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



ITEM: 11.6 (ID # 25301)

MEETING DATE:

Tuesday, June 25, 2024

FROM:

FLOOD CONTROL DISTRICT

SUBJECT: FLOOD CONTROL DISTRICT: Adopt Resolution No. F2024-20, Notice of Intent to Sell a Fee Simple Interest in Real Property (RCFC Parcel No. 4310-9A, Also Known as Being Adjacent to APN 331-060-029, and RCFC Parcel No. 4310-9B, Also Known as Being Adjacent to APN 331-060-023), Located in the County of Riverside, Romoland MDP Line A, Project No. 4-0-00310, District 3. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

- Adopt Resolution No. F2024-20, Notice of Intent to Sell a Fee Simple Interest in Real Property (RCFC Parcel No. 4310-9A, Also Known as Being Adjacent to APN 331-060-029, and RCFC Parcel No. 4310-9B, Also Known as Being Adjacent to APN 331-060-023), Located in the County of Riverside, Romoland MDP Line A, Project No. 4-0-00310;
- 2. Declare the property as exempt surplus land pursuant to California Government Code Section 54221(f)(1)(B); and
- Direct the Clerk of the Board to give notice pursuant to Government Code Section 6061 by posting a copy of Resolution No. F2024-20 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 Spiegel, 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:

June 25, 2024

XC:

Flood, COBCF

11.6

Kimberly A. Rector

Clerk of the Board

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 Adjus	Budget Adjustment: No		
			For Fiscal Ye	ear: 24/25

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 Nos. 4310-9A and 4310-9B ("Property") by Grant Deed, recorded October 2, 2009 as Instrument No. 0512962 in the Official Records of the County of Riverside.

The District purchased the Property as part of the Romoland MDP Line A Project ("Project"), which consisted of construction, operation, and maintenance of a flood control channel. The District owns the Property in fee.

The District received a request from an adjacent owner ("adjacent owner") proposing to purchase the Property to add to their fee owned parcels. 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)(B) as the Property is less than one-half acre in area and not contiguous to land owned by a state or local agency used for open-space or low to moderate income housing. 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)(B), surplus land that is less than one-half acre in area and not contiguous to land owned by a state or local agency used for open-space or low to moderate income housing 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. F2024-20 to notice the District's intent to sell its fee simple interest in the Property and declare the Property as exempt surplus land.

Resolution No. F2024-20 has been approved as to form by County Counsel.

Impact on Residents and Businesses

Increase in private property ownership.

ATTACHMENTS:

- 1. Resolution No. F2024-20
- 2. Vicinity Map

P8/256480 JP:amh

Jason Farin, Principal Management Analyst

Gettis Chief of Day of Cottes Council 6/43/20

6/19/2024

FORM APPROVED COUNTY COUNSE

BOARD OF SUPERVISORS

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

RESOLUTION NO. F2024-20

NOTICE OF INTENT TO SELL A FEE SIMPLE INTEREST IN REAL PROPERTY (RCFC PACREL NO. 4310-9A, ALSO KNOWN AS BEING ADJACENT TO APN 331-060-029, AND RCFC PARCEL NO. 4310-9B, ALSO KNOWN AS BEING ADJACENT TO APN 331-060-023), LOCATED IN THE COUNTY OF RIVERSIDE, ROMOLAND MDP LINE A, PROJECT NO. 4-0-00310

WHEREAS, the Riverside County Flood Control and Water Conservation District ("District") acquired property identified with RCFC Parcel No. 4310-9A, lying adjacent to Assessor's Parcel Number 331-060-029, and RCFC Parcel No. 4310-9B, lying adjacent to Assessor's Parcel Number 331-060-023, (hereinafter "Property") by Grant Deed recorded October 2, 2009 as Instrument No. 0512962 in the Official Records of the County of Riverside, attached hereto as Exhibit "A" and by this reference incorporated herein; and

WHEREAS, the District acquired the Property as part of the Romoland MDP – Line A Project ("Project"), which consisted of the construction, operation, and maintenance of a flood control channel; and

WHEREAS, the District received a request from an adjacent owner to purchase RCFC Parcel Nos. 4310-9A and 4310-9B as depicted in Exhibit "B" (hereinafter "Parcel Nos. 4310-9A and 4310-9B") 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 California Government Code Section 54221(f)(1)(B) and Section 54222.3, surplus land that is less than one-half acre in area and not contiguous to land owned by a state or local

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agency used for open-space or low to moderate income housing is exempt from the requirements of the Surplus Land Act; and

WHEREAS, District staff has reviewed and determined that the portion of the property also known as RCFC Parcel Nos. 4310-9A and 4310-9B are surplus and are not needed for the District's Project; and

NOW THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED by the District's Board, in regular session assembled on or after June 25, 2024 at 9:30 a.m. or soon thereafter, in the meeting room of the District's Board of Supervisors, located on the 1st Floor of the County Administrative Center, 4080 Lemon Street, Riverside, California, that this Board has determined that Parcel Nos. 4310-9A and 4310-9B are no longer necessary to be retained for the uses and purposes of the District.

BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED that this Board hereby declares that Parcel Nos. 4310-9A and 4310-9B are exempt surplus land under California Government Code Section 54221(f)(1)(B) because Parcel Nos. 4310-9A and 4310-9B are a less than one-half acre in area and not contiguous to land owned by a state or local agency used for open-space or low to moderate income housing.

BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED that the District intends to convey the fee simple interest to Parcel Nos. 4310-9A and 4310-9B at 9:30 a.m. or soon thereafter on August 27, 2024.

BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED that this Board direct the Clerk of the Board to give notice by posting a copy of this Resolution No. F2024-20 in at least three (3) public places within the County of Riverside for no less than twenty-one (21) days.

1 **Board of Supervisors** RIVERSIDE COUNTY FLOOD CONTROL 2 AND WATER CONSERVATION DISRICT 3 4 **RESOLUTION NO. F2024-20** 5 NOTICE OF INTENTION TO SELL A FEE SIMPLE INTEREST IN REAL PROPERTY (RCFC PARCEL 6 NO. 4310-9A, ALSO KNOWN AS BEING ADJACENT TO APN 331-060-029, AND RCFC PARCEL 7 NO. 4310-9B, ALSO KNOWN AS BEING ADJACENT TO APN 331-060-023), LOCATED IN THE 8 COUNTY OF RIVERSIDE, ROMOLAND MDP LINE A, PROJECT NO. 4-0-00310 9 10 ROLL CALL: 11 12 Ayes: Jeffries, Washington, Spiegel, Perez, and Gutierrez 13 Nays: None 14 Absent: None 15 16 17 The foregoing is certified to be a true copy of a resolution duly adopted by said Board of 18 Supervisors on the date therein set forth. 19 20 KIMBERLY A. RECTOR, Clerk of said Board 21 22 23 Deputy 24

06/25/2024 11.6

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EXHIBIT "A"

RECORDING REQUESTED BY:

JOAN RUDISIL
WHEN RECORDED MAIL TO:
JOAN RUDISIL
LUCE FORWARD
2050 Main St. # 600
IRVINE, CA 92614

DOC # 2009-0512962 10/02/2009 08:00R Fee:NC Page 1 of 8 Recorded in Official Records

County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder



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GRANT DEED

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C 043 Recorded at request of, and return to: Riverside County Flood Control and Water Conservation District 1995 Market Street Riverside, California 92501

NO FEE (GOV. CODE 6103)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

The undersigned grantor(s) declare(s)
DOCUMENTARY TRANSFER TAX \$ NONE

Romoland/Homeland Project No.: 4-0-00310

GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, JOHN LUTHER JONES, JR., a married man as his sole and separate property, as to an undivided 3/10 interest; TIREY C. ABBOTT, JR., an unmarried man, as to an undivided 3/10 interest; WILLIAM N. FRYER, JR., a single man, as to an undivided 3/10 interest and CATHY CLARK and PATRICIA DIANE SLEVIN heirs to KAY WICKHAM, and DONALD F. WICKHAM, a married man as his sole and separate property, as to an undivided 1/10 interest, do hereby remise, release, and forever grants to RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT all right, title and interest in and to the real property situated in the County of Riverside, State of California, described as follows:

Those portions of Lot "P", as shown on the Map of Romola Farms No. 12, on file in Book 15, pages 77 and 78 of Maps, Records of Riverside County, lying Southerly of the Easterly extension of the North Line of Lot 1233 of said Romola Farms No. 12 and lying northerly of the easterly extension of the Southerly line of said Lot 1233.

Excepting therefrom that portion acquired by the Riverside County Flood Control and Water Conservation District, by Final Order of Condemnation recorded July 22, 2008 as instrument no. 398671, official records.

State of CALIFORNIA

County of LOS ANGELES

On 03/17/2009 before me, LENA D. LEG NOTARY Public

Personally appeared William N. Fryen, Jr.

Who 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 ne/she/they executed the same in his/het/their authorized capacity(iss), 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.

I certify under PENALTY OF PERJURY under the laws of the State of _______, that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Lew & Lew

Commission # 1789065
Notary Public - California
Los Angeles County
My Comm. Bakes Jon 18, 2012

Place Notary Seal Above

	1/-	4-	18
Date	11	-/	- 0

Caxky Clark Cathy Clark, Heir to Donald F. Wickham and

Kay Wickham

State of CALIFORNIA

County of ORANGE

On NOV. 4, 2008 before me, L. MORENO, NOTARY PUBLIC,

Personally appeared MARY CATHERINE CLARK ("Cathy Clark")

Who 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.

I certify under PENALTY OF PERJURY under the laws of the State of CAUFORNIA, that the foregoing paragraph is true and correct.

Moreno.

WITNESS my band and official seal.

Signature,

Place Notary Seal Above

L. MORENO

COMM. #1706864 otary Public - California **Orange County**

Date 11-7-08

Patricia Diane Slevin, Heir to Donald F. Wickham and Kay Wickham

State of Colorado

County of Arapahol

On 10th November, 2008 before me, Patricia A. Wmer, Notary Public

Personally appeared Patricia D Slevin

Who 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.

I certify under PENALTY OF PERJURY under the laws of the State of Colorado, that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

NOTARY PUBLIC STATE OF COLORADO

My Commission Expires 10/22/2009

PATRICIA A. WINER

Place Notary Seal Above

Date 02/26/2009

Ting C albott of
Tirey C. Abbott, Jr.

State of California		, v. 3	
County of Marin	<u> </u>		/
On 26 Feb 2009	before me, _	Peggy C. Gil	1, Notory public
Personally appeared Tivey	Casselman	Abbott IR	

Who 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.

I certify under PENALTY OF PERJURY under the laws of the State of ________, that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature C. H.W



Place Notary Seal Above

Date 3-6-09

John Luther Jones, Jr.

State of		
County of Clark		
On March 6, 2009 before me, Deanna P. Pheo	Notary	Public
Personally appeared John Luther Jones JR		*****

Who 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.



Place Notary Seal Above

I certify under PENALTY OF PERJURY under the laws of the State of ________, that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Wlang P, Ohen 1/16/11

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the quitelaim deed dated from JOHN LUTHER JONES, JR., a married man as his sole and separate property, as to an undivided 3/10 interest; TIREY C. ABBOTT, JR., an unmarried man, as to an undivided 3/10 interest; WILLIAM N. FRYER, JR., a single man, as to an undivided 3/10 interest and CATHY CLARK and PATRICIA DIANE SLEVIN heirs to KAY WICKHAM and DONALD F. WICKHAM, a married man as his sole and separate property, as to an undivided 1/10 interest, to 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 9/16/89

By: 🔀

WARREN D. WILLIAMS

General Manager-Chief Engineer

Riverside County Flood Control and Water Conservation District

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