

RESOLUTION NO. 2023-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING A GRANT DEED TO TRANSFER CERTAIN REAL PROPERTY INTERESTS FOR FREEWAY IMPROVEMENTS AND A GRANT DEED TO RELINQUISH ACCESS RIGHTS TO THE STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION IN CONNECTION WITH THE INTERSTATE-15 / STATE ROUTE 79 SOUTH ULTIMATE INTERCHANGE PROJECT, PW04-08

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.

B. In 2004, the City entered into a Cooperative Agreement (Agreement) with the State of California, by and through the Department of Transportation (State or Caltrans) for the Interstate 15 / State Route 79 South Ultimate Interchange Project, PW04-08 (Project). Pursuant to the Agreement, the City was responsible for acquiring the real property interests necessary to construct the Project. Under the Agreement, the City agreed that it would transfer to the State the portions of the right of way comprising the freeway improvements after construction of the Project for inclusion in the State Highway System.

C. Pursuant to the Purchase and Sale Agreement entered into between the City and Margarita Canyon, LLC as of November 10, 2004, the City acquired approximately 33.65 acres of real property interests from Margarita Canyon, LLC for the purpose of constructing the Project.

D. Pursuant to the Purchase and Sale Agreement and All-Inclusive Settlement Agreement and General Release entered into between the City and Front St. – Service Station, LP as of June 20, 2013, the City acquired approximately 1.194 acres of real property interests from Front St. – Service Station, LP for the purposes of constructing the Project.

E. Construction of the Project was completed in 2019 and accepted by the City and Caltrans in 2020.

F. In accordance with Caltrans policies and procedures, and the cooperative agreement between the City and State entered into as of December 7, 2004, the City seeks to:

- (i) Transfer to the State approximately 7.1 acres of real property interests, which encompass freeway improvements including the southbound on- and off-ramps, as precisely described in Exhibit “A” to the first subject Grant Deed.

- (ii) Relinquish to the State approximately 142.07 linear feet of access rights, at or near the southbound ramps termini, as precisely described in Exhibit “A” to the second subject Grant Deed.

Section 2. Approval of the Grant Deeds. The City Council hereby approves the attached Grant Deeds in substantially the form attached, with such changes as may be mutually agreed to by the State of California, by and through the Department of Transportation, and the City Manager. The City Manager is hereby authorized to execute the Grant Deeds on behalf of the City. A copy of the final Grant Deeds, 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 convey to the State the real property interests described in the attached subject Grant Deeds.

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 10th day of October, 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 10th day of October, 2023, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

Randi Johl, City Clerk