

SSS

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

524A



FROM: Department of Facilities Management

SUBMITTAL DATE:
September 17, 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 2003-415, 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 September 9, 2003, the Board adopted the Resolution for the Notice of Intent to Condemn Real Property for Caltrans Parcel Number 18027 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.

Departmental Concurrence

MJS:JMP:JS:sh
8.669

MICHAEL J. SYLVESTER, Director
Department of Facilities Management

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	0	Budget Adjustment:	N/A
	Annual Net County Cost:	0	For Fiscal Year:	N/A
SOURCE OF FUNDS: State of California, Department of Transportation			Positions To Be Deleted Per A-30	<input type="checkbox"/>
			Requires 4/5 Vote	<input checked="" type="checkbox"/>

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

County Executive Office Signature

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

Prev. Agn. Ref.: 9/9/03, 3.35

District: 1, 2, 5

Agenda Number:

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

9.3

2 RESOLUTION NO. 2003-415

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 October 7, 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 102 and 760 of the Streets and Highways Code; Section 25350.5 of the
17 Government Code; Sections 1240.010, 1240.020, 1240.030, 1240.110, 1240.410,
18 1240.420, 1240.510 and 1240.610 of 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 263-030-059, also known as Caltrans Parcel
28

1 Number 18027, and a specific description of the real property and the interests sought
2 to be condemned are set forth in Exhibit "A", attached hereto and by this reference
3 made a 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
16 FORM APPROVED
COUNTY COUNSEL

17 SEP 22 2003

18 BY 
19 ASSISTANT COUNTY COUNSEL

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27 JS:sh
28 9/17/03
8.674