

431

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

517



FROM: Department of Facilities Management

SUBMITTAL DATE: June 10, 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 2003-269, 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 June 10, 2003, the Board adopted the Resolution for the Notice of Intent to Condemn Real Property for Caltrans Parcel 17768 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
8.400

Michael J. Sylvester
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 *[Signature]*

Policy
 Policy

Consent
 Consent

Department Recommendation:
Per Executive Office:

Prev. Agn. ref.

Dist. 1, 2 & 5

AGENDA NO.

9.4

2 RESOLUTION NO. 2003-269

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

5
6 BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the Board of
7 Supervisors of Riverside County, State of California, in regular session assembled on
8 July 1, 2003, as follows:

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

13
14 2. That the authority for the County to acquire the real property by
15 eminent domain is contained in Article 1, Section 19 of the California Constitution;
16 Sections 760 and 102 of the Streets and Highways Code; Section 25350.5 of the
17 Government Code; Sections 1240.010, 1240.020, 1240.110, 1240.420 and 1245.150 of
18 the Code of Civil Procedure.

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

20
21 4. That the use for which the real property is to be taken is for the
22 Interstate 215/91/60 Sequencing Project, for road improvement purposes, including
23 construction and maintenance, and for other uses incidental thereto and required.

24 5. That the real property sought to be condemned is necessary for the
25 construction of the public improvement and is located adjacent to Interstate 215, State
26 Route 91 and State Route 60 in the County of Riverside, State of California, generally
27 described as Assessor's Parcel Number 210-110-009, also known as Caltrans Parcel
28

1 #17768, and a specific description of the real property and the interests sought to be
2 condemned are set forth in Exhibit "A", attached hereto and by this reference made a
3 part hereof.

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

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

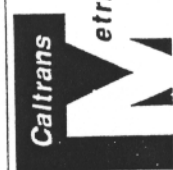
9 BE IT FURTHER RESOLVED that the State of California, Department of
10 Transportation, after approval of the Authorization of Condemnation by the County of
11 Riverside Board of Supervisors, will continue with the processes necessary to acquire,
12 in the name of the State of California, fee simple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

15 FORM APPROVED
16 COUNTY COUNSEL

17 JUN 12 2003

18 BY Joe S. Ral
19 ASSISTANT COUNTY COUNSEL

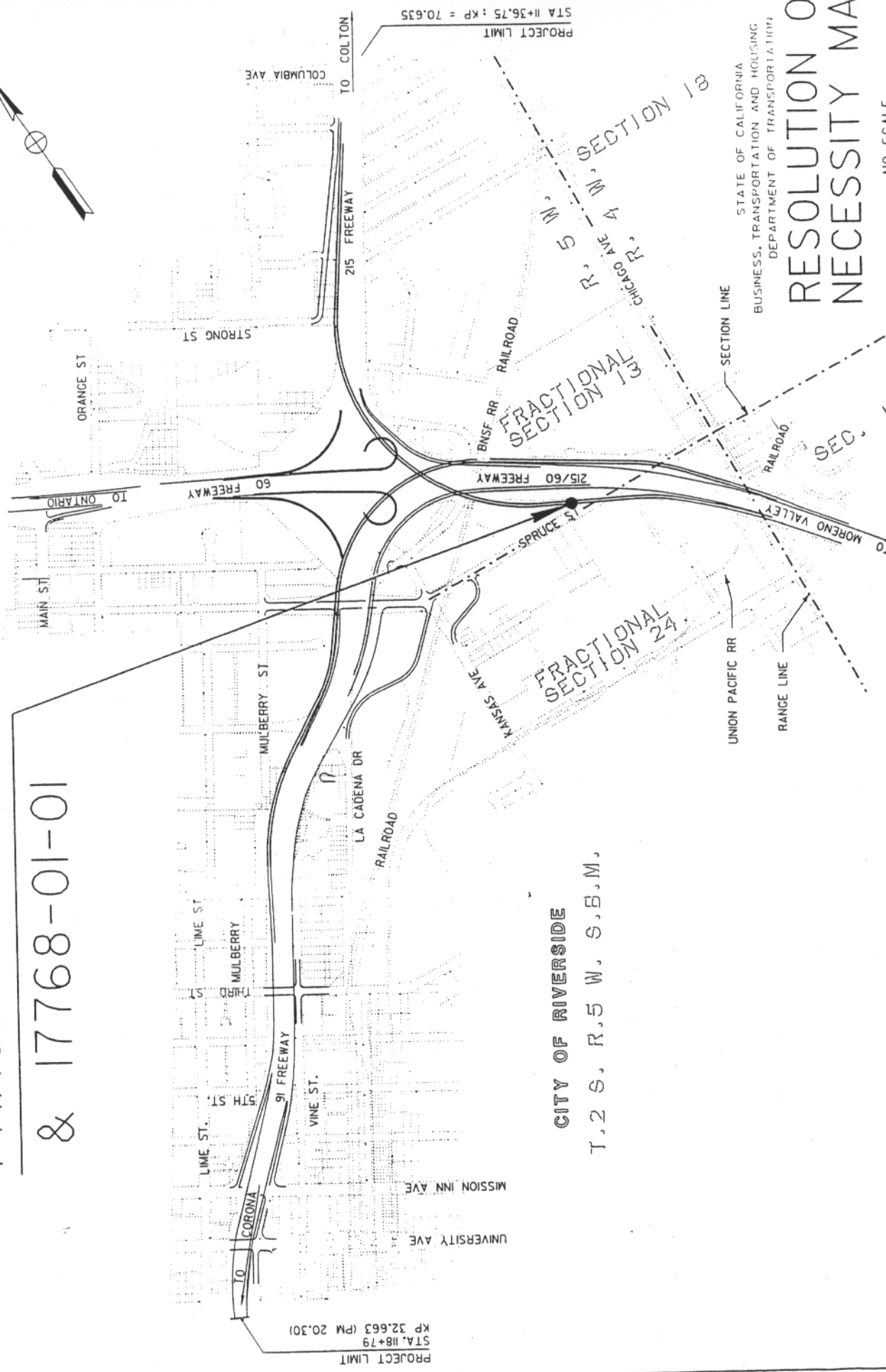
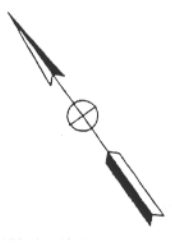
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26 JS:sh
27 6/10/03
28 8.401



DIST.	COUNTY	ROUTE	KILOMETER POST
08	Riv	215	69.09

EXHIBIT "A"

PARCELS 17768-1
& 17768-01-01



CITY OF RIVERSIDE
T.2 S. R.5 W. S.B.M.

STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING
DEPARTMENT OF TRANSPORTATION

RESOLUTION OF
NECESSITY MAP

NO SCALE

CITY OF RIVERSIDE



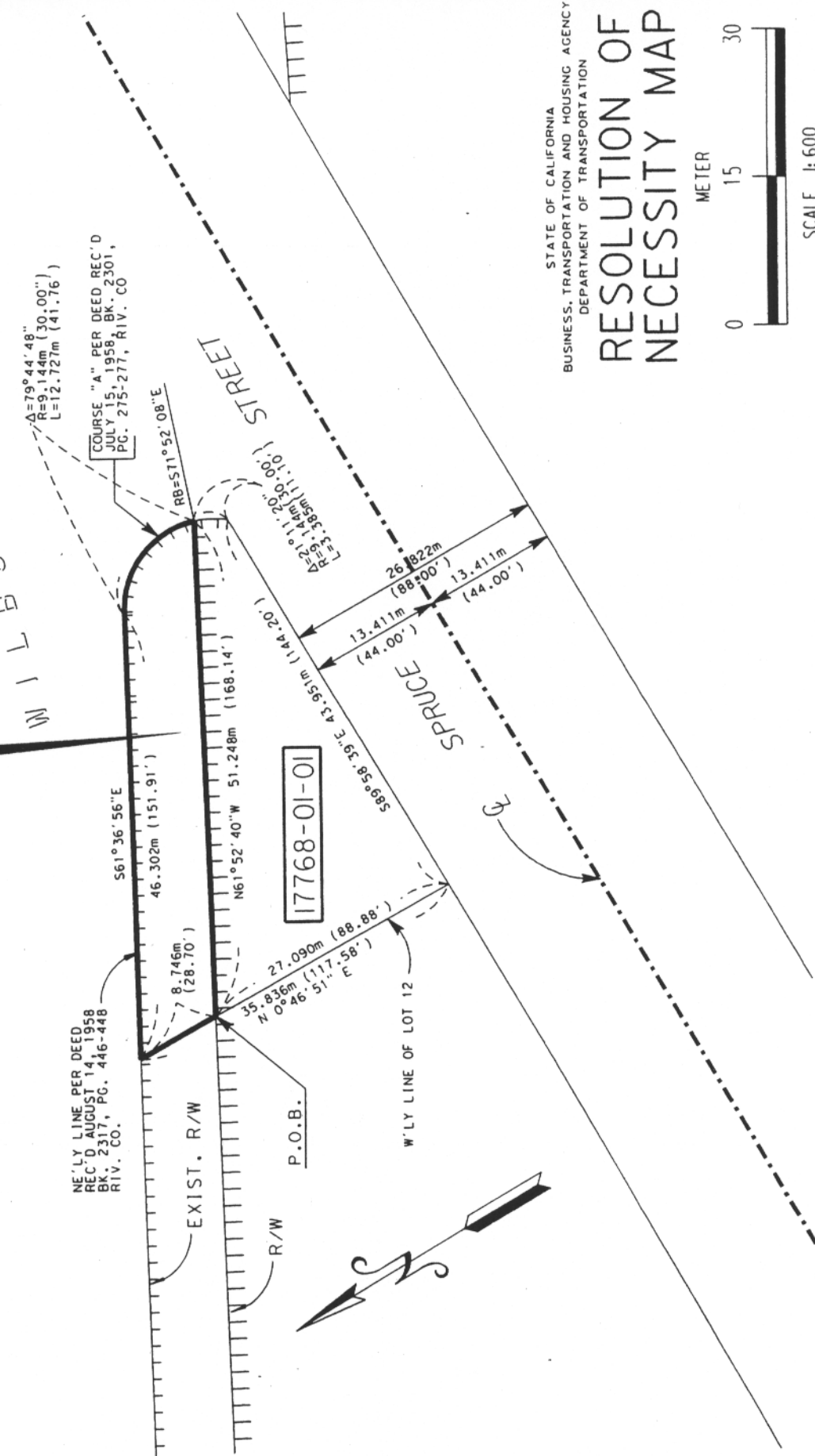
DIST.	COUNTY	ROUTE	KILOMETER POST
08	RIV	215	69.09

EXHIBIT "B"

TO MORENO VALLEY →

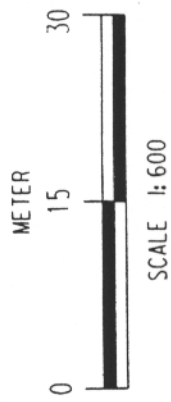
← TO ONTARIO

STATE ROUTE 215
 PARCEL 17768-1
 LOT 12
 MILLBURN TRACT SBCO
 MB 4/36 SBCO



STATE OF CALIFORNIA
 BUSINESS, TRANSPORTATION AND HOUSING AGENCY
 DEPARTMENT OF TRANSPORTATION

RESOLUTION OF NECESSITY MAP



1 For freeway purposes that portion of Lot 12 of the Wilbur Tract, in the City of Riverside,
2 County of Riverside, State of California, as shown by the Map on file in Book 4, page 36 of Maps,
3 records of San Bernardino County, California, described as follows:

4 BEGINNING at a point in the westerly line of said Lot 12, distant thereon North 0°46'51" East,
5 27.090 meters (88.88 feet) from the northerly line of Spruce Street, 26.822 meters (88.00 feet)
6 wide; thence continuing along said westerly line, North 0°46'51" East, 8.746 meters (28.70 feet) to
7 the northeasterly line of that certain parcel of land as described in a Director's Deed to Charles A.
8 Kewin recorded August 14, 1958 in Book 2317, page 446 of the Official Records of said Riverside
9 County, also being southwesterly line of State Route 215; thence along said northeasterly line and
10 the southwesterly line of said State Route 215 as described in a Grant Deed to the State of
11 California recorded July 15, 1958 in Book 2301, page 275, of the Official Records of said Riverside
12 County, South 61°36'56" East, 46.302 meters (151.91 feet) to a curve in said southwesterly line,
13 concave southwesterly, having a radius of 9.144 meters (30.00 feet); thence easterly and
14 southerly along said curve, 12.727 meters (41.76 feet) through a central angle of 79°44'48";
15 thence North 61°52'40" West, 51.248 meters (168.14 feet) to the POINT OF BEGINNING.

16 / / / /

17 Lands abutting said freeway shall have no right or easement of access thereto.

18 / / / /

19 The bearings and distances used in the above description are on the California
20 Coordinate System of 1983 Zone 6. Multiply all distances shown by 1.00002215 to obtain
21 ground level distances.

22 / / / / /

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

25
26 Signature: 
27 Professional Land Surveyor



28 Date: May 12, 2003

1 For State highway purposes that portion of Lot 12 of the Wilbur Tract, in the City of
2 Riverside, County of Riverside, State of California, as shown by the Map on file in Book 4, page 36
3 of Maps, records of San Bernardino County, California, described as follows:

4 BEGINNING at a point in the westerly line of said Lot 12, distant thereon North 0°46'51" East,
5 27.090 meters (88.88 feet) from the intersection of said westerly line with the northerly line of
6 Spruce Street, 26.822 meters (88.00 feet) wide; thence South 61°52'40" East, 51.248 meters
7 (168.14 feet) to a point in Course "A" as described in a Grant Deed to the State of California
8 recorded July 15, 1958 in Book 2301, page 275 of the Official Records of said Riverside
9 County, being a non-tangent curve, concave southwesterly, having a radius of 9.144 meters
10 (30.00 feet) a radial line to said point bears South 71°52'08" East; thence southerly, along said
11 curve, and said Course "A", 3.382 meters (11.10 feet) through a central angle of 21°11'20" to
12 the said northerly line; thence along said northerly line, North 89°58'39" West, 43.951 meters
13 (144.20 feet) to said westerly line; thence along said westerly line, North 0°46'51" East, 27.090
14 meters (88.88 feet) to the POINT OF BEGINNING.

15 / / / /

16 The bearings and distances used in the above description are on the California
17 Coordinate System of 1983 Zone 6. Multiply all distances shown by 1.00002215 to obtain
18 ground level distances.

19 / / / / /

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

22
23 Signature: *Stephen M. O'Malley*
Professional Land Surveyor



24
25 Date: May 12, 2003

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27
28