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



ITEM: 11.1 (ID # 23493)

MEETING DATE:

Tuesday, January 23, 2024

FROM: FLOOD CONTROL DISTRICT:

SUBJECT: FLOOD CONTROL DISTRICT: Adoption of Resolution No. F2024-02, Declaration of Exempt Surplus Real Property and Notice of Intention to Convey Easement and Fee Simple Interests in Real Property Within a Portion of Assessor's Parcel Numbers 178-290-011, 207-090-013 and 178-290-007, Referenced as RCFC Parcel Numbers 1010-20, 1010-HQ and 1010-31, to the County of Riverside on Behalf of its Transportation Department by Easement Deeds and Grant Deed, Santa Ana River – Market St. Bridge, Project No. 1-0-00010, Districts 1 and 2. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

- Adopt Resolution No. F2024-02, Declaration of Exempt Surplus Real Property and Notice of Intention to Convey Easement and Fee Simple Interests in Real Property Within a Portion of Assessor's Parcel Numbers 178-290-011, 207-090-013 and 178-290-007, Referenced as RCFC Parcel Numbers 1010-20, 1010-HQ and 1010-31, to the County of Riverside by Easement Deed, Santa Ana River – Market St. Bridge, Project No. 1-0-00010; and
- 2. Direct Clerk of the Board to give notice by posting a copy of Resolution No. F2024-02 in at least three (3) public places within the County of Riverside for no less than twenty-one (21) days.

ACTION:Policy

MINUTES OF THE BOARD OF SUPERVISORS

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

ID# 23493

Ayes:

Jeffries, Spiegel, Washington, Perez and Gutierrez

Nays:

None

Absent:

None

Date:

January 23, 2024

XC:

Flood, COBCF

GENERAL MGR-CHF FLD CNTRL ENG

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Kimberly A. Rector Clerk of the Board

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 Adj	Budget Adjustment: No	
	For Fiscal Y	'ear: 23/24			

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

<u>Summary</u>

The Riverside County Flood Control and Water Conservation District, a body corporate and politic, ("District") owns fee title interest in real property located in the County of Riverside identified as Assessor's Parcel Numbers (APN) 178-290-011, 207-090-013 and 178-290-007, referenced as RCFC Parcel Numbers 1010-20, 1010-HQ and 1010-31 ("District ROW").

The District intends to convey to the County of Riverside on behalf of its Transportation Department, a political subdivision of the State of California, ("County") permanent easements from portions of APNs 178-290-011 and 207-090-013 and fee simple interest of a portion of APN 178-290-007 (collectively, the "Property") all for road purposes for the Market Street Bridge Project ("Project").

Pursuant to the California Water Code Appendix, Chapter 48, Section 9, the District's Board of Supervisors ("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 and fee simple interests to the County 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 powers.

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 thereof and may thereafter sell or otherwise dispose of said property or lease the same.

Both the Surplus Land Act (SLA) and the California Department of Housing and Community Development (HCD) Surplus Lands Act Guidelines are silent on the granting of easements by a local agency. Therefore, HCD does not consider the granting of easements to be subject to the SLA. However, pursuant to Government Code Section 54221(f)(1)(D), surplus land that a local agency is transferring to another local agency for that agency's use is exempt from the requirements of the SLA.

Accordingly, the District requests this Property be declared exempt surplus land, as the Property is exempt pursuant to Government Code Section 54221(f)(1)(D). Therefore, District staff is

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

recommending the adoption of Resolution No. F2024-02 to declare the Property exempt surplus land and provide notice of the District's intention to convey the Property to the County.

Resolution No. F2024-02 has been approved as to form by County Counsel.

1/16/2024

Impact on Residents and Businesses

None

Additional Fiscal Information

All costs shall be borne by the County.

ATTACHMENTS:

- 1. Resolution No. F2024-02
- 2. Vicinity Maps

P8/253676 YKW:rlp:bad

Jason Farin, Principal Management Analyst

aron Gettis, Deputy County County 1/3/

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BOARD OF SUPERVISORS

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

RESOLUTION NO. F2024-02

DECLARATION OF EXEMPT SURPLUS REAL PROPERTY AND NOTICE OF INTENTION TO CONVEY EASEMENT AND FEE SIMPLE INTERESTS IN REAL PROPERTY WITHIN A PORTION OF

ASSESSOR'S PARCEL NUMBERS 178-290-011, 207-090-013 and 178-290-007. REFERENCED AS RCFC PARCEL NUMBERS 1010-20, 1010-HQ and 1010-31, TO THE COUNTY OF RIVERSIDE ON BEHALF OF ITS TRANSPORTATION DEPARTMENT BY EASEMENT DEEDS AND GRANT DEED, SANTA ANA RIVER – MARKET ST. BRIDGE, PROJECT NO. 1-0-00010

WHEREAS, the Riverside County Flood Control and Water Conservation District, a body corporate and politic ("District"), owns certain real property in fee identified as Assessor's Parcel Numbers ("APN") 178-290-011, 207-090-013 and 178-290-007, referenced as RCFC Parcel Numbers 1010-20, 1010-HQ and 1010-31, located in the County of Riverside, State of California; and

WHEREAS, the District intends to convey to the County of Riverside on behalf of its Transportation Department, a political subdivision of the State of California, ("County") permanent easements from portions of APN 178-290-011 and 207-090-013 for road purposes, which is necessary for constructing the Market Street Bridge Replacement Project ("Project"); and

WHEREAS, the District intends to convey to the County a fee simple interest of a portion of APN 178-290-007 for road purposes, which is necessary for the Project; and

WHEREAS, the County has requested permanent easements and a fee simple interest from the District identified over portions of the APNs ("ROW Area"), and said permanent easements and fee simple interest to be conveyed to the County are collectively referred to as the "Property", and are hereinafter described and depicted in Exhibits "A" and "B", attached hereto and incorporated herein; and

WHEREAS, the District has reviewed and approved the ROW Area the County provided for the Project and is now prepared to convey the permanent easements and fee simple interest for the operation of the Project; and

APPROVED AS TO FORM: Counse

WHEREAS, the District has determined this Project will not interfere with the District's continued operation and maintenance; and

WHEREAS, pursuant to the California Water Code Appendix, Ch. 48, Section 9, the District's Board of Supervisors ("Board") has the power to convey an interest in real property it owns when such conveyance 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 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; and

WHEREAS, both the Surplus Land Act ("SLA") and the California Department of Housing and Community Development ("HCD") Surplus Lands Act Guidelines are silent on the granting of easements by a local agency and, therefore, HCD does not consider the granting of easements to be subject to the SLA, however, pursuant to Government Code Section 54221(f)(1)(D), surplus land that a local agency is transferring to another local agency for the agency's use is exempt from the requirements of the SLA.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board, in regular session assembled on or after January 23, 2024 at 9:30 a.m. or soon thereafter, in the meeting room of the 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 Property to the County will not interfere with the use of the Property for the District's intended purposes and the Property intended to be conveyed to County is no longer necessary to be retained for the uses and purposes of the District.

BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the District's Board intends to convey the Property to the County as described and depicted in Exhibits "A" and "B", attached hereto and incorporated herein, on or after February 27, 2024.

BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the District declares the Property exempt surplus land pursuant to Government Code Section 54221(f)(1)(D)

because the Property is surplus land that a local agency is transferring to another local agency for that agency's use. BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Clerk of the Board is directed to give notice hereof by posting a copy of the Resolution No. F2024-02 in at least three (3) public places within the County of Riverside for no less than twenty-one (21) days. ROLL CALL: Ayes: Jeffries, Washington, Spiegel, 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 01.23.2024 11.1

EXHIBIT "A"

EXHIBIT "A" LEGAL DESCRIPTION 0528-017A

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED BY DIRECTORS DEED RECORDED AUGUST 04, 1960 AS DOCUMENT NUMBER 68881 OFFICIAL RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN THE RUBIDOUX RANCHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF MARKET STREET AND RIVERA STREET AS SHOWN BY RECORD OF SURVEY ON FILE IN BOOK 136 AT PAGES 22 THROUGH 27, INCLUSIVE. SAID OFFICIAL RECORDS;

THENCE NORTH 33°45'06" WEST ALONG SAID CENTERLINE OF MARKET STREET, A DISTANCE OF 336.11 FEET TO A POINT OF INTERSECTION WITH THE NORTHEASTERLY PROLONGATION OF THE NORTHWESTERLY LINE OF A 50.00 FOOT-WIDE STRIP OF LAND RELINQUISHED TO THE CITY OF RIVERSIDE AS DESCRIBED BY A DOCUMENT RECORDED MAY 1, 1963 IN BOOK 3383, PAGE 326, SAID OFFICIAL RECORDS:

THENCE SOUTH 56°14'54" WEST ALONG SAID NORTHEASTERLY PROLONGATION AND SAID NORTHWESTERLY LINE, A DISTANCE OF 75.00 FEET TO THE SOUTHWESTERLY LINE OF SAID 50.00 FOOT STRIP, BEING THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID MARKET STREET (75.00 FOOT SOUTHWESTERLY HALF-WIDTH);

THENCE SOUTH 33°45'06" EAST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 70.89 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 33°45'06" EAST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 89.54 FEET,

THENCE LEAVING SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, NORTH 45°10'51" WEST, A DISTANCE OF 20.19 FEET TO A LINE PARALLEL WITH AND DISTANT 79.00 FEET SOUTHWESTERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF MARKET STREET:

THENCE NORTH 33°45'06" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 55.99 FEET:

THENCE NORTH 17°32'40" WEST, A DISTANCE OF 14.33 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 291 SQUARE FEET OR 0.007 ACRES, MORE OR LESS.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 6. MULTIPLY DISTANCES SHOWN BY 1.000010873 TO OBTAIN GROUND DISTANCE.

SEE EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

TIMOTHY F. BAYBURN, P.L.S. 8455
7/27/2023

DATED:

EXHIBIT "A" LEGAL DESCRIPTION 0528-017B

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED BY DIRECTORS DEED RECORDED AUGUST 04, 1960 AS DOCUMENT NUMBER 68881 OFFICIAL RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN THE RUBIDOUX RANCHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF MARKET STREET AND RIVERA STREET AS SHOWN BY RECORD OF SURVEY ON FILE IN BOOK 136 AT PAGES 22 THROUGH 27, INCLUSIVE, SAID OFFICIAL RECORDS;

THENCE NORTH 33°45'06" WEST ALONG SAID CENTERLINE OF MARKET STREET, A DISTANCE OF 336.11 FEET TO A POINT OF INTERSECTION WITH THE NORTHEASTERLY PROLONGATION OF THE NORTHWESTERLY LINE OF A 50.00 FOOT-WIDE STRIP OF LAND RELINQUISHED TO THE CITY OF RIVERSIDE PER DOCUMENT RECORDED MAY 1, 1963 IN BOOK 3383, PAGE 326, SAID OFFICIAL RECORDS:

THENCE SOUTH 56°14'54" WEST ALONG SAID NORTHEASTERLY PROLONGATION AND SAID NORTHWESTERLY LINE A DISTANCE OF 57.20 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 2,379.50 FEET, AND AN INITIAL RADIAL BEARING OF NORTH 62°04'59" EAST: ALSO BEING THE TRUE POINT OF BEGINNING;

THENCE NORTHWESTERLY ALONG SAID NON-TANGENT CURVE THROUGH A CENTRAL ANGLE OF 05°49'59" AN ARC DISTANCE OF 242.25 FEET;

THENCE NORTH 33°45'01" WEST, A DISTANCE OF 51.85 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF MARKET STREET AS DESCRIBED IN QUITCLAIM DEED TO THE CITY OF RIVERSIDE RECORDED JUNE 6, 1956 IN BOOK 1922, PAGE 280 OF SAID OFFICIAL RECORDS;

THENCE SOUTH 39°44'06" EAST ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF MARKET STREET PER SAID QUITCLAIM DEED A DISTANCE OF 121.69 FEET TO THE NORTHERLY-MOST CORNER OF THAT PARTICULAR PARCEL OF LAND DESCRIBED IN QUITCLAIM DEED RECORDED OCTOBER 12, 2007 AS DOCUMENT NUMBER 2007-0633485 SAID OFFICIAL RECORDS:

THENCE THE FOLLOWING THREE (3) COURSES ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF MARKET STREET PER SAID DOCUMENT NUMBER 2007-0633485:

- SOUTH 28°26'05" EAST, A DISTANCE OF 129.53 FEET;
- 2. SOUTH 33°54'03" EAST, A DISTANCE OF 25.62 FEET;
- SOUTH 09°45'16" EAST, A DISTANCE OF 19.78 FEET TO THE NORTHWESTERLY LINE OF SAID 50.00 FOOT-WIDE STRIP;

THENCE SOUTH 56°14'54" WEST ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 5.03 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 2,582 SQUARE FEET OR 0,059 ACRES, MORE OR LESS.

EXHIBIT "A" LEGAL DESCRIPTION 0528-017B

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 6. MULTIPLY DISTANCES SHOWN BY 1.000010873 TO OBTAIN GROUND DISTANCE.

SEE EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

TIMOTHY F. RAYBURN, P.C.S. 8455

7/27/2023

ATED

DATED:

EXHIBIT "A" LEGAL DESCRIPTION 0528-017G

THAT PORTION OF "PARCEL 31" AS SHOWN BY A RECORD OF SURVEY ON FILE IN BOOK 26 OF RECORDS OF SURVEY, AT PAGES 88 THROUGH 92, INCLUSIVE, FURTHER DESCRIBED BY FINAL ORDER OF CONDEMNATION RECORDED JULY 15, 1958 AS INSTRUMENT NUMBER 50322, ON FILE IN OFFICIAL RECORD BOOK 2301, AT PAGES 286 THROUGH 288, INCLUSIVE, BOTH OFFICIAL RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN THE RUBIDOUX RANCHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERLY-MOST CORNER OF SAID "PARCEL 31", BEING A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF MARKET STREET [FORMERLY CRESTMORE ROAD] (VARIABLE WIDTH) AS SHOWN BY RIVERSIDE COUNTY PLAN 846-AA, ON FILE IN THE OFFICE OF THE RIVERSIDE COUNTY SURVEYOR:

THENCE SOUTH 56°14'54" WEST ALONG THE NORTHWESTERLY LINE OF SAID "PARCEL 31", A DISTANCE OF 20.00 FEET TO AN ANGLE POINT THEREIN:

THENCE SOUTH 33°45'06" EAST CONTINUING ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 111.04 FEET TO AN ANGLE POINT IN SAID "PARCEL 31":

THENCE NORTH 23°32'29" WEST, A DISTANCE OF 112.82 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 1,110 SQUARE FEET, OR 0.025 ACRES, MORE OR LESS.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 6. MULTIPLY DISTANCES SHOWN BY 1.000010873 TO OBTAIN GROUND DISTANCE.

SEE EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

TIMOTHY F. RAYBURN, P.J.S. 8455

PREPARED UNDER MY SUPERVISION:

8/23/2023 DATED: No. 8455

Exp. 12-31-24

EXHIBIT "B"









