

**FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD SUBMITTAL
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



702B

FROM: General Manager-Chief Engineer **SUBMITTAL DATE:** March 4, 2003

SUBJECT: El Cerrito-Kayne Street Storm Drain
Project No. 2-0-0290
Notice of Intention to Condemn Real Property

RECOMMENDED MOTION:

Approve Resolution No. F2003-06, Notice of Intention to Condemn Real Property for Flood Control Purposes, and set a public hearing for Resolution No. F2003-10, Authorizing Condemnation of Real property for Flood Control Purposes, on April 1, 2003.

JUSTIFICATION:

The District is planning to construct subterranean flood control improvements with appurtenances for the El Cerrito-Kayne Street Storm Drain, thereby preventing flooding in this area of Riverside County. Negotiations have been conducted with all affected owners, but have not been successful with two (2) of the four (4), however, these negotiations will continue; but, in order to facilitate the construction of the flood control improvements in a timely manner, staff is requesting the approval of Resolution No. F2003-06.

WARREN D. WILLIAMS
General Manager-Chief Engineer

C.E.O. RECOMMENDATION

APPROVE

County Executive Officer Signature

BOARD OF SUPERVISORS**RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT****RESOLUTION NO. F2003-06****NOTICE OF INTENTION TO CONDEMN REAL PROPERTY
FOR FLOOD CONTROL PURPOSES**

BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of the Riverside County Flood Control and Water Conservation District, County of Riverside, State of California, in regular session assembled on March 4, 2003, and NOTICE IS HEREBY GIVEN as follows:

1. That this Board intends to adopt a resolution of necessity authorizing the condemnation of certain parcels of real property for the construction of the El Cerrito/Kayne Street Storm Drain, described as Parcels 2112-2 and 2112-2T, also known as APNs: 279-111-027; Parcel 2112-3, also known as APN: 279-111-013; Parcels 2112-4A, 2112-4B and 2112-4BT, also known as APN: 279-103-017, 021 and 022; and Parcels 2112-5, 2112-5T1 and 2112-5T2, also known as APN: 279-104-008, and as shown on Record of Survey on file in the Office of the Clerk to the Board, and to hold a public hearing on April 1, 2003, at 1:30 p.m. in the meeting room of the Board of Supervisors located on the 1st floor, County Administrative Center, 4080 Lemon Street, Riverside, California, at which time each person whose real property is sought to be condemned and whose name and address appears on the last equalized County Assessment Roll and who has filed a timely written request to appear and be heard, will be given an opportunity to be heard on the following matters:
 - a. Whether the public interest and necessity require the construction of the public improvement.

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- b. Whether the public improvement is planned and located in the manner that will be most compatible with the greatest public good and the least private injury.
- c. Whether the real property sought to be acquired is necessary for the construction of the public improvement.
- d. Whether the offer required by Section 7267.2 of the Government Code has been made to the owner or owners of record.

2. That the failure of any person, whose real property is sought to be condemned, to file a written request to appear and be heard with the Clerk to the Board within 15 days after a copy of the resolution is mailed to, or personally served upon such person, will result in his or her waiver of the right to appear and be heard.

BE IT FURTHER RESOLVED that the Clerk to the Board shall cause a copy of this resolution and a copy of the Record of Survey and Right of Way Maps to be mailed to or personally served upon each person whose real property is sought to be condemned and whose name and address appears on the last equalized County Assessment Roll.

GW:mcv:bjp

FORM APPROVED
COUNTY COUNSEL

FEB 20 2003

BY Joe S. Rank
ASSISTANT COUNTY COUNSEL