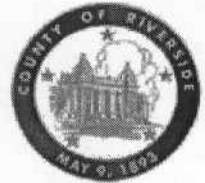


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**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Department of Facilities Management

SUBMITTAL DATE:
December 3, 2003

SUBJECT: NOTICE OF INTENTION TO CONDEMN REAL PROPERTY FOR DRAINAGE PURPOSES, OFFSITE DRAINAGE/TRACT 30110/35785 SUNNY HILLS ROAD, WINCHESTER

RECOMMENDED MOTION: That the Board of Supervisors approve Resolution No. 2003-533, Notice of Intention to Condemn Real Property for Drainage Purposes, and to set a public hearing for Resolution No. 2004-004, Authorizing Condemnation of Real Property for Drainage Purposes, on January 27, 2004.

BACKGROUND: As a condition of approval for Tract Map No. 30110, Fieldstone Communities is planning to install drainage facilities adjacent to Yates Road in the Winchester area of the County of Riverside. An offer has been made to the property owners as required by Government Code Section 7267.2.

(Continued on Page 2)

Departmental Concurrence

MJS:JMP:JS:db
8.789


MICHAEL J. SYLVESTER, Director
Department of Facilities Management

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 5,932	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



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

Prev. Agn. Ref.:

District: 3rd

Agenda Number:

2003 DEC 11 11:12 AM
RECEIVED VIA FAX
COUNTY OF RIVERSIDE

3.8

2 RESOLUTION NO. 2003-533

3 NOTICE OF INTENTION TO CONDEMN REAL PROPERTY
4 FOR DRAINAGE PURPOSES
5 OFFSITE DRAINAGE/TRACT 30110
6 35785 SUNNY HILLS ROAD, WINCHESTER

7 BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the Board of
8 Supervisors of Riverside County, State of California, in regular session assembled on
9 December 23, 2003, and NOTICE IS HEREBY GIVEN as follows:

10
11 1. That this Board intends to adopt a resolution of necessity authorizing
12 the condemnation of certain parcels of real property for drainage purposes described as a
13 portion of Assessor's Parcel Number 467-380-002, which is shown on a legal description
14 and plat map on file in the Office of the Clerk of the Board, and located in the Winchester
15 area, and to hold a public hearing on January 27, 2004, at 9:30 a.m. in the meeting room of
16 the Board of Supervisors located on the 1st floor of the County Administrative Center, 4080
17 Lemon Street, Riverside, California, at which time each person whose real property is
18 sought to be condemned and whose name and address appears on the last equalized
19 County Assessment Roll and who has filed a timely written request to appear and be
20 heard, will be given an opportunity to be heard on the following matters:
21
22

23
24 a. Whether the public interest and necessity require the
25 construction of the public improvement.
26
27
28

FORM APPROVED
COUNTY COUNSEL

NOV 15 2003

BOARD OF SUPERVISORS

Form 11: NOTICE OF INTENTION TO CONDEMN REAL PROPERTY FOR DRAINAGE
PURPOSES, OFFSITE DRAINAGE/TRACT 30110/35785 SUNNY HILLS
ROAD, WINCHESTER

December 3, 2003

Page 2

BACKGROUND: (Continued)

Settlement has not been reached with the property owners, although negotiations are still in progress. Resolution No. 2004-004, Authorizing Condemnation of Real Property for Drainage Purposes, will be submitted to the Board for approval on January 27, 2004.

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Resolution No. 2003-533

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.

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 of 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 of the Board shall cause a copy of this resolution and a copy of the legal description and plat map 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.

JS:db
12/03/03
8.788

03 DEC 18 01 15 PM

**LEGAL DESCRIPTION
DRAINAGE EASEMENT
OVER
PARCEL 2 P.M. 16915, FRENCH VALLEY**

All that certain real property in the unincorporated territory of Riverside County, State of California, being a portion of Parcel 2 of Parcel Map 16915 as per plat recorded in Book 90, page 86 of Parcel Maps, records of said county, said portion being described as follows:

Commencing at the northwesterly corner of said Parcel 2;

Thence along the northerly line of said Parcel 2, North 89°33'36" East 420.05 feet to the true point of beginning;

Thence continuing North 89°33'36" East, 47.80 feet along said northerly line;

Thence leaving said northerly line South 49°44'22" West, 46.15 feet;

Thence North 38°35'50" West 20.00 feet;

Thence North 00°26'24" West 13.83 feet to the true point of beginning.

The hereinabove described parcel is show on Exhibit "B" attached hereto and by this reference made a part hereof.



Larry L. Walker 11/29/02
Larry L. Walker LS 4463
License Expires 9-30-2005

TRACT 30110

YATES

ROAD

P.O.C.
NE CORNER
PARCEL 2
PM 16915

P.A.R.C.E.L.
P.M.
P.M.B. 90/85

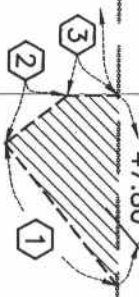
420.05

30'

47.80

N 89°33'36"E

SUNNY HILLS DRIVE

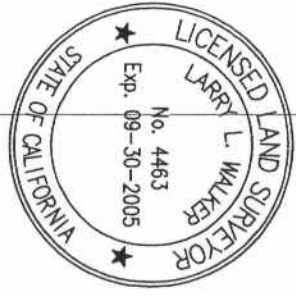


792 SQ FT



INDICATES EASEMENT AREA

Vertex	BEARING	LENGTH
1	N 49°44'22"E	46.15
2	N 38°35'50"W	20.00
3	N 00°26'24"W	13.83



APN 467-380-02

Scale: 1"=50'



EXHIBIT "B"
DRAINAGE EASEMENT
FOR TRACT 30110
FRENCH VALLEY
COUNTY OF RIVERSIDE



W.J. MCKEEVER, INC.
CIVIL ENGINEERING

647 NORTH MAIN STREET, SUITE 2A
RIVERSIDE, CALIFORNIA 92501

PH: (909) 941-3700
FAX: (909) 941-8740

LARRY L. WALKER I.S. 4463

DATE