

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA** 225



FROM: Department of Facilities Management

SUBMITTAL DATE:
August 26, 2003

SUBJECT: NOTICE OF INTENTION TO CONDEMN REAL PROPERTY FOR ROADWAY PURPOSES/COUNTY COUNSEL/WARMINGTON LAND COMPANY/THIRD SUPERVISORIAL DISTRICT

RECOMMENDED MOTION: That the Board of Supervisors approve Resolution No. 2003-422, Notice of Intention to Condemn Real Property for Roadway Purposes, and to set a public hearing for Resolution 2003-423, Authorizing Condemnation of Real Property for Roadway Purposes, on October 7, 2003.

BACKGROUND: As a condition of approval for Tract Map 29409, Warmington Land Company is planning to construct Pittman Lane in the unincorporated area of Menifee of the County of Riverside to provide access to the tract. An offer has been made to the property owner as required by Government Code Section 7267.2. A settlement has not been reached with the property owner although negotiations are still in progress. Resolution No. 2003-423, Authorization to Condemnation of Real Property for Roadway Purposes will be submitted for approval on September 30, 2003.

Departmental Concurrence

Michael J. Sylvester

MJS:CNS:sh
8.577

MICHAEL J. SYLVESTER, Director
Department of Facilities Management

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 27,400	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	03/04

SOURCE OF FUNDS: Costs reimbursed to County Counsel 100% by developer.	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: **APPROVE**

County Executive Office Signature

[Signature]

- Dep't Recomm.: Consent Policy
- Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.: District: 3 Agenda Number:

**ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD**

3.44

2 RESOLUTION NO. 2003-422

3 NOTICE OF INTENTION TO CONDEMN REAL PROPERTY
4 FOR ROADWAY PURPOSES

5 BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the Board of
6 Supervisors of Riverside County, State of California, in regular session assembled on
7 September 9, 2003, and NOTICE IS HEREBY GIVEN as follows:

8 1. That this Board intends to adopt a resolution of necessity
9 authorizing the condemnation of a certain parcel of real property for roadway and
10 drainage purposes described as a portion of Assessor's Parcel Numbers 372-160-005
11 shown on legal description and plat map on file in the Office of the Clerk of the Board,
12 and located in the unincorporated area of Menifee of the County of Riverside, and to
13 hold a public hearing on October 7, 2003, at 9:30 a.m. in the meeting room of the
14 Board of Supervisors located on the 1st Floor, County Administrative Center, 4080
15 Lemon Street, Riverside, California, at which time each person whose real property is
16 sought to be condemned and whose name and address appears on the last equalized
17 County Assessment Roll and who has filed a timely written request to appear and be
18 heard, will be given an opportunity to be heard on the following matters:

19 a. Whether the public interest and necessity require the
20 construction of the public street.

21 b. Whether the public street is planned and located in the
22 manner that will be most compatible with the greatest public good and the least private
23 injury.

24 c. Whether the real property sought to be acquired is
25 necessary for the construction of the public street.
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1 2. That the failure of any person, whose real property is sought to be
2 condemned, to file a written request to appear and be heard with the Clerk of the Board
3 within 15 days after a copy of the resolution is mailed to, or personally served upon
4 such person, will result in his or her waiver of the right to appear and be heard.
5

6 BE IT FURTHER RESOLVED that the Clerk of the Board shall cause a copy of
7 this resolution and a copy of the legals and plats to be mailed to or personally served
8 upon each person whose real property is sought to be condemned and whose name
9 and address appears on the last equalized County Assessment Roll.
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CNS:sh
8/25/03
108FM
8.575

FORM APPROVED
COUNTY COUNSEL

AUG 27 2003

BY 
ASSISTANT COUNTY COUNSEL

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