

594

ADD A

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



**FROM:** Department of Facilities Management

**SUBMITTAL DATE:**  
November 26, 2003

**SUBJECT:** RESOLUTION NO. 2003-523, AUTHORIZING CONDEMNATION OF REAL PROPERTY FOR FLOODING FACILITIES FOR THE MCCOY WASH DAM PROJECT

**RECOMMENDED MOTION:** That the Board of Supervisors approve Resolution No. 2003-523 - Authorizing Condemnation of Real Property for Flooding Facilities for the McCoy Wash Dam Project.

**BACKGROUND:** The Palo Verde Resource Conservation District has been acquiring land in the Blythe area adjacent to the existing McCoy Wash Dam, which consists of a 9,176 acre-foot dam and bypass channels to contain flood flows from the McCoy Wash watershed. An offer has been made to the property owners as required by Government Code Section 7267.2; however settlements have not been reached with all of the property owners and negotiations are still in process. Resolution No. 2003-522, Notice of Intent to Condemn Real Property for Flooding Facilities for the McCoy Wash Dam Project was approved by the Board on November 25, 2003.

Departmental Concurrence

MJS:JS:sh  
8.754

*Michael J. Sylvester*  
MICHAEL J. SYLVESTER, Director  
Department of Facilities Management

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 0	For Fiscal Year:	03/04

SOURCE OF FUNDS: Costs reimbursed to County by Palo Verde Resource Conservation District	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

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

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

County Executive Office Signature

*Tom Hansen*

Prev. Agn. Ref.: 11/25/03, Item # | District: 4 | Agenda Number:

9.2

3 RESOLUTION NO. 2003-523

4 AUTHORIZING CONDEMNATION OF REAL PROPERTY  
5 FOR FLOODING FACILITIES FOR THE MCCOY WASH DAM PROJECT

6  
7 BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the Board of  
8 Supervisors of Riverside County, State of California, not less than four-fifths of all  
9 members concurring, in regular session assembled on December 23, 2003, as follows:  
10

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

15 2. That the authority for the County to acquire the real property by  
16 eminent domain is contained in Article 1, Section 19 of the California Constitution;  
17 Section 25350.5 of the Government Code; Sections 1240.420 and Sections 1240.010,  
18 1240.020, and 1240.110 of the Code of Civil Procedure.

19  
20 3. That the public interest and necessity require the proposed project.

21 4. That the use for which the real property is to be taken is for  
22 roadway and drainage improvements, and for other uses incidental thereto and required  
23 thereby in order to complete the project being known as McCoy Wash Dam.

24  
25 5. That the real property sought to be condemned is necessary for the  
26 construction of the public improvement and is located entirely within the boundaries of  
27 the County of Riverside, State of California, generally described as portions of  
28

1 Assessor's Parcel Numbers 812-220-010, 812-220-019, 812-220-020, 812-220-022,  
2 812-220-034, and 821-190-005, which are located in the Blythe area of the County of  
3 Riverside, and a specific description of the real property and the interests sought to be  
4 condemned are set forth in Exhibits "A" and " B", attached hereto and by this reference  
5 made a part hereof.  
6

7 6. That the public improvement is planned and located in the manner  
8 that will be most compatible with the greatest public good and the least private injury.  
9

10 7. That the offer required by Section 7267.2 of the Government Code  
11 has been made to the owner or owners of record.  
12

13 BE IT FURTHER RESOLVED that the County Counsel of the County of  
14 Riverside is hereby authorized and empowered:

15 1. To acquire in the name of the County, Fee Take and Flood  
16 Easements by condemnation in accordance with the Constitution and laws relating to  
17 eminent domain.  
18

19 2. To prepare and prosecute in the name of the County such  
20 proceedings in the proper court having jurisdiction thereof as are necessary for such  
21 acquisition.  
22

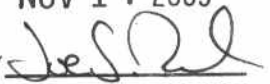
23 3. To make application to the Court for an order to deposit the  
24 probable amount of compensation out of proper funds under the control of the County  
25 into the County Treasury and for an order permitting the County to take prejudgment  
26 possession and use the real property for the purpose of constructing the public  
27 improvement.  
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4. To compromise and settle such proceedings, if such settlement can be reached, and in that event, to take all necessary action to complete the acquisition, including stipulations as to judgment and other matters, and causing all payments to be made.

FORM APPROVED  
COUNTY COUNSEL

NOV 17 2003

BY   
ASSISTANT COUNTY COUNSEL

JS  
11/7/03  
8.755

**EXHIBIT "A"**

**LEGAL DESCRIPTION  
FOR  
ELLA MAE SHUCK PROPERTY  
IN THE COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

Being a portion of the northeast Quarter of the northeast Quarter of Section 33, Township 5 South, Range 22 East, San Bernardino Base & Meridian, in the County of Riverside, State of California, being more particularly described as follows:

BEGINNING at the northeast corner of the northeast Quarter of said Section 33, thence southwesterly in a direct line to the southwest corner of the northeast Quarter of the northeast Quarter of said Section 33;

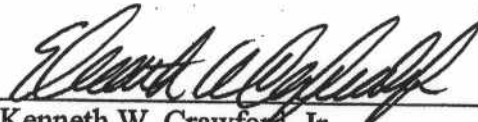
Thence northerly along the westerly line of the northeast Quarter of the northeast Quarter of said Section 33, to the northwest corner of the northeast Quarter of the northeast Quarter of said Section 33;

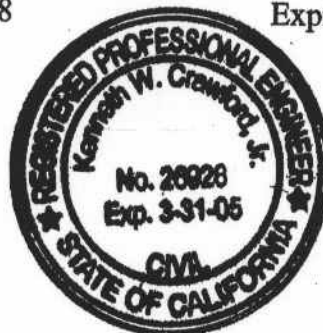
Thence easterly along the northerly line of the northeast Quarter of the northeast Quarter of said Section 33, to the POINT OF BEGINNING.

Said land containing 20 acres more or less.

Subject to: covenants, conditions, restrictions, reservations, easements and right-of-ways of record, if any;

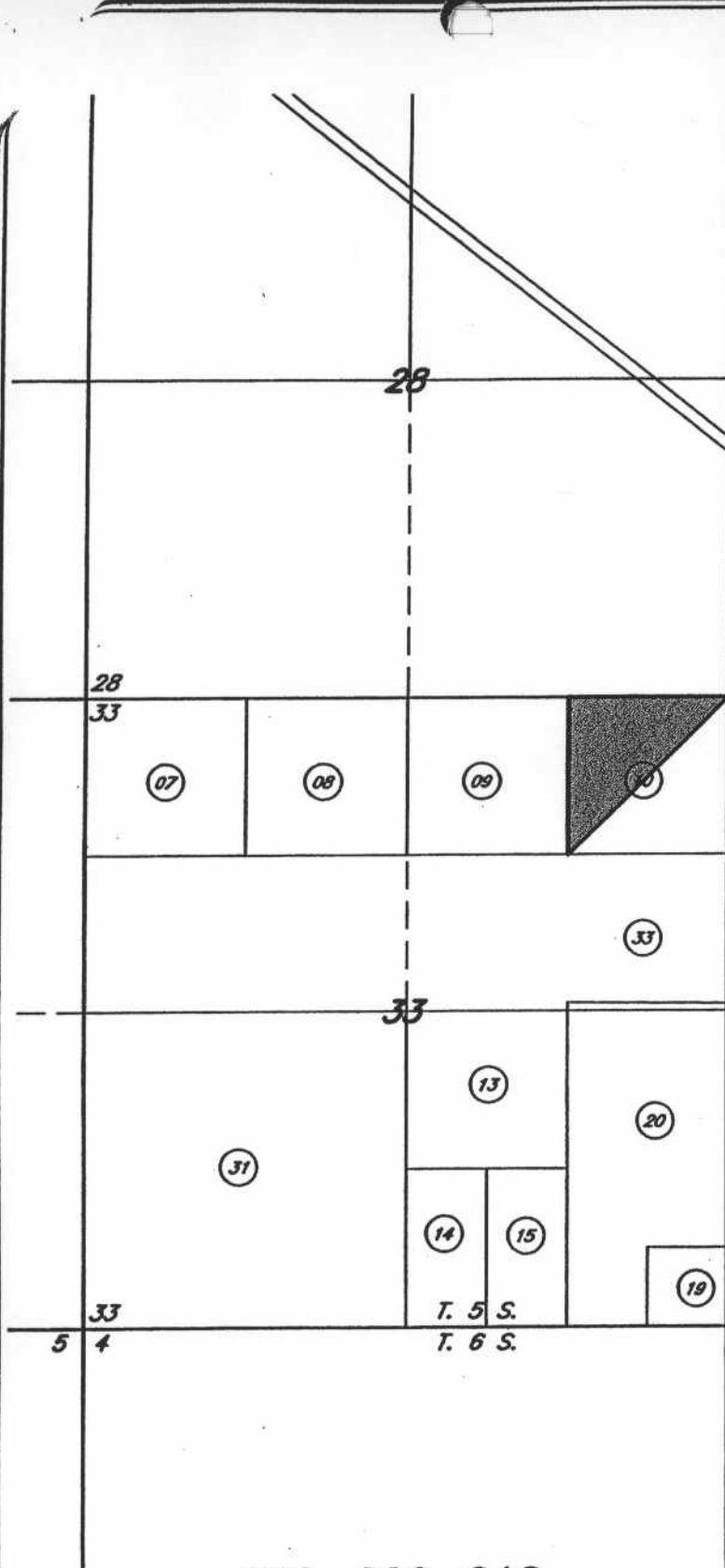
See Exhibit "B" attached hereto, and by reference made a part hereof.

  
Kenneth W. Crawford, Jr. 5-12-03 Date  
R.C.E. 26928 Expires 03-31-05

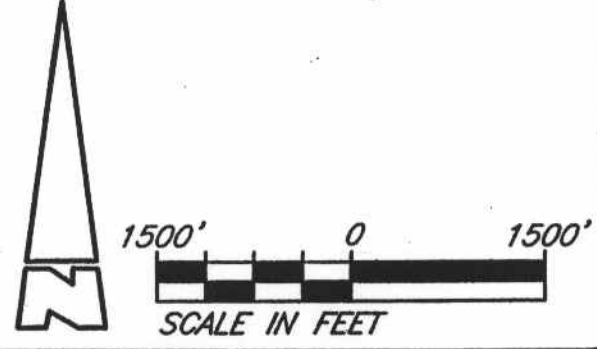


KWC/MDR/mdr  
May 12, 2003  
J.N. 03.705.1.01  
R:\03\705\LEGALS\LEGAL\_SEC33.DOC

812-220-010



*Kenneth W. Crawford, Jr.* 5-12-03  
 KENNETH W. CRAWFORD, JR. DATE  
 R.C.E. 26928 Exp. 03-31-05



812-220-010

PREPARED BY:



CIVIL ENGINEERING, PLANNING AND CONSTRUCTION MANAGEMENT  
 1269 W. POMONA ROAD, SUITE 104 • CORONA, CA. 92882-7158 • 909-734-2130

**EXHIBIT "B"**

ELLA MAE SHUCK PROPERTY  
 PORTION OF SECTION 33, T. 5 S., R. 22 E. S.B.B.&M.

DATE 05/12/03	DRAWN BY MDS	CHECKED BY MDR	J.N. 03.705.1.01
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**PARCEL 1:**

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 SECTION 33, TOWNSHIP 5 SOUTH, RANGE 22 EAST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

**PARCEL 2:**

THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 5 SOUTH, RANGE 22 EAST, SAN BERNARDINO BASE AND MERIDIAN.

EXCEPTING THEREFROM THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 33.

**PARCEL 3:**

THAT PORTION OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 5 SOUTH, RANGE 22 EAST, SAN BERNARDINO MERIDIAN DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE EAST ONE-HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 33;

THENCE NORTH 88° 59' 21" WEST, 1318.14 FEET ALONG THE NORTHERLY LINE OF SAID SOUTHEAST QUARTER;

THENCE NORTH 1° 31' 02" WEST, 70.07 FEET;

THENCE SOUTH 88° 59' 21" EAST, 622.00 FEET;

THENCE SOUTH 61° 52' 01" EAST, 21.94 FEET;

THENCE SOUTH 88° 59' 21" EAST, 677.00 FEET TO A POINT ON THE EASTERLY LINE OF SAID SECTION 33;

THENCE SOUTH 1° 34' 23" EAST, 60.06 FEET ALONG SAID EASTERLY LINE TO THE POINT OF BEGINNING.

(APN 812-220-019, 812-220-020 and 812-220-034)

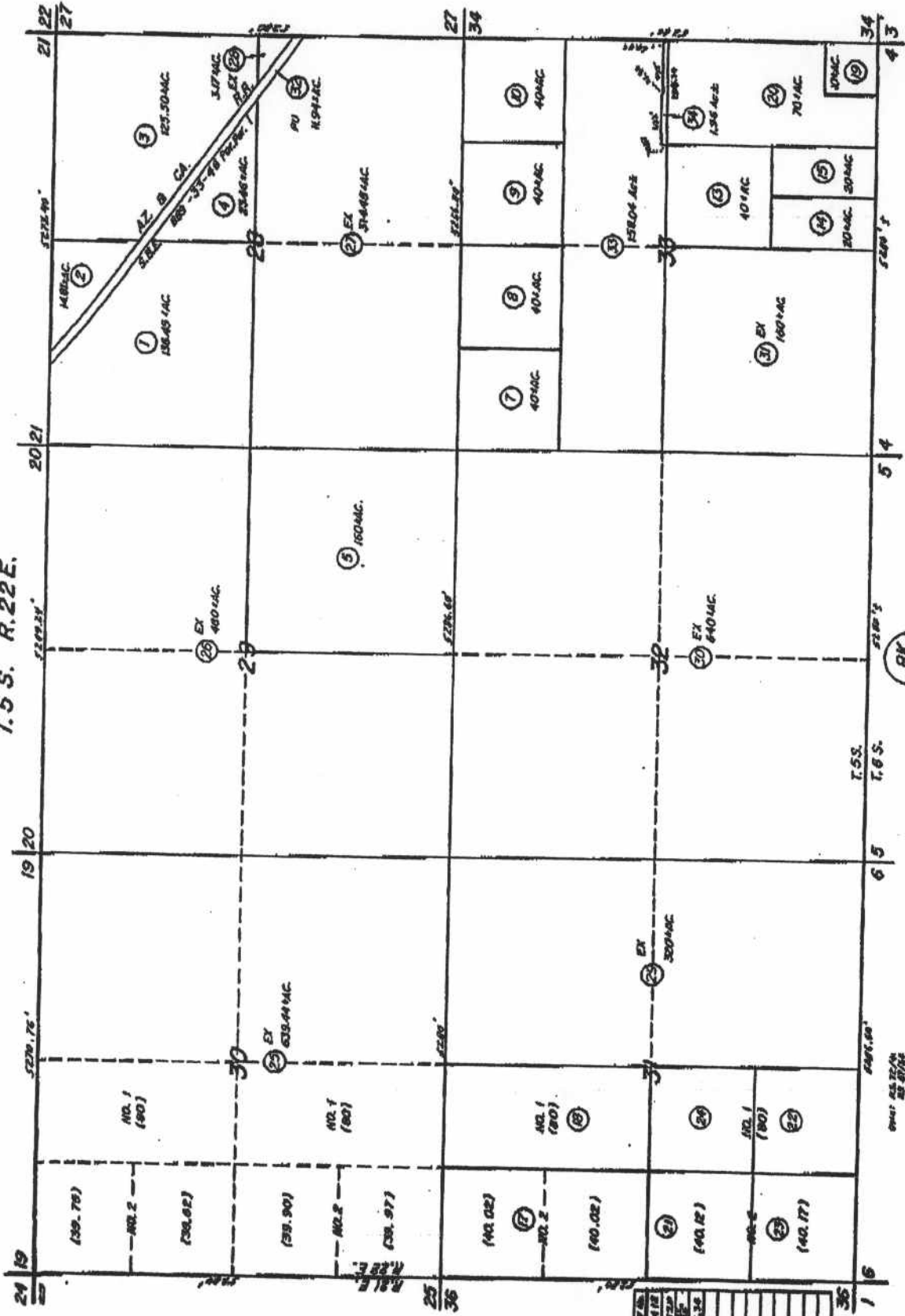
**EXHIBIT "A"**

812-22

T.C.A. 8600

T.5 S. R.22 E.

(10)



Scale: 1" = 5000'

BK. 821

ASSESSOR'S MAP BK. 812, PG. 22  
RIVERSIDE COUNTY, CALIF.

DEC. 1965

**EXHIBIT "A"**

**LEGAL DESCRIPTION  
FOR  
AREA 2  
FOR  
PALO VERDE RESOURCE CONSERVATION DISTRICT  
IN THE COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

Being a portion of the southeast Quarter of the southwest Quarter of Section 31, Township 6 South, Range 22 East, San Bernardino Base & Meridian, in the County of Riverside, State of California, being more particularly described as follows:

BEGINNING at the southwest corner of the southeast Quarter of the southwest Quarter of said Section 31, said southwest corner being a point on the southerly line of said Section 31, thence northeasterly in a direct line to the northeast corner of the southeast Quarter of the southwest Quarter of said Section 31;

Thence southerly along the easterly line of the southeast Quarter of the southwest Quarter of said Section 31, to the southeast corner of the southeast Quarter of the southwest Quarter of said Section 31, said southeast corner being a point on the southerly line of said Section 31;

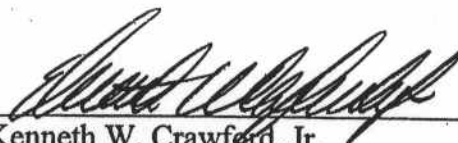
Thence westerly along said southerly line of said Section 31 to the POINT OF BEGINNING.

Said land containing 20 acres more or less.

Subject to: covenants, conditions, restrictions, reservations, easements and right-of-ways of record, if any;

See Exhibit "B" attached hereto, and by reference made a part hereof.



  
Kenneth W. Crawford, Jr. 1-20-03  
R.C.E. 26928 Date  
Expires 03-31-05

KWC/TMC/tmc  
January 20, 2003  
J.N. 03.681.1.01  
R:\03\681\LEGALS\LEGAL\_SEC1B.DOC

812-220-022

T. 5 S. R. 22 E.

24 19  
25

19 20  
29

(39.90)

NO. 2

NO. 1  
(80)

(39.97)

(39.90)

30

25 EX  
639.44 AC.

NO. 2

NO. 1  
(80)

(39.97)

R. 21 E.  
R. 22 E.

25  
36

29  
32

(40.02)

17

NO. 1  
(80)

NO. 2

18

(40.02)

31

29 EX  
320 AC.

21

(40.12)

24

NO. 2

NO. 1  
(80)

22

23

(40.17)

36  
1 6

32  
6 5

T. 5 S.  
T. 6 S.

P.O.B.

812-220-022-5



VICINITY MAP  
NOT TO SCALE



*Kenneth W. Crawford, Jr.* 1-20-03  
 KENNETH W. CRAWFORD, JR. DATE  
 R.C.E. 26928 Exp. 03-31-05



SCALE IN FEET

PREPARED BY:



CIVIL ENGINEERING, PLANNING AND CONSTRUCTION MANAGEMENT  
 1269 W. POMONA ROAD, SUITE 104 • CORONA, CA. 92882-7158 • 909-734-2130

EXHIBIT "B"

PALO VERDE RESOURCE CONSERVATION DISTRICT  
 PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER  
 OF SECTION 31, T. 5 S., R. 22 E. S.B.B.&M.

DATE  
01/20/03

DRAWN BY  
TMC

CHECKED BY  
MDR

J.N.  
03.681.1.01

R:\03\LEGAL\_SEC31B.DWG

**EXHIBIT "A"**

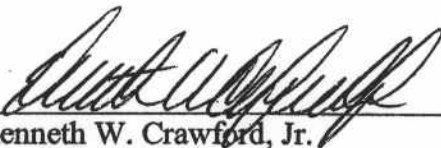
**LEGAL DESCRIPTION  
FOR  
PALO VERDE RESOURCE CONSERVATION DISTRICT  
IN THE COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

The westerly 40 acres of the North half of the South half of fractional Section 3, Township 6 South, Range 22 East, San Bernardino Meridian, in the County of Riverside, State of California;

EXCEPTING therefrom the easterly 100 feet of said westerly 40 acres.

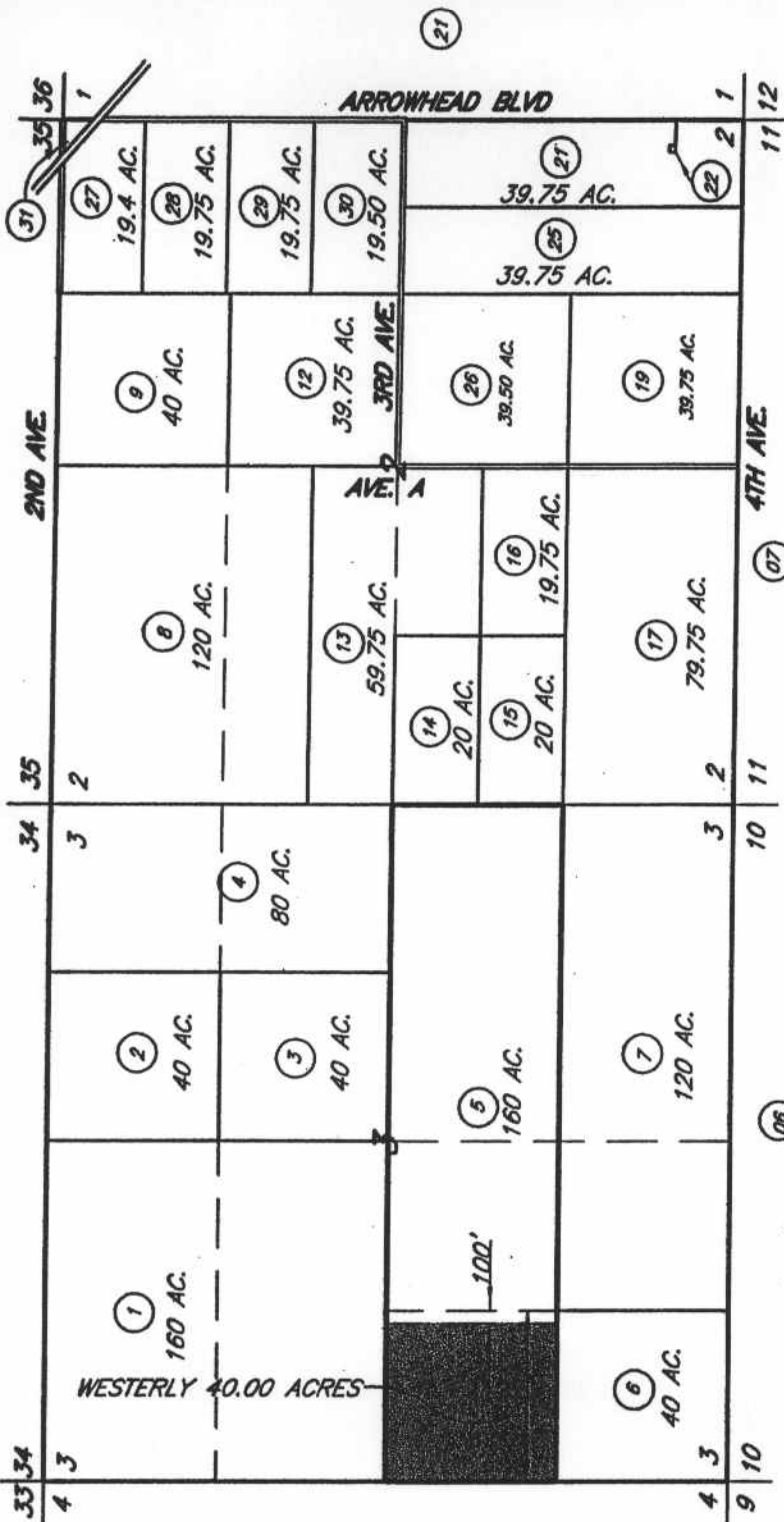
Subject to: covenants, conditions, restrictions, reservations, easements and right-of-ways of record, if any;

See Exhibit "B" attached hereto, and by reference made a part hereof.

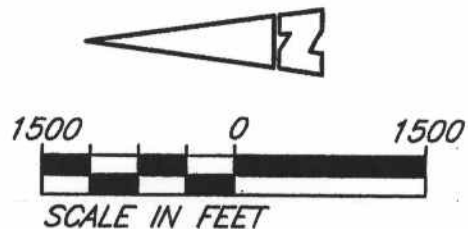
  
Kenneth W. Crawford, Jr. 10-25-02  
R.C.E. 26928 Date Expires 03-31-05

KWC/MDS/mds  
October 24, 2002  
J.N. 02.647.1.01  
H:\02\647\LEGALS\WEST40.DOC

821-190-005



*Kenneth W. Crawford, Jr.* 10-25-02  
 KENNETH W. CRAWFORD, JR. DATE  
 R.C.E. 26928 Exp. 03-31-05



APN 821-190-005

PREPARED BY: EXHIBIT "B"

EXHIBIT "B"



PALO VERDE RESOURCE CONSERVATION DISTRICT  
 PORTION OF THE NORTH 1/2 OF THE SOUTH 1/2  
 OF SECTION 3, T.6 S., R.22 E. S.B.B&M.

CIVIL ENGINEERING, PLANNING AND CONSTRUCTION MANAGEMENT  
 1289 W. POMONA ROAD, SUITE 104 • CORONA, CA. 92882-7158 • 909-734-2130

DATE 10/22/02	DRAWN BY MDS	CHECKED BY MDR	J.N. 02.647.1.01
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