

423

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

217
A



FROM: Department of Facilities Management

SUBMITTAL DATE: May 29, 2003

SUBJECT: AUTHORIZING CONDEMNATION OF REAL PROPERTY FOR
FREEWAY IMPROVEMENT PURPOSES - STATE OF CALIFORNIA,
DEPARTMENT OF TRANSPORTATION - INTERSTATE 215/91/60
SEQUENCING PROJECT

RECOMMENDED MOTION: That the Board of Supervisors approve Resolution 2003-155,
Authorizing Condemnation of Real Property for Freeway Improvement Purposes, on behalf of the
State of California, Department of Transportation (Caltrans), for the Interstate 215/91/60 Sequencing
Project.

BACKGROUND: On May 20, 2003, the Board adopted the Resolution for the Notice of Intent to
Condemn Real Property for Caltrans Parcel Number 17765 affected by this freeway improvement
project. By authorizing condemnation of the above-referenced property, Caltrans will be able to begin
the process to obtain possession, which will expedite the construction of the new interchange
configuration. Negotiations are continuing with the property owners involved in this project.

MJS:JMP:JS:sh
8.355

T. L. Miller
MICHAEL J. SYLVESTER, Director
Department of Facilities Management

FINANCIAL DATA:

CURRENT YEAR COST \$ -0-
NET COUNTY COST \$ -0-

ANNUAL COST \$ -0-
IN CURRENT YEAR BUDGET: Yes
BUDGET ADJUSTMENT: N/A FOR FY: N/A

SOURCE OF FUNDS: State of California, Department of Transportation

C.E.O. RECOMMENDATION: APPROVE.

County Executive Officer Signature

Policy
 Policy

 Consent
 Consent

Department Recommendation:
Per Executive Office:

Prev. Agn. ref.

Dist. 1, 2 & 5

AGENDA NO.

9.3

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

RESOLUTION NO. 2003-155

AUTHORIZING CONDEMNATION OF REAL PROPERTY
FOR I-215/60/91 FREEWAY IMPROVEMENT PURPOSES

BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the Board of Supervisors of Riverside County, State of California, in regular session assembled on June 10, 2003, as follows:

1. That notice of intention to adopt this resolution was given to each person, whose hereinafter described real property is to be acquired by eminent domain, in accordance with Section 1245.235 of the Code of Civil Procedure and a hearing was conducted by the Board of the matters contained herein.

2. That the authority for the County to acquire the real property by eminent domain is contained in Article 1, Section 19 of the California Constitution; Sections 760 and 102 of the Streets and Highways Code; Section 25350.5 of the Government Code; Sections 1240.010, 1240.020, 1240.110, 1240.410 and 1240.420 of the Code of Civil Procedure.

3. That the public interest and necessity require the proposed project.

4. That the use for which the real property is to be taken is for the Interstate 215/91/60 Sequencing Project, for road improvement purposes, including construction and maintenance, and for other uses incidental thereto and required.

5. That the real property sought to be condemned is necessary for the construction of the public improvement and is located adjacent to Interstate 215, State Route 91 and State Route 60 in the County of Riverside, State of California, generally described as Assessor's Parcel Numbers 210-120-002 and 210-120-003, also known as

1 Caltrans Parcel #17765, and a specific description of the real property and the interests
2 sought to be condemned are set forth in Exhibit "A", attached hereto and by this
3 reference made a part hereof.

4 6. That the public improvement is planned and located in the manner
5 that will be most compatible with the greatest public good and the least private injury.

6 7. That the offer required by Section 7267.2 of the Government Code
7 has been made to the owner or owners of record.
8

9
10 BE IT FURTHER RESOLVED that the State of California, Department of
11 Transportation, after approval of the Authorization of Condemnation by the County of
12 Riverside Board of Supervisors, will continue with the processes necessary to acquire,
13 in the name of the State of California, fee simple title and temporary construction
14 easements in accordance with the Constitution and laws relating to eminent domain.
15

16 FORM APPROVED
17 COUNTY COUNSEL

18 MAY 23 2003

19 BY  ASSISTANT COUNTY COUNSEL
20

21
22
23
24
25
26 JS:sh
27 5/21/03
28 8.354

08-Riv-91-34.58 (KP)
17765-1

1 **Parcel 17765-1**

2 For freeway purposes that portion of the northwest quarter of the northwest quarter of
3 the northeast quarter of Section 24, Township 2 South, Range 5 West, San Bernardino
4 Meridian, in the City of Riverside, County of Riverside, State of California described as follows:

5 BEGINNING at a point on the southerly line of Spruce Street as described in a Grant
6 Deed for street purposes to the City of Riverside recorded December 18, 1964 in Book 3881,
7 Page 466 of Official Records of said County, distant thereon North 89°58'39" West 8.910
8 meters (29.23 feet) from the westerly line of that certain parcel of land described in a Grant
9 Deed to Uny Jack Bauman et. al, recorded March 8, 1957 in Book 2053, Page 44 of Official
10 Records of said County; thence South 46°02'45" West 4.304 meters (14.12 feet) to the
11 beginning of a non-tangent curve concave westerly, having a radius of 100.058 meters (328.27
12 feet) a radial line to said beginning bears South 89°58'15" East; thence Course "A",
13 southwesterly along said non-tangent curve 30.535 meters (100.18 feet) through a central
14 angle of 17°29'07"; thence Course "B", South 17°30'52" West 38.476 meters (126.23 feet) to
15 the southerly line of Parcel 2 as described in a Corporation Grant Deed to Abraham Winter et.
16 al, recorded August 26, 1992 as Instrument No. 320447 of Official Records of said County;
17 thence along said southerly line North 89°59'03" West 21.093 meters (69.20 feet) to a line
18 parallel with and distant westerly 20.116 meters (66.00 feet) measured at right angles from said
19 Course "B"; thence along said parallel line North 17°30'52" East 44.818 meters (147.04 feet) to
20 the beginning of a curve concave westerly, concentric with and 20.116 (66.00 feet) westerly
21 measured radial from said Course "A"; thence northeasterly along said curve 12.028 meters
22 (39.46 feet) through a central angle of 8°37'13"; thence North 0°29'53" East 10.092 meters
23 (33.11 feet); thence North 45°45'03" West 7.475 meters (24.53 feet) to said southerly line of
24 Spruce Street; thence along said southerly line South 89°58'39" East 29.443 meters (96.60
25 feet) to the POINT OF BEGINNING.

26 Together with all of the existing improvements which are located partially within and
27 partially outside the boundaries of the above-described parcel, together with the right and
28 easement to enter upon the owner's remaining land outside the boundaries of said parcel at

(continued)

EXHIBIT "A"

08-Riv-91-34.58 (KP)
17765-01-01

1 **Parcel 17765-01-01**

2 For freeway purposes that portion of the northwest quarter of the northwest quarter of
3 the northeast quarter of Section 24, Township 2 South, Range 5 West, San Bernardino
4 Meridian, in the City of Riverside, County of Riverside, State of California described as follows:

5 BEGINNING at a point on the southerly line of Spruce Street as described in a Grant
6 Deed for street purposes to the City of Riverside recorded December 18, 1964 in Book 3881,
7 Page 466 of Official Records of said County, distant thereon North 89°58'39" West 8.910
8 meters (29.23 feet) from the westerly line of that certain parcel of land described in a Grant
9 Deed to Uny Jack Bauman et. al, recorded March 8, 1957 in Book 2053, Page 44 of Official
10 Records of said County; thence South 46°02'45" West 4.304 meters (14.12 feet) to the
11 beginning of a non-tangent curve concave westerly, having a radius of 100.058 meters (328.27
12 feet), a radial line to said beginning bears South 89°58'15" East; thence southwesterly along
13 said non-tangent curve 30.535 meters (100.18 feet) through a central angle of 17°29'07";
14 thence South 17°30'52" West 38.476 meters (126.23 feet) to the southerly line of Parcel 2 as
15 described in a Corporation Grant Deed to Abraham Winter et. al, recorded August 26, 1992 as
16 Instrument No. 320447 of Official Records of said County; thence along said southerly line
17 South 89°59'03" East 27.277 meters (89.49 feet) to the said westerly line; thence along said
18 westerly line North 0°46'45" East 69.752 meters (228.84 feet) to said southerly line of Spruce
19 Street; thence along last said southerly line North 89°58'39" West 8.910 meters (29.23 feet) to
20 the POINT OF BEGINNING.

21 Together with all of the existing improvements which are located partially within and
22 partially outside the boundaries of the above-described parcel, together with the right and
23 easement to enter upon the owner's remaining land outside the boundaries of said parcel at
24 any time within 120 days after the date of possession is authorized as indicated in the order of
25 possession, or within 120 days after Final Judgment in Condemnation, for the purpose of
26 removing all of the said existing improvements.

27 The bearings and distances used in the above description are based on the California
28 Coordinate System of 1983, Zone 6. Multiply distances shown by 1.00002215 to obtain ground
level distances.

08-Riv-91-34.58 (KP)
17765-01-01

1 (continued)

2 Parcel 17765-01-01 (continued)

3 / / /

4 This real property description has been prepared by me, or under my direction, in
5 conformance with the Professional Land Surveyors Act.

6 Signature: *D. F. Salby*
Professional Land Surveyor

7 Date: 5/12/03

8

9 / / /

10 / / /

11 / / /

12 / / /

13 / / /

14 / / /

15 / / /

16 / / /

17 / / /

18 / / /

19 / / /

20 / / /

21 / / /

22 / / /

23 / / /

24 / / /

25 / / /

26 / / /

27 / / /

28 / / /

/ / /

/ / /



08-Riv-91-34.58 (KP)
17765-2**1 Parcel 17765-2**

2 A temporary easement for construction purposes and incidents thereto, over, under and
3 across that portion of the northwest quarter of the northwest quarter of the northeast quarter of
4 Section 24, Township 2 South, Range 5 West, San Bernardino Meridian, in the City of
5 Riverside, County of Riverside, State of California described as follows:

6 BEGINNING at a point on the southerly line of Spruce Street as described in a Grant
7 Deed for street purposes to the City of Riverside recorded December 18, 1964 in Book 3881,
8 Page 466 of Official Records of said County, distant thereon North 89°58'39" West 38.353
9 meters (125.83 feet) from the westerly line of that certain parcel of land described in a Grant
10 Deed to Uny Jack Bauman et. al, recorded March 8, 1957 in Book 2053, Page 44 of Official
11 Records of said County; thence South 45°45'03" East 7.475 meters (24.53 feet); thence
12 South 0°29'53" West 10.092 meters (33.11 feet) to the beginning of a non-tangent curve
13 concave northwesterly, having a radius of 79.942 meters (262.28 feet), a radial line to said
14 beginning bears South 81°06'21" East; thence southwesterly along said non-tangent curve
15 12.028 meters (39.46 feet) through a central angle of 8°37'13"; thence South 17°30'52" West
16 44.818 meters (147.04 feet) to the southerly line of Parcel 2 as described in a Corporation
17 Grant Deed to Abraham Winter et. al, recorded August 26, 1992 as Instrument No. 320447 of
18 Official Records of said County; thence along said southerly line North 89°59'03" West 5.243
19 meters (17.20 feet); thence North 17°30'52" East 46.395 meters (152.21 feet) to the beginning
20 of a curve concave northwesterly, having a radius of 74.942 meters (245.87 feet); thence along
21 said curve 11.275 meters (36.99 feet) through a central angle of 8°37'13"; thence
22 North 0°04'23" East 7.227 meters (23.71 feet); thence North 45°45'03" West 15.284 meters
23 (50.14 feet) to the southerly line of Spruce Street, 10.058 meters (33.00 feet) half width; thence
24 along said southerly line South 89°58'39" East 9.036 meters (29.65 feet) to the westerly line of
25 said certain property described in said Grant Deed to the City of Riverside; thence along said
26 westerly line South 0°01'21" West 3.353 meters (11.00 feet) to the first said southerly line of
27 Spruce Street; thence along said southerly line South 89°58'39" East 1.577 meters (5.17 feet)
28 to the POINT OF BEGINNING.

(continued)

