

RESOLUTION NO. 2023-

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

THE CITY COUNCIL OF THE CITY OF TEMECULA DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The City Council of the City of Temecula does hereby find, determine and declare that:

A. The City of Temecula (City) is a municipal corporation, located in the County of Riverside, State of California. The City has been working with Riverside County Flood Control and Water Conservation District (District) to ensure that the District has the rights necessary to maintain certain storm drain and drainage improvements constructed in connection with the Sommers Bend South Loop Road.

B. On January 1, 2005, the Joint Community Facilities Cooperative Agreement for Temecula Public Financing Authority Community Facilities District (CFD) No. 03-02 Roripaugh Ranch (Cooperative Agreement). The Cooperative Agreement required 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.

C. The City seeks to quitclaim to the District the City's interests in and to the subject storm drain and drainage easements that were dedicated to the City pursuant to the 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. The City Clerk's Statement on Tract Map 37368 confirms that the City accepted the storm drain and drainage easements dedicated on said map.

D. The City also seeks to quitclaim to the District the City's interests in and to the subject drainage easement dedicated to the public pursuant to 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 37341-13 confirms that the City accepted the easement for public drainage purposes dedicated on said map.

E. The subject storm drain and drainage easements dedicated pursuant to Tract Map 37368 and Tract Map 37341-13 are located on portions of the real property identified as Riverside County Tax Assessor's Parcel Numbers 964-770-010, 964-770-011 and 964-770-012. The City's quitclaim to the District of the subject storm drain and drainage easement described more particularly in the Exhibits to the attached Quitclaim Deed is consistent with the terms of the Cooperative Agreement.

Section 2. Approval of Quitclaim Deeds. The City Council hereby approves the attached Quitclaim Deed, with such changes as may be mutually agreed upon by Riverside County Flood Control and Water Conservation District and the City Manager. The City Manager is hereby authorized to execute the Quitclaim Deed on behalf of the City. A copy of the final Quitclaim Deed, when executed by the City Manager, shall be placed on file in the Office of the City Clerk.

Section 3. City Manager's Authority. The City Manager (or his designee), is hereby authorized, on behalf of the City, to take all actions necessary and convenient to quitclaim to Riverside County Flood Control and Water Conservation District the City's interest in and to the subject storm drain and drainage easement described more particularly in the Quitclaim Deed.

Section 4. Certification. The City Clerk shall certify the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Temecula this 11th day of July, 2023.

Zak Schwank, Mayor

ATTEST:

Randi Johl, City Clerk

[SEAL]

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss
CITY OF TEMECULA)

I, Randi Johl, City Clerk of the City of Temecula, do hereby certify that the foregoing Resolution No. 2023- was duly and regularly adopted by the City Council of the City of Temecula at a meeting thereof held on the 11th day of July, 2023, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

Randi Johl, City Clerk