

421

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

426



FROM: Department of Facilities Management

SUBMITTAL DATE: May 21, 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 2003-197, 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 18095 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
8.370

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

[Handwritten Signature]

Policy
 Policy

Consent
 Consent

Department Recommendation:
Per Executive Office:

Prev. Agn. ref.

Dist. 1, 2 & 5

AGENDA NO.

9.3

2 RESOLUTION NO. 2003-197

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 Aug. 19, 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, 1240.320, 1240.330 and
18 1240.420 of the Code of Civil Procedure.

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

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

23
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 250-212-014, also known as Caltrans Parcel
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#18095, and a specific description of the real property and the interests sought to be condemned are set forth in Exhibit "A", attached hereto and by this reference made a part hereof.

6. That 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.

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

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

FORM APPROVED
COUNTY COUNSEL

MAY 23 2003
BY 
ASSISTANT COUNTY COUNSEL

JS:sh
5/21/03
8.358

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



9.1

10:00 a.m. being the time set for public hearing on the recommendation from Facilities Management regarding Public Hearing on Adoption of Resolution No. 2003-197, Authorizing Condemnation of Real Property (Caltran's Parcel 18095) for Freeway Improvement Purposes - State of California, Department of Transportation - Interstate 215/91/60 Sequencing Project, 1st, 2nd & 5th Districts, the Chairman called the matter for hearing.

Janet Parks, Facilities Management, requested a continuance to August 19.

On motion of Supervisor Buster, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above matter is continued to Tuesday, August 19, 2003.

Roll Call:

Ayes: Buster, Tavaglione, Venable and Wilson
Noes: None
Absent: Ashley

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on
July 29, 2003 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors

Dated: July 29, 2003
Naney Romero, Clerk to the Board of Supervisors, in
and for the County of Riverside, State of California.

By:  Deputy

AGENDA NO.
9.1

(seal)
xc: Facil. Mgmt., COB