

**SUBMITTAL TO THE BOARD OF DIRECTORS OF THE
REDEVELOPMENT AGENCY
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



217

FROM: Redevelopment Agency

SUBMITTAL DATE:
October 15, 2003

SUBJECT: Adoption of Resolution No. 2003-11, Authorization to Condemn Real Property for the Bellegrave Avenue Improvement Project.

RECOMMENDED MOTION: That the Board of Directors:

1. Hold a public hearing to hear comments from those persons affected by this project as stated in RDA Resolution No. 2003-11; and
2. Adopt RDA Resolution No. 2003-11, Authorization to Condemn Real Property for the Bellegrave Avenue Improvement Project; and
3. Authorize and direct the Executive Director of the Redevelopment Agency to take the necessary actions to proceed with eminent domain activities.

BACKGROUND:

Since 1996, the Redevelopment Agency has been making efforts to revitalize the Jurupa Valley Redevelopment Project Area. Revitalization efforts in the Mira Loma area include the improvement of pedestrian and vehicular travel ways for safety and elimination of blighting conditions. The first phase of the Bellegrave Avenue Street Improvement project, completed in 1998, included widening of the existing roadway and the construction of curb, gutter, and sidewalk improvements to the north side of Bellegrave Avenue from Jurupa Valley High School to Galena Street.

Bradley J. Hudson
Bradley J. Hudson, Executive Director

BJH:RZ:DML:AMV:REW:sj
F:\Shared\RealProperty\Real Property\DIST\03-2-244.condempkge.doc

FINANCIAL DATA	Current F.Y. Total Cost:	0	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

COMPANION ITEM ON BOARD OF SUPERVISORS AGENDA: NO

SOURCE OF FUNDS: Jurupa Valley Redevelopment Funds	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

Bronnda King

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

Prev. Agn. Ref.: #4,1,6-17-03

District: 2

Agenda Number:

4.2

BACKGROUND (continued)

The next phase includes improvements to the south side of Bellegrave Avenue between Etiwanda Avenue and Dodd Street. These improvements included street widening and the installation of curb, gutter, sidewalks, handicap access ramps, and decorative block walls.

Guided by Government Code Section 7267: "In order to encourage and expedite the acquisition and relieve congestion in the courts, to assume consistent treatment for owners in the public programs, and to promote public land acquisition practices, public entities shall, to the greatest extent practicable be guided by the provision of Section 7267.1: 'The public entity shall make every reasonable effort to acquire expeditiously real property by negotiation'."

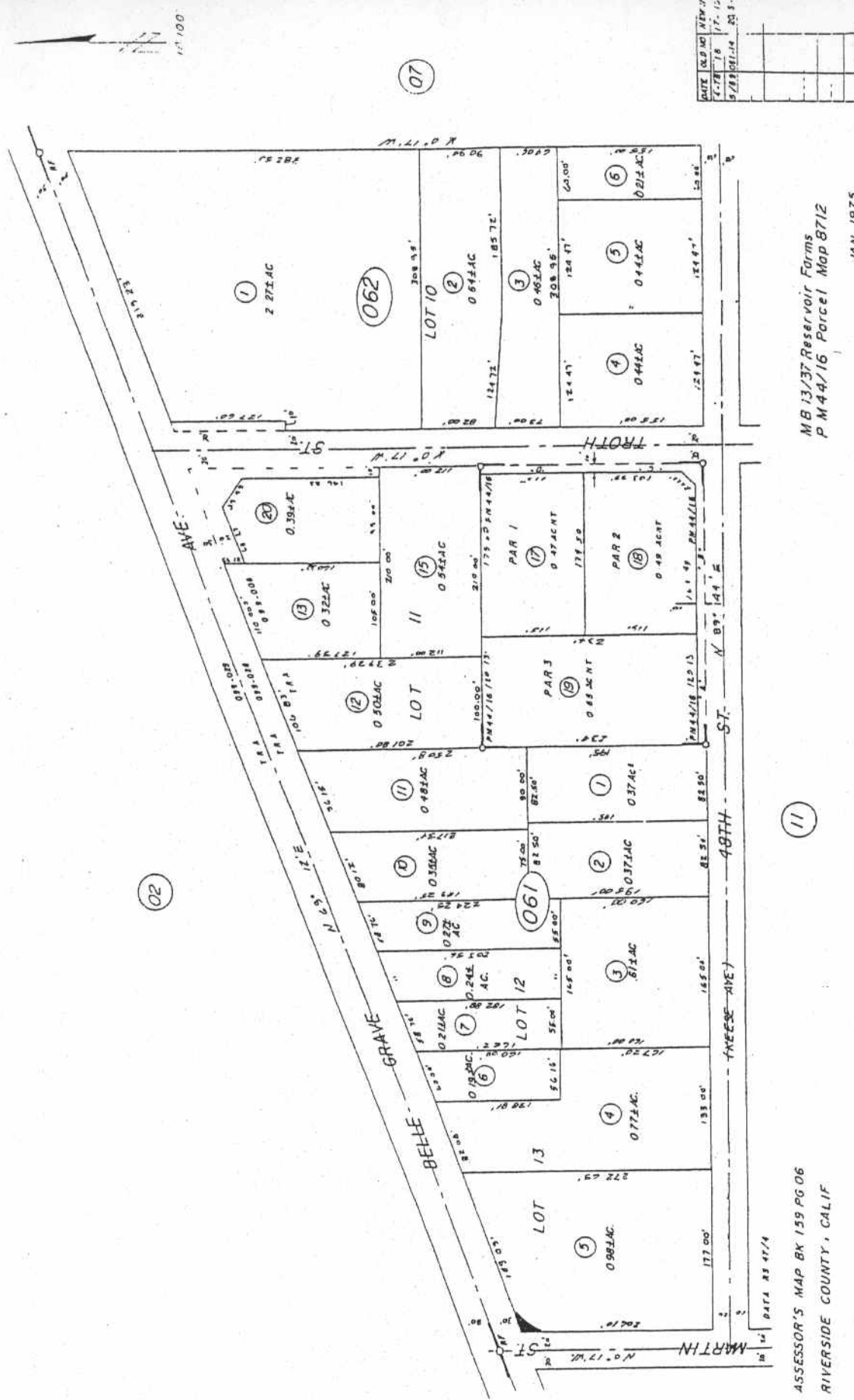
The offer required by the above stated code has been made, but negotiations to acquire the needed 75 square foot easement have been unsuccessful to date. Notice of the Agency's intention to condemn has been given as required.

Although negotiations to acquire the easement will continue in hopes of reaching an agreement, staff recommends the adoption of the resolution of necessity as stated.

THIS MAP IS FOR
ASSESSMENT PURPOSES ONLY

POR. NW1/4 SEC. 16 T.2S. R.6W.

7-39
TRA 099-006 159-06
099-028
099-029



ASSESSOR'S MAP BX 159 PG 06
RIVERSIDE COUNTY, CALIF

MB 13/37 Reservoir Forms
P M 44/16 Parcel Map 8712
JAN 1975

IMPORTANT: THIS PLAT IS NOT A SURVEY. IT IS MERELY FURNISHED AS A CONVENIENCE TO LOCATE THE LAND IN RELATION TO ADJOINING STREETS AND OTHER LANDS AND NOT TO GUARANTEE ANY DIMENSIONS, DISTANCES, BEARINGS, OR ACREAGE.



2 RDA RESOLUTION NO. 2003-11
3 AUTHORIZING CONDEMNATION OF REAL PROPERTY
4 FOR THE BELLEGRAVE AVENUE IMPROVEMENT PROJECT

5 BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the Board of Directors
6 of the Redevelopment Agency for the County of Riverside, State of California, not less than four-
7 fifths of all members concurring, in regular session assembled on November 25, 2003, as
8 follows:

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

13 2. That the authority for the Agency to acquire the real property by eminent
14 domain is contained in Article 1, Section 19 of the California Constitution; Title 7, Part III of the
15 Code of Civil Procedure; Sections 33342, 33367, and 33391 of the Community Development
16 Law; Section 25350.5 of the Government Code; Sections 1230.01 et seq.; 1240.010 thru
17 1240.050, 1240.110, and 1240.420 of the Code of Civil Procedure; and Sections 940 and 943 of
18 the Streets and Highways Code.

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 street
21 improvements, and for other uses incidental thereto and required thereby in order to complete
22 the project known as the Bellegrave Avenue Improvement Project.

23 5. That the real property sought to be condemned is necessary for the
24 construction of the public improvement and is located in the Mira Loma area of the County of
25 Riverside, State of California, generally described as a portion of Assessor Parcel Number 159-
26 061-005, which is located within Reservoir Farms, as shown by map on file in Book 13 of Maps,
27 at Page 37, Riverside County, lying within Section 16, Township 2S, Range 6W, Jurupa Ranch,
28 in Riverside County, 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

1 hereof.

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

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

6 BE IT FURTHER RESOLVED that the Agency Counsel of the Redevelopment Agency
7 for the County of Riverside is hereby authorized and empowered:

8 1. To acquire in the name of the County of Riverside, fee simple title by
9 condemnation in accordance with the Constitution and laws relating to eminent domain.

10 2. To prepare and prosecute in the name of the County such proceedings in
11 the proper court having jurisdiction thereof as are necessary for such acquisition.

12 3. To make application to the Court for an order to deposit the probable
13 amount of compensation out of proper funds under the control of the Agency into the County
14 Treasury and for an order permitting the County to take prejudgment possession and use the
15 real property for the purpose of constructing the public improvement.

16 4. To compromise and settle such proceedings, if such settlement can be
17 reached, and in that event, to take all necessary action to complete the acquisition, including
18 stipulations as to judgment and other matters, and causing all payments to be made.

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FORM APPROVED
COUNTY COUNSEL

OCT 10 2003

BY 
ASSISTANT COUNTY COUNSEL

EXHIBIT "A"

An easement for public road and drainage purposes, including public utility and public services purposes, over, upon, across, and within the real property in the Mira Loma area, County of Riverside, State of California, described as follows:

That portion of Lot 13 of Reservoir Farms, as shown by map on file in Book 13 of Maps at page 37 thereof, Records of Riverside County, California, lying in Section 16, Township 2 South, Range 6 West, San Bernardino Meridian, Jurupa Rancho, said portion being described as follows:

COMMENCING at the intersection of the centerline of Bellegrave Avenue (30.00 feet half width) with the centerline of Martin Street (40.00 feet wide) as shown on said map;

Thence South 00°17'00" East along said centerline of Martin Street, a distance of 24.55 feet to a point thereon;

Thence North 89°43'00" East, at a right angle, a distance of 20.00 feet to the **TRUE POINT OF BEGINNING**, said point being the northwest corner of said Lot 13;

Thence North 69°12'00" East along the southerly right of way line of said Bellegrave Avenue and along the northerly line of said Lot 13, a distance of 20.11 feet to a point of cusp, said point being the beginning of a non-tangent curve, concave to the southeast, having a radius of 29.00 feet, the radial line from said point bears South 20°48'00" East;

Thence southwesterly along said curve, to the left, through a central angle of 69°29'00", an arc distance of 35.17 feet to a point on the east right of way line of said Martin Street, said point also being on the west line of said Lot 13, the radial line from said point bears North 89°43'00" East.

Thence North 00°17'00" West along said east right of way line and along said west line, a distance of 20.11 feet to the **TRUE POINT OF BEGINNING**.

Containing 73 square feet, more or less.

SEE PLAT ATTACHED HERETO AS EXHIBIT "B".

PREPARED UNDER MY SUPERVISION

Matthew E. Webb
Matthew E. Webb, L.S. 5529

4/22/02
Date

Prepared by: [Signature]
Checked by: [Signature]



EXHIBIT "B"

BELLEGRAVE AVENUE

CENTERLINE PER MB 13/37

P.O.C.

S69°12'00"W

N'LY LINE
JURUPA RANCHO

T.P.O.B.

N69°12'00"E 20.11'

MARTIN STREET

500°17'00"E
24.55'

N89°43'00"E
20.00'

73 SF.

R=29.00'
Δ= 69°29'00"
T=20.11'
L=35.17'

N89°43'00"E (R)

S20°48'00"E (R)

LOT 13
RESERVOIR FARMS
MB 13/37



1"=20'



ALBERT A.
WEBB
ASSOCIATES
ENGINEERING CONSULTANTS

G:\2000\00-0049\00-0049.pro

SECTION 16, TOWNSHIP 2 SOUTH,
RANGE 6 WEST, S.B.M.

RIVERSIDE COUNTY

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE
ATTACHED DOCUMENT.

SHEET, 1 OF 1

W.D. 00-0049

SCALE: 1" = 20'

DRWN BY AW
CHKD BY AW

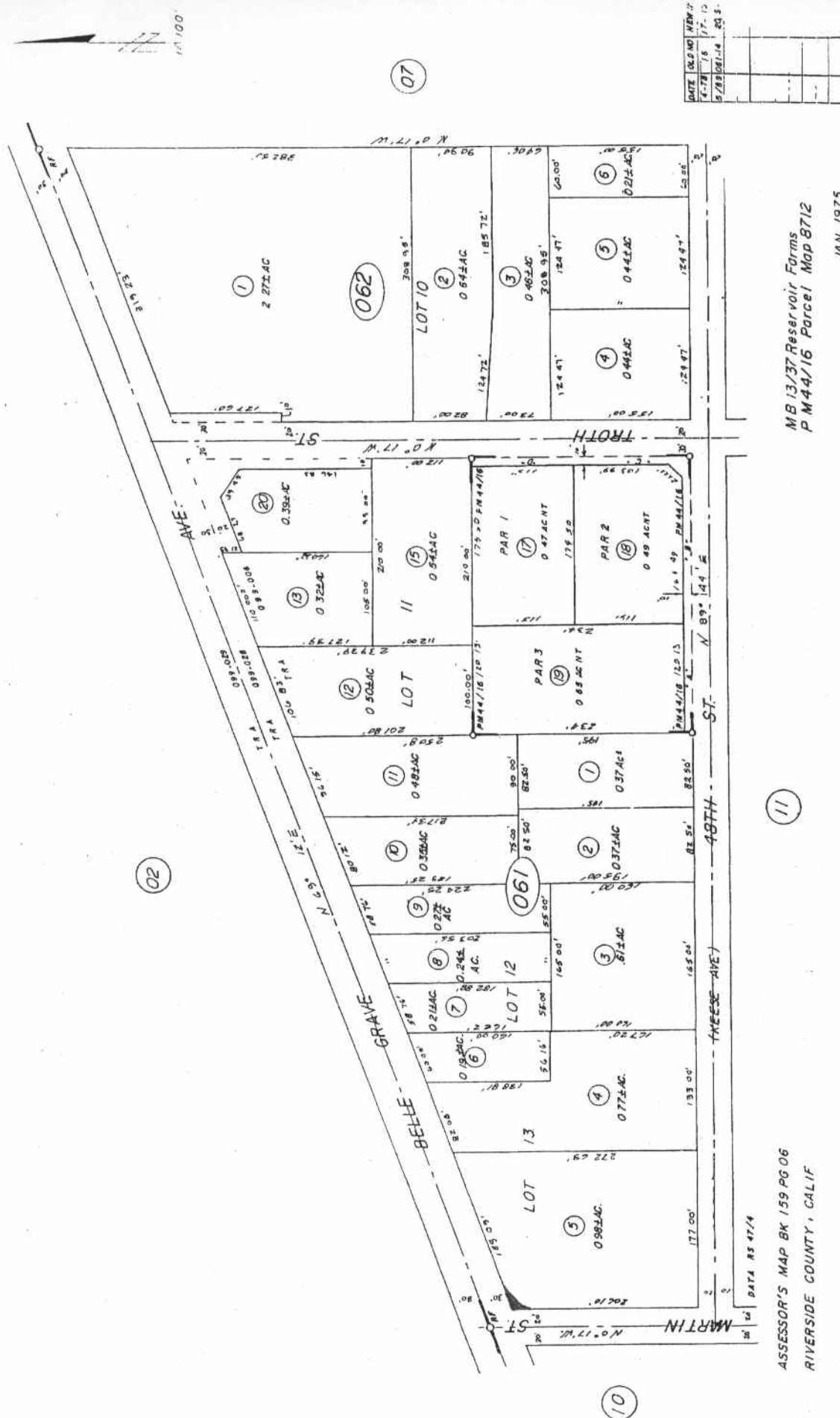
DATE 1/24/02
DATE 1/22/02

SUBJECT: R/W DEDICATION

7-39
 TRA 099-006 / 159-06
 099-028
 099-029

POR. NW1/4 SEC. 16 T.2S. R.6W.

THIS MAP IS FOR
 ASSESSMENT PURPOSES ONLY



DATE	SCALE	REV.
4-78	1/8"	17-12
5/28/01-14	1/8"	20-5

MB 13/37 Reservoir Forms
 P M44/16 Parcel Map 8712
 JAN 1975

ASSESSOR'S MAP BK 159 PG 06
 RIVERSIDE COUNTY, CALIF



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