

**CITY OF TEMECULA
AGENDA REPORT**

TO: City Manager/City Council

FROM: Patrick Thomas, Director of Public Works/City Engineer

DATE: July 11, 2023

SUBJECT: Accept Easements Dedicated to the Public in Connection with the Sommers Bend Development and Authorization to Quitclaim Said Easement to the Riverside County Flood Control and Water Conservation District

PREPARED BY: Anissa Sharp, Management Assistant
Ron Moreno, Assistant Director of Public Works

RECOMMENDATION: That the City Council adopt a resolution entitled:

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING A QUITCLAIM DEED FOR THE TRANSFER TO RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT OF THE CITY OF TEMECULA'S INTEREST IN AND TO A CERTAIN EASEMENT FOR STORM DRAIN AND DRAINAGE PURPOSES DEDICATED TO THE PUBLIC PURSUANT TO TRACT MAP 37368 AND TRACT MAP 37341-13 IN CONNECTION WITH THE SOMMERS BEND SOUTH LOOP ROAD IMPROVEMENTS

BACKGROUND: Certain storm drain and drainage easements were dedicated to the public pursuant to (i) Tract Map 37368, which was recorded on July 25, 2019 at Pages 89-98 of Book 468 of Official Records of the County of Riverside, and (ii) Tract Map 37341-13, which was recorded on July 16, 2020 at Pages 87-93 of Book 473 of Official Records of the County of Riverside. The City Clerk's Statement on Tract Map 37368 and Tract Map 37341-13 confirms that the City accepted the dedication of said easements.

The construction of the Sommers Bend South Loop Road Improvements required in connection with Tract Map 37368 and Tract Map 37341-13 is completed. Pursuant to the Joint Community Facilities Cooperative Agreement for Temecula Public Financing Authority Community Facilities District (CFD) No. 03-02 Roripaugh Ranch (Cooperative Agreement) entered into between the City of Temecula (City), Temecula Public Financing Authority, the Temecula Community Services, District, the County of Riverside, and the Riverside County Flood Control and Water Conservation District (District), which was recorded on January 1, 2005, the parties agreed that

upon completion of construction of the storm drain and drainage improvements constructed in connection with the Sommers Bend South Loop Road, the easements for the maintenance of said flood control improvements would be transferred to the District. The District has found the flood control improvements were constructed in accordance with the plans and specifications, and is prepared to accept the storm drain improvements for operation and maintenance of the subject storm drain and drainage facilities constructed in accordance with the dedicated easements.

Pursuant to the attached Quitclaim Deed, the City will quitclaim to the District all of the City's interests in and to the subject easement described in the Quitclaim Deed in accordance with the terms of the Joint Community Facilities Cooperative Agreement for Temecula Public Financing Authority Community Facilities District (CFD) No. 03-02 Roripaugh Ranch recorded on January 1, 2005 (Cooperative Agreement). Pursuant to the terms of the Cooperative Agreement, the District will assume ownership and maintenance responsibility for the storm drain and drainage improvements constructed in the area of the subject easement after satisfactory completion of said improvements.

Approval of the Resolution would authorize the City to quitclaim to the District the City's interest and rights in and to the storm and drainage easement dedicated on Tract Map 37368 and Tract Map 37341-13 that is described more particularly in the legal description and plat map attached to the Quitclaim Deed. This would enable the District to maintain the subject storm and drainage improvements constructed in the area of the subject easement in accordance with the terms of the Cooperative Agreement. City Staff recommends the acceptance of the Quitclaim Deed conveying the subject storm drain and drainage easements to the District.

FISCAL IMPACT: The City will be relieved of maintenance responsibility for the subject storm drain.

ATTACHMENTS:

1. Resolution
2. Quitclaim Deed