

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

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FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
September 23, 2003

SUBJECT: County Line Channel, Project No. 2-0-0300
Notice of Intention to Condemn Real Property

RECOMMENDED MOTION:

Approve Resolution No. F2003-61, Notice of Intention to Condemn Real Property for Flood Control Purposes, and set a public hearing for Resolution No. F2003-62, Authorizing Condemnation of Real property for Flood Control Purposes, on October 21, 2003.

BACKGROUND:

On July 29, 2003 the District entered into a Cooperative Agreement with the County of Riverside, the San Bernardino Flood Control District and the City of Ontario to construct, operate and maintain the County Line Channel project.

Under this agreement the District is to acquire that portion of the project within Riverside County. This project is bounded on the east by Hamner Avenue and on the west by its connection to the Cucamonga Creek Channel. The District is planning to construct a reinforced concrete box from Hamner Avenue to immediately west of Haven Avenue and the remainder of the project will be an open channel with appurtenances. Upon completion the channel will be maintained and operated by the San Bernardino County Flood Control District. This project will help to prevent flooding in the Eastvale area of Riverside County as a part of the Master Drainage Plan. Negotiations have been conducted with all affected owners, but have not been successful with three (3) owners.

FINANCIAL: N/A

WARREN D. WILLIAMS
General Manager-Chief Engineer

FINANCIAL DATA	Current F.Y. District Cost:	\$N/a	In Current Year Budget:	N/a
	Current F.Y. County Cost:	\$N/a	Budget Adjustment:	N/a
	Annual Net District Cost:	\$N/a	For Fiscal Year:	N/a

SOURCE OF FUNDS: N/a	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

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

J.A.

BOARD OF SUPERVISORS

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

RESOLUTION NO. F2003-61

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 September 23, 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 County Line Channel, described as Parcels 2300-1A, 1B, 1C, 1D, 1T1, 1T2, 1T3, and also known as APN 134-020-015, 043 and 044; Parcel 2300-1E, also known as APN 134-040-010; Parcel 2300-5 and 5T, also known as APN 134-040-002 and 003; Parcels TCE-CLC1, also known as APN 134-040-008; Parcel TCE-CLC3, and also known as APN 134-070-001, 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 October 21, 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.

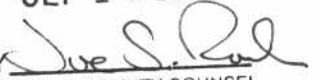
2. That the failure of any person, whose real property is sought to be condemned, to file a written request to appear and be heard with the Clerk to the Board within 15 days after a copy of the resolution is mailed to, or personally served upon such person, will result in his or her waiver of the right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

FORM APPROVED
COUNTY COUNSEL

SEP 15 2003

BY 
ASSISTANT COUNTY COUNSEL

The 3 owners of the effected properties for County Line Channel are:

APNs 134-020-015, 043 & 044, District Parcel No. 2300-1

APN 134-040-010, District Parcel No. 2300-1E

Andy and Diane Dyt
6207 Archibald Avenue
Corona, CA 92880-9600

APN 134-040-002 & 003, District Parcel No. 2300-5

John P. and Melinda A. Moynier
Jean Marie Moynier
7123 Silverado Trail
Napa, CA 94558

APN 134-040-008, District Parcel No. TCE-CLC-1

APN 134-070-001, District Parcel No. TCE-CLC-3

Western Pacific Housing – Cloverdale I, LLC
16940 Von Karman Avenue #200
Irvine, CA 92606