

FORM APPROVED COUNTY COUNSEL
DATE 8/13/14
BY: GREGORY P. PRIAMOS

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



FROM: TLMA - Transportation Dept.

302 B

SUBMITTAL DATE:
August 13, 2014

SUBJECT: Resolution No. 2014-124, Summarily Vacating Portions of Mount Vernon Avenue and Execution of Quitclaim Deed in the Highgrove area, California Environmental Quality Act Exempt. 5th/2nd District; [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that the vacation of Portions of Mount Vernon Avenue is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301 and 15061 (b)(3) of the State CEQA Guidelines; and
2. Adopt Resolution No. 2014-124, Summarily Vacating Portions of Mount Vernon Avenue and authorize the Chairman to execute the Quitclaim Deed; and
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.

BACKGROUND:

Summary

As a Condition of Approval for Tract Map 29597 and Tract Map 29741, Mount Vernon Avenue has been realigned. The new realignment was dedicated by Document Nos. 2008-0592600, 2008-0592646, and 2008-0592647, all recorded on November 7, 2008, Official Records of the County of Riverside, California. As a result of this realignment, portions of Mount Vernon Avenue are no longer necessary, and the applicant has requested the vacation of these portions of Mount Vernon Avenue. The right-of-way being vacated is owned in fee title by the County of Riverside and requires the execution of a Quitclaim Deed to pass title to SMR Phase 1 Joint Venture LLC. The street improvements for the new alignment of

Patricia Romo
Assistant Director of Transportation
for Juan C. Perez
Director of Transportation and Land Management

WJH

Attachments: Resolution No. 2014-124, Exhibits "A," "B," "C,"
"D," Notice of Exemption, Quitclaim Deed, and
Exhibits "A," "B," "C," "D"

REVIEWED BY EXECUTIVE OFFICE

DATE 8/25/14
Tina Grande

Departmental Concurrence

Dep't Recomm.: ☒ Consent ☐ Policy
Per Exec. Ofc.: ☒ Consent ☐ Policy

Prev. Agn. Ref.

District: 5/2

Agenda Number:

2-28

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Resolution No. 2014-124, Summarily Vacating Portions of Mount Vernon Avenue and Execution of Quitclaim Deed in the Highgrove area, California Environmental Quality Act Exempt. 5th/2nd District; [\$0]
DATE: August 13, 2014
PAGE: 2 of 2

BACKGROUND:

Summary (continued)

Mount Vernon Avenue are of equal or greater value than the right-of-way being vacated; therefore, no compensation is necessary. This vacation will not eliminate access to any parcel. A portion of Mount Vernon Avenue lies within the City of Riverside, and the applicant is currently processing a vacation with the Planning Department at the City of Riverside for said portion of Mount Vernon Avenue.

There is no proposed need for the portion of Mount Vernon Avenue within the City of Riverside, and the portion of Mount Vernon Avenue lying within the city limits is no longer required due to the realignment of said road. Riverside County Transportation Department, Riverside County Flood Control and Water Conservation District, and Riverside County Fire Department have reviewed this vacation and have no objections. As determined in the attached Notice of Exemption, the vacation is exempt from the provisions of CEQA pursuant to Categorical Exemptions 15301 and 15061 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.

2
3 **RESOLUTION NO. 2014-124**

4 **SUMMARILY VACATING PORTIONS OF MOUNT VERNON AVENUE**
5 **AND EXECUTION OF QUITCLAIM DEED IN THE HIGHGROVE AREA**
6 **(Second Supervisorial District)**
7

8 **WHEREAS**, the hereinafter-described portions of Mount Vernon Avenue were
9 conveyed to the County of Riverside by deed recorded November 23, 1906, in Book 233,
10 Pages 393 and 394, of Deeds, and by deed recorded December 20, 1932, in Book 97,
11 Pages 231 through 233, inclusive, of Deeds, both Official Records of Riverside County,
12 California; and

13 **WHEREAS**, the hereinafter-described portions of Mount Vernon Avenue are not
14 necessary and are excess, and not required for public street or highway purposes; and

15 **WHEREAS**, applicable procedures pertaining to summary vacations were followed
16 pursuant to the County's adopted "Resolutions for Fixing Procedures to Vacate and
17 Accept County Highways and Property Offered for Dedication"; now, therefore,

18 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board of
19 Supervisors of the County of Riverside, State of California, in regular session assembled
20 on _____, 2014, as follows:

- 21 1. Pursuant to Section 8334(a) of the Streets and Highways Code that the
22 hereinafter-described portions of Mount Vernon Avenue were conveyed to the
23 County of Riverside by deed recorded November 23, 1906, in Book 233, Pages
24 393 and 394, of Deeds, and by deed recorded December 20, 1932, in Book 97,
25 Pages 231 through 233, inclusive, of Deeds, both Official Records of Riverside
26 County, California, are excess and are no longer required for public street and
27 highway purposes and are hereby summarily vacated.
28

1 2. That the herein-described portions of Mount Vernon Avenue are unnecessary for
2 present or prospective public use, including use as a non-motorized transportation
3 facility.

4 SEE LEGAL DESCRIPTIONS AND PLATS ATTACHED HERETO
5 AS EXHIBITS "A", "B", "C," AND "D" AND MADE A PART HEREOF.

6 **EXCEPTING AND RESERVING** from the vacation an easement for any existing
7 public utilities and public service facilities, together with the right to maintain, operate,
8 replace, remove, or renew such facilities, pursuant to section 8340 of the Streets and
9 Highways Code.

10 **BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED** that the Clerk of
11 the Board is directed to cause a certified copy of this resolution to be recorded in the
12 office of the Recorder of the County of Riverside, California, and the Chairman of the
13 Board of Supervisors is authorized to execute the Quitclaim Deed to SMR Phase 1 Joint
14 Venture LLC. Upon execution, the Clerk of the Board shall forward the Quitclaim Deed
15 back to the Transportation Department for further action and recordation.

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28 WJH W.O. #AB-06019

EXHIBIT "A"
LEGAL DESCRIPTION
VACATION OF A PORTION OF MT. VERNON AVENUE

That portion of Section 9, Township 2 South, Range 4 West, San Bernardino Meridian, conveyed to the County of Riverside by deed recorded December 20, 1932 in Book 97, Pages 231 through 233, inclusive, of Official Records of said County, lying within Section 9.

EXCEPTING therefrom that portion thereof lying southerly of a line parallel with and 58.00 feet northerly of, measured at right angles to the southerly line of said Section 9, also being the centerline of Palmyrita Avenue.

CONTAINING: 1.50 Acres, more or less.

EXHIBIT "B" attached hereto and by this reference made a part hereof.

This description was prepared
by me or under my direction.


Thomas E. Verloop, PLS 5348

Date: 07/10/2014

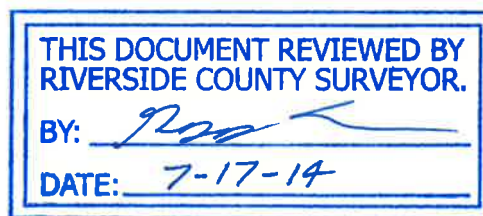
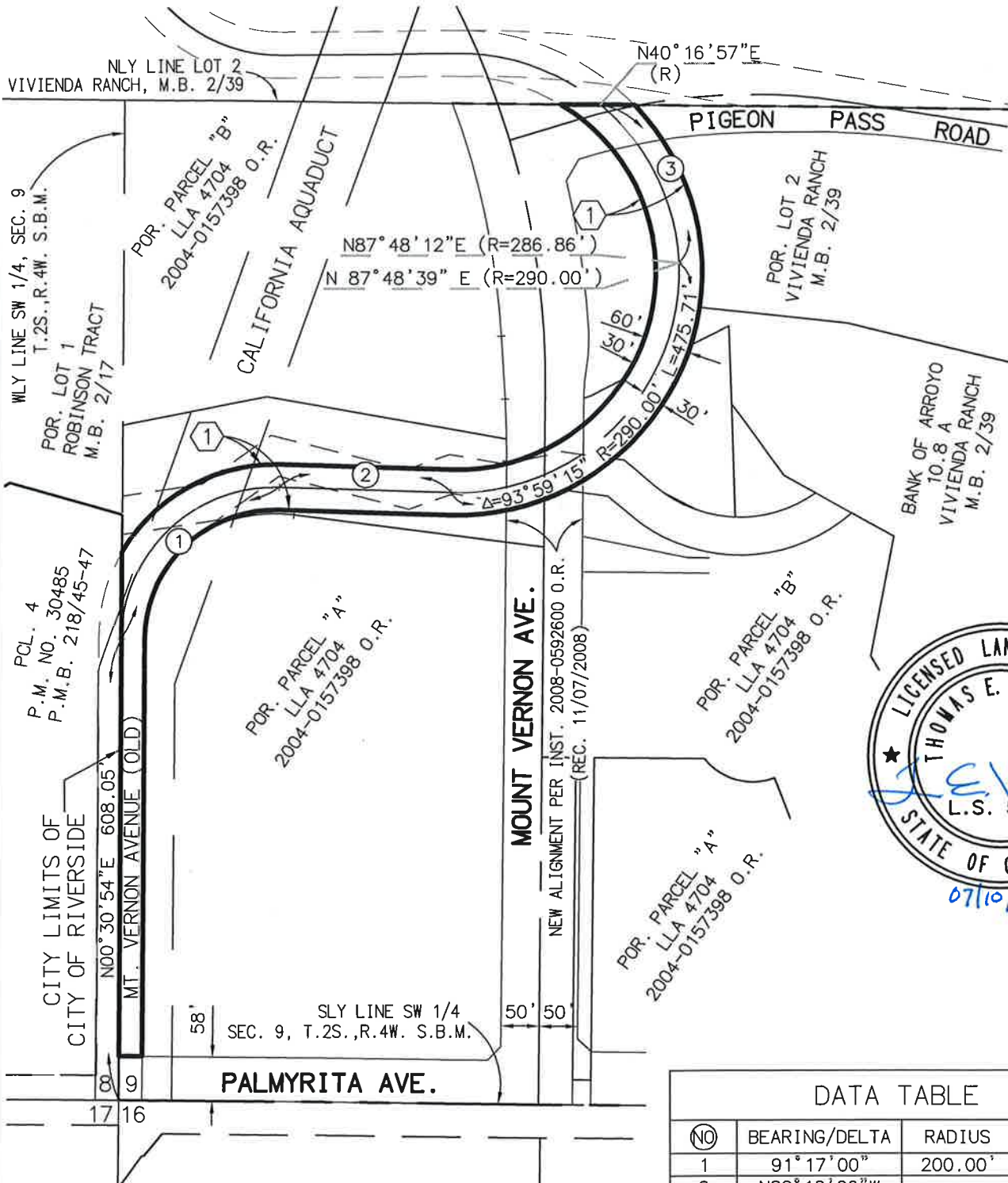


EXHIBIT "B"



DATA TABLE			
NO	BEARING/DELTA	RADIUS	LENGTH
1	91° 17' 00"	200.00'	318.64'
2	N88° 12' 06" W	---	223.28'
3	47° 31' 15"	286.86'	237.92'

① ROADWAY EASEMENT CONVEYED TO THE COUNTY OF RIVERSIDE BY DEED RECORDED DEC. 20, 1952 IN BOOK 97, PAGE 231-233, O.R.

SHEET 1 OF 1 SHEETS
SECTION 9, T.2S., R.4W., S.B.M.
VACATION OF A PORTION
OF MOUNT VERNON AVENUE

THIS DOCUMENT REVIEWED BY
RIVERSIDE COUNTY SURVEYOR.
BY: *[Signature]*
DATE: *7-17-14*



JULY 10, 2014

SCALE
1"=200'

JOB NO.
15102368(130526)

EXHIBIT "C"
LEGAL DESCRIPTION
VACATION OF A PORTION OF MT. VERNON AVENUE

That portion of Section 9, Township 2 South, Range 4 West, San Bernardino Meridian, being all of that certain strip of land, 50.00 feet in width, as conveyed to the County of Riverside by deed recorded November 23, 1906 in Book 233, Pages 393 and 394, of Deeds, Records of said County, lying easterly of the westerly line of said Section 9.

CONTAINING: 1.76 acres, more or less.

EXHIBIT "D" attached hereto and by this reference made a part hereof.

This description was prepared
by me or under my direction.


Thomas E. Verloop, PLS 5348

Date: 07/10/2014



THIS DOCUMENT REVIEWED BY
RIVERSIDE COUNTY SURVEYOR.

BY: 

DATE: 7-17-14

EXHIBIT "D"

NLY LINE LOT 2
VIVIENDA RANCH, M.B. 2/39

WLY LINE SW 1/4, SEC. 9
POR. T.2S., R.4W., S.B.M.
POR. LOT 1
ROBINSON TRACT
M.B. 2/17

POR. PARCEL "B"
LLA 4704
2004-0157398 O.R.

CALIFORNIA AQUADUCT

PIGEON PASS ROAD

POR. LOT 2
VIVIENDA RANCH
M.B. 2/39

BANK OF ARROYO
10.8 A
VIVIENDA RANCH
M.B. 2/39

PCL. 4
P.M. NO. 30485
P.M.B. 218/45-47

CITY LIMITS OF
CITY OF RIVERSIDE

N00°30'54"E 765.30'

THIS DOCUMENT REVIEWED BY
RIVERSIDE COUNTY SURVEYOR.

BY: *Ross*
DATE: 7-17-14

POR. PARCEL "A"
LLA 4704
2004-0157398 O.R.

MOUNT VERNON AVE.

NEW ALIGNMENT PER INST. 2008-0592600 O.R.
(REC. 11/07/2008)

POR. PARCEL "B"
LLA 4704
2004-0157398 O.R.

POR. PARCEL "A"
LLA 4704
2004-0157398 O.R.



DATA TABLE

NO	BEARING/DELTA	RADIUS	LENGTH
1	N81°40'54"E	--	117.00'
2	N54°50'54"E	--	104.00'
3	N75°37'06"W	--	177.00'
4	N70°22'54"E	--	60.00'
5	N80°13'06"W	--	73.00'
6	N77°40'54"E	--	76.00'
7	N81°47'06"W	--	68.00'
8	N49°29'06"W	--	44.75'
9	80°00'31"	200.00'	279.28'

② FEE PARCEL GRANTED TO COUNTY OF RIVERSIDE
BY DOCUMENT RECORDED NOV. 23, 1906 IN
BOOK 233, PAGES 393-394, OF DEEDS.

SHEET 1 OF 1 SHEETS
SECTION 9, T.2S., R.4W., S.B.M.
VACATION OF A PORTION
OF MOUNT VERNON AVENUE

RBF
CONSULTING

JULY 10, 2014

SCALE
1"=200'

JOB NO.
15102368(130526)



COUNTY OF RIVERSIDE TRANSPORTATION AND LAND MANAGEMENT AGENCY



Juan C. Perez, P.E., T.E.
Director of Transportation

Transportation Department NOTICE OF EXEMPTION

June 10, 2014

PROJECT TITLE: Vacation of Portions of Mount Vernon Avenue
Work Order #ZAB06019, Task Code #Z1530

PROJECT SPONSOR: Riverside County Transportation Department

PROJECT LOCATION: Located in Western Riverside County, Highgrove Community

SUPERVISORIAL DISTRICT: Second

PROJECT DESCRIPTION: As a Condition of Approval of Tract Map No. 29597 and Tract Map No. 29741, the Riverside County Transportation Department (RCTD) proposes to realign portions of Mount Vernon Avenue. As a result of this realignment, portions of Mount Vernon Avenue are no longer necessary and the applicant has requested the vacation of portions of Mount Vernon Avenue (See attached Exhibit's "A" and "B").

This vacation will not eliminate access to any parcel. The Riverside County Transportation Department, Riverside County Flood Control Department and the Riverside County Fire Department have reviewed this vacation and have no objections.

In accordance with Section 7.3.4 of the Western Riverside County MSHCP, necessary operation and maintenance activities conducted for safety purposes along existing roadways are considered a covered activity. Therefore, no mitigation is required for the proposed improvements of this project.

The Riverside County Transportation Department Staff conducted a review of the above referenced project and has determined that the proposals qualify for a Categorical Exemption per the California Environmental Quality Act (CEQA) Guidelines and the Riverside County Rules to Implement CEQA.

The Riverside County Transportation Department has found that the above-described project is exempt from the provisions of the California Environmental Quality Act (CEQA), based on the following:

California Environmental Quality Act Guidelines, Section 15061 and Section 15301 (c)

By: Andrew Huneck, Senior Transportation Planner

Signed: Russell Williams
Russell Williams, Environmental Division Manager

Recorded at the request of and return to:
Transportation Department
Office of the County Surveyor
4080 Lemon Street
Riverside, CA 92501
STOP NO. 1080

This instrument is for the benefit
the County of Riverside, and is
entitled to be recorded without fee.
(Gov. Code 6103)

THE UNDERSIGNED GRANTOR DECLARES
DOCUMENTARY TRANSFER TAX IS \$0

- ☒ Computed on full value of property conveyed, or ☐ computed on full value less value of liens or
encumbrances remaining at time of sale,
☒ Unincorporated area: ☐ City of _____



Gregory Ehe – Signature of Declarant or Agent

QUITCLAIM DEED

The COUNTY OF RIVERSIDE, a political subdivision of the State of California, hereby
REMISES, RELEASES, AND QUITCLAIMS to

SMR PHASE 1 JOINT VENTURE LLC

The following real property in the County of Riverside, State of California, described as
follows:

SEE LEGAL DESCRIPTIONS AND PLATS ATTACHED HERETO
AS EXHIBITS "A", "B", "C" and "D", AND MADE A PART HEREOF.

ATTEST:

Kecia Harper-Ihem
Clerk of the Board

By: _____
Deputy

COUNTY OF RIVERSIDE

By: _____
Jeff Stone, Chairman
Board of Supervisors

EXHIBIT "A"
LEGAL DESCRIPTION
QUITCLAIM OF A PORTION OF MT. VERNON AVENUE

That portion of Section 9, Township 2 South, Range 4 West, San Bernardino Meridian, conveyed to the County of Riverside by deed recorded December 20, 1932 in Book 97, Pages 231 through 233, inclusive, of Official Records of said County, lying within said Section 9.

EXCEPTING therefrom that portion thereof lying southerly of a line parallel with and 58.00 feet northerly of, measured at right angles to the southerly line of said Section 9, also being the centerline of Palmyrita Avenue.

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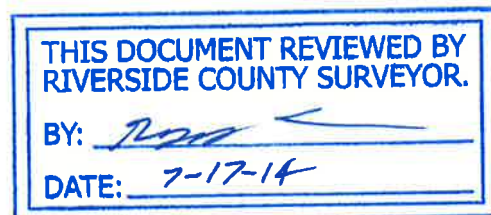
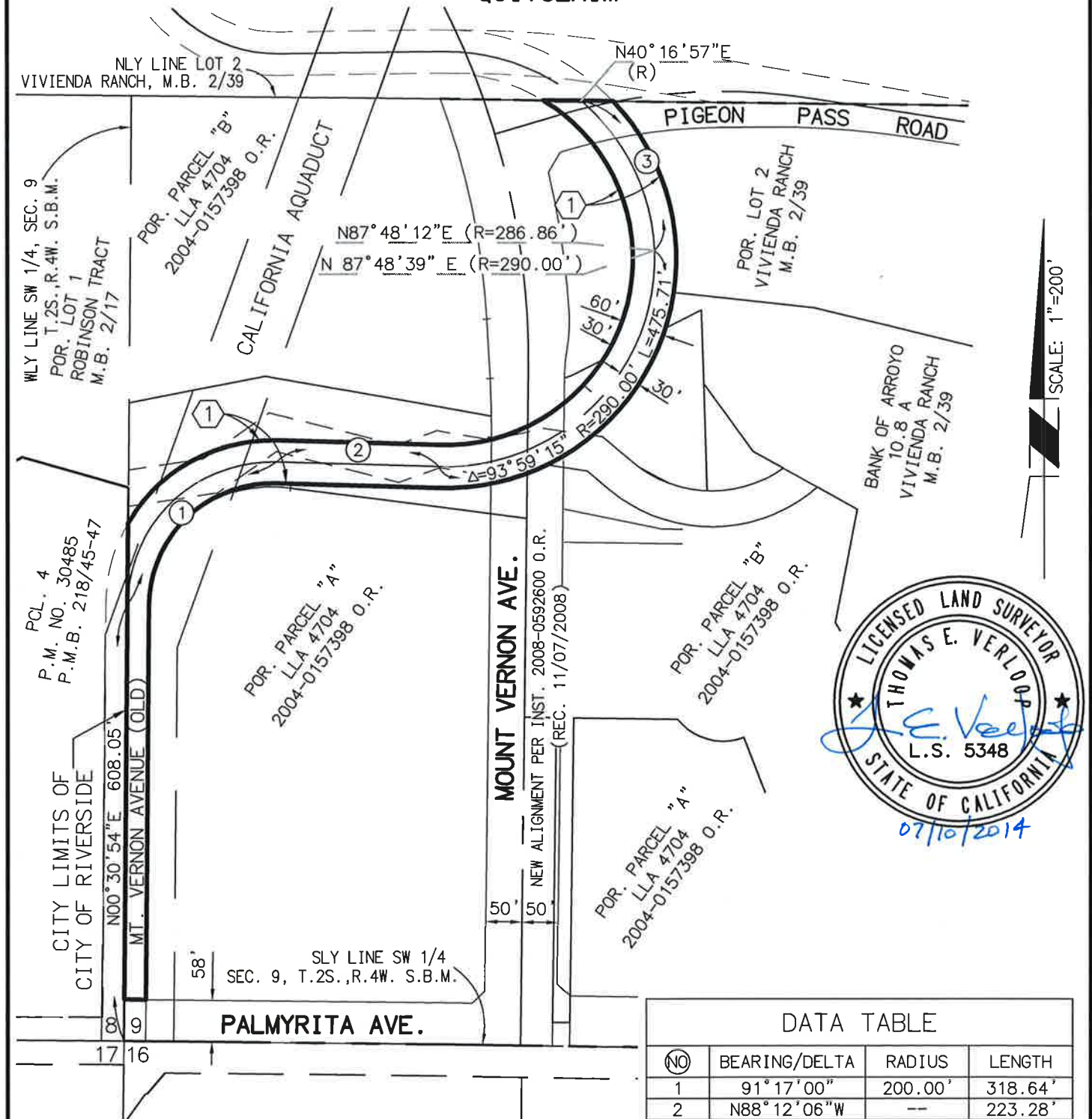


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DATE: 7-17-14

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CONSULTING

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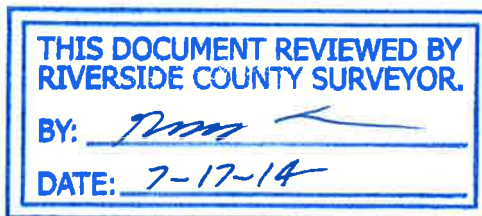


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SLY LINE SW 1/4
SEC. 9, T.2S., R.4W., S.B.M.

PALMYRITA AVE.

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BY DOCUMENT RECORDED NOV. 23, 1906 IN
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