached hereto and incorporated herein, for the purpose of electrical systems consisting of crossarms, wires and other fixtures and appliances with necessary appurtenances for conveying electric energy; and

WHEREAS, the District has reviewed and approved the easement area SCE provided for the Project and is now prepared to convey an easement to SCE for the operation of the Project and per the terms and conditions contained on the Easement Deed; and

WHEREAS, pursuant to the California Water Code Appendix, Ch. 48, Section 9, the District's Board has the power to convey an interest in real property which it owns when necessary or convenient to the full exercise of its powers. District staff has evaluated and determined that the conveyance of the easement

interest to SCE will not interfere with the use of the property by the District as is necessary or convenient to the full exercise of the District's power; and

WHEREAS, pursuant to 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 thereof, and may thereafter sell or otherwise dispose or lease the same; and

WHEREAS, pursuant to the California Environmental Quality Agency ("CEQA") Statues and Guidelines Section 15061(b)(3), the "Common Sense Exemption", which provides, "The activity is covered by the common-sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment." Where it can be seen with certainty that there is no possibility that the authorization to convey an easement interest to SCE by easement deed may have a significant effect on the environment, the activity is not subject to CEQA.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the District's Board, in regular session assembled on or after May 23, 2023 at 9:30 a.m. or soon thereafter, in the meeting room of the District's Board, located on the 1st floor of the County Administrative Center, 4080 Lemon Street, Riverside, California, that this Board has evaluated and determined that the conveyance of the Easement Deed to SCE will not interfere with the use of the property for the intended purposes of the District.

BE IT FURTHER RESOLVED, DETEREMINED AND ORDERED that the District's Board intends to convey the Easement, as described in Exhibit "A" and shown in Exhibit "B" attached hereto and incorporated herein by this reference, on or after May 23, 2023 by Easement Deed.

BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Chair of the District's Board is authorized to execute the Easement Deed in favor of SCE on behalf of the District.

BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the General Manager-Chief Engineer or his designee is authorized to execute any other documents and administer all actions necessary to complete this transaction.

Board of Supervisors

RIVERSIDE COUNTY FLOOD CONTROL

AND WATER CONSERVATION DISTRICT

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RESOLUTION NO. F2023-14

AUTHORIZATION TO CONVEY AN EASEMENT INTEREST IN REAL PROPERTY WITHIN A PORTION OF ASSESSOR'S PARCEL NUMBER 112-310-002, REFERENCED AS RCFC PARCEL NUMBER 2070-101, TO SOUTHERN CALIFORNIA EDISON COMPANY BY EASEMENT DEED, OAK STREET CHANNEL, PROJECT NO. 2-0-00070

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: Bun Smit

Deputy

EXHIBIT "A"

VARIOUS STRIPS OF LAND LYING WITHIN PARCEL 2070-101, AS SHOWN ON A RECORD OF SURVEY FILED IN BOOK 64, PAGES 75 THROUGH 79 OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

STRIP #1 (4.00 FEET WIDE).

THE SOUTHERLY LINE OF SAID STRIP IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE WESTERLY TERMINUS OF THAT CERTAIN COURSE IN THE SOUTHERLY BOUNDARY OF SAID PARCEL 2070-101, SHOWN ON SAID RECORD OF SURVEY AS HAVING A BEARING AND LENGTH OF "NORTH 81°56'26" WEST 20.00 FEET"; THENCE ALONG SAID CERTAIN COURSE AND ITS EASTERLY PROLONGATION. SOUTH 81°56'26" EAST 24.00 FEET TO A POINT OF ENDING.

STRIP #2 (10.00 FEET WIDE)

THE CENTERLINE OF SAID STRIP IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHERLY TERMINUS OF THAT CERTAIN COURSE IN THE WESTERLY BOUNDARY OF SAID PARCEL 2070-101, SHOWN ON SAID RECORD OF SURVEY AS HAVING A BEARING AND LENGTH OF "NORTH 08°03'34" EAST 41.00 FEET"; THENCE ALONG SAID CERTAIN COURSE, SOUTH 08°03'34" WEST 4.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 81°56'26" EAST 10.73 FEET TO A POINT OF ENDING. SAID POINT TO BE HEREINAFTER REFERRED TO AS POINT "A".

EXCEPTING THEREFROM THAT PORTION INCLUDED WITHIN STRIP #1 DESCRIBED HEREINABOVE.

STRIP#3 (6.00 FEET WIDE)

THE CENTERLINE OF SAID STRIP IS DESCRIBED AS FOLLOWS:

BEGINNING AT SAID POINT "A"; THENCE SOUTH 80°45'00" EAST 64.25 FEET; THENCE NORTH 35°12'00" EAST 40.00 FEET TO A POINT OF ENDING.

THE SIDELINES OF SAID STRIP ARE TO BE PROLONGED OR SHORTENED TO TERMINATE WESTERLY IN THE EASTERLY LINE OF STRIP #2 DESCRIBED HEREINABOVE, AND TO JOIN AT THE ANGLE POINT.

FOR SKETCH TO ACCOMPANY LEGAL DESCRIPTION, SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

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No. C-18619

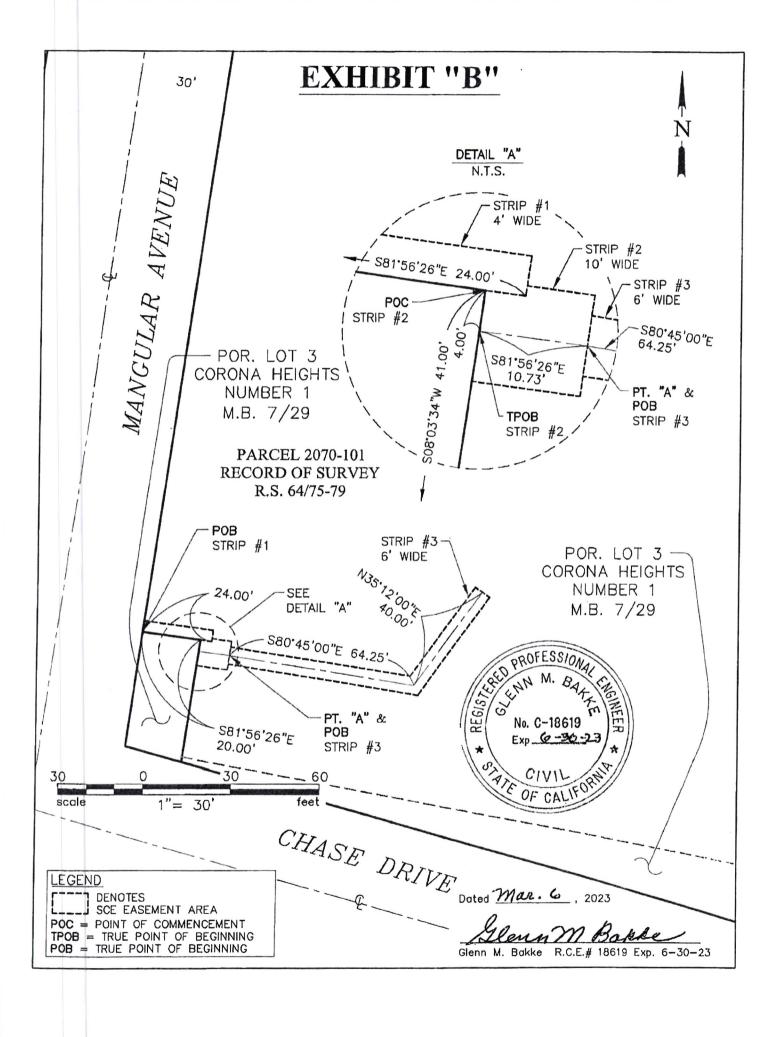
Exp 6-30-2

Prepared by me or under my supervision:

Dated: Mar. 6

2023

Glenn M. Bakke R.C.E. #18619 Exp. 06-30-2023







An EDISON INTERNATIONAL Company

WHEN RECORDED MAIL TO

SOUTHERN CALIFORNIA EDISON COMPANY

2 INNOVATION WAY, 2nd FLOOR POMONA, CA 91768

Attn: Title and Real Estate Services

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SCE Doc. No.

GRANT OF

EASEMENT

DOCUMENTARY TRANSFER TAX \$ NONE VALUE AND CONSIDERATION LESS THAN \$100.00)	Ontario	TD2021355	SERIAL NO.	MAP SIZE
SCE Company SIG. OF DECLARANT OR AGENT DETERMINING TAX FIRM NAME	FIM 613-1590-0 APN 112-310-002	APPROVED: VEGETATION & LAND MANAGEMENT	SLS/CG	02/15/23

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT (hereinafter referred to as "Grantor"), hereby grants to SOUTHERN CALIFORNIA EDISON COMPANY, a corporation, its successors and assigns (hereinafter referred to as "Grantee"), an easement and right of way to construct, use, maintain, operate, alter, add to, repair, replace, reconstruct, inspect and remove at any time and from time to time underground electrical supply systems and communication systems (hereinafter referred to as "systems"), consisting of wires, underground conduits, cables, vaults, manholes, handholes, and including above-ground enclosures, markers and concrete pads and other appurtenant fixtures and equipment necessary or useful for distributing electrical energy and for transmitting intelligence, data and/or communications (eg. through fiber optic cable), in, on, over, under, across and along that certain real property in the County of Riverside, State of California, described as follows:

FOR LEGAL DESCRIPTION AND SKETCH TO ACCOMPANY LEGAL DESCRIPTION, SEE EXHIBITS "A" AND "B" BOTH ATTACHED HERETO AND MADE A PART HEREOF.

Grantor agrees for himself, his heirs and assigns, not to erect, place or maintain, nor to permit the erection, placement or maintenance of any building, planter boxes, earth fill or other structures except walls and fences on the above described real property. The Grantee, and its contractors, agents and employees, shall have the right to trim or cut tree roots as may endanger or interfere with said systems and shall have free access to said systems and every part thereof, at all times, for the purpose of exercising the rights herein granted; provided, however, that in making any excavation on said property of the Grantor, the Grantee shall make the same in such a manner as will cause the least injury to the surface of the ground around such excavation, and shall replace the earth so removed by it and restore the surface of the ground to as near the same condition as it was prior to such excavation as is practicable.

EXECUTED this 23rd day of MW, 2023

GRANTOR

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

Signature

ATTEST:
KIMBERLY A. RECTOR, Clerk

ŀ

KAREN SPIEGEL

Print Name

CHAIR, BOARD OF SUPERVISORS

Title

FORM APPROVED COUNTY COUNSEL

BY RYAN D. YARKO

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)	
County of)	
On	before me,	, a Notary Public, personally
to me that he/she/the	ey executed the same in his/her/their at	name(s) is/are subscribed to the within instrument and acknowledged uthorized capacity(ies), and that by his/her/their signature(s) on the he person(s) acted, executed the instrument.
I certify under PENA	LTY OF PERJURY under the laws of the	ne State of California that the foregoing paragraph is true and correct.
WITNESS my hand a	nd official seal.	
Signature	(Seal)	

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

§

COUNTY OF RIVERSIDE

On May 23, 2023, before me, Breanna Smith, Board Assistant, personally appeared Karen Spiegel, Chair of the Board of Supervisors, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument; and that a copy of this paper, document or instrument has been delivered to the chairperson.

I certify under the penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Kimberly A. Rector Clerk of the Board of Supervisors

(SEAL)

PETER ALDANA COUNTY OF RIVERSIDE ASSESSOR-COUNTY CLERK-RECORDER

Recorder P.O. Box 751 (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 Flood Control and Water Conservation District (EMBOSSED ON DOCUMENT)				
RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT				
1945				
CALIFORNIA				
Date: 05/23/2023				
Signature: MUNG Smill				
Print Name: Breanna Smith, Board Assistant				

EXECUTED this day of	, 20
	GRANTEE
	SOUTHERN CALIFORNIA EDISON COMPANY, a corporation
	Signature
	Print Name
	Title
A Notary Public or other officer completing this certificate verific to which this certificate is attached, and not the truthfulness, accur	es only the identity of the individual who signed the document racy, or validity of that document.
State of California)	
County of)	
On before me,	
appeared	rized capacity(ies), and that by his/her/their signature(s) on the
I certify under PENALTY OF PERJURY under the laws of the Sta	ate of California that the foregoing paragraph is true and correct.
WITNESS my hand and official seal.	
Signature (Seal)	

EXHIBIT "A"

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FOR SKETCH TO ACCOMPANY LEGAL DESCRIPTION, SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

No. C-18619

Prepared by me or under my supervision:

Dated: Mar, 6, 202

Ilonn III. Bakke
Glenn M. Bakke R.C.E. #18619 Exp. 06-30-2023

