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



614

**FROM:** Department of Facilities Management

**SUBMITTAL DATE:**  
December 15, 2003

**SUBJECT:** NOTICE OF INTENT TO CONDEMN 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 consider approving Resolution No. 2004-021, Notice of Intent to Condemn Real Property for Caltrans Parcel 18028 for freeway improvement purposes, on behalf of the State of California, Department of Transportation (Caltrans), for the Interstate 215/60/91 Sequencing Project and to set a public hearing for Resolution No. 2004-022, Authorizing Condemnation of Real Property for Freeway Improvement Purposes, on January 27, 2004.

Departmental Concurrence

Resolution 2004-021 will supercede and replace Resolution No. 2003-454, Notice of Intention to Condemn Real Property, approved by the Board on September 23, 2003 as Agenda Item No. 3.24. Resolution No. 2003-458, Authorizing Condemnation, approved by the Board on November 25, 2003 as Agenda Item No. 9.2, will be superceded by Resolution No. 2004-022, should the Board approve Resolution No. 2004-021. The superceding and replacement of these Resolutions will allow Caltrans to hold second level hearings in an effort to resolve problems associated with this purchase.

**BACKGROUND:** Pursuant to Minute Order 3.33 approved by the Board of Supervisors on November 26, 2002, a resolution was passed agreeing to hear Resolutions authorizing Condemnation on behalf of the State of California, Department of Transportation. As a prelude thereto, it is necessary for the Board to consider adopting Resolutions of Notice of Intent to Condemn Real Property for parcels affected by the project.

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*for T.L. Miller*  
MICHAEL J. SYLVESTER, Director  
Department of Facilities Management

<b>FINANCIAL DATA</b>	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

<b>SOURCE OF FUNDS:</b> State of California, Department of Transportation	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

*[Signature]*

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

Prev. Agn. Ref.: 9/23/03, 3.24; 11/25/03, 9.2 | District: 1, 2, 5 | Agenda Number: **3.13**

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

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3 RESOLUTION NO. 2004-021

4 NOTICE OF INTENTION TO CONDEMN REAL PROPERTY  
5 FOR FREEWAY IMPROVEMENT PURPOSES

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 January 6, 2004, and NOTICE IS HEREBY GIVEN as follows:

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10 1. That this Board approve Resolution No. 2004-021, which will supercede  
11 and replace Resolution No. 2003-454, Notice of Intention to Condemn Real Property,  
12 approved by the Board on September 23, 2003 as Agenda Item No. 3.24. Resolution  
13 No. 2003-458, Authorizing Condemnation, approved by the Board on November 25,  
14 2003 as Agenda Item No. 9.2, will be superceded by Resolution No. 2004-022,  
15 Authorizing Condemnation, should the Board approve Resolution No. 2004-021. The  
16 superceding and replacement of these Resolutions will allow Caltrans to hold Second  
17 Level Hearings with the property owners in an effort to resolve problems associated with  
18 this purchase.  
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21 2. That this Board consider passing a resolution of necessity authorizing the  
22 condemnation of certain parcels of real property for freeway improvement purposes  
23 described as Assessor's Parcel Number 263-030-060, also known as Caltrans Parcel  
24 #18028, shown as legal descriptions and plat maps on file in the Office of the Clerk of  
25 the Board, and located in Riverside, and to hold a public hearing on January 27, 2004,  
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1 RESOLUTION NO. 2004-021

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at 9:30 a.m. in the meeting room of the Board of Supervisors located on the 1st Floor, County Administrative Center Annex, 4080 Lemon Street, Riverside, California, at which time the person or entity 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.

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.

3. 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.

1 RESOLUTION NO. 2004-021

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BE IT FURTHER RESOLVED that the State of California, Department of Transportation, has caused a letter of intent, see attached, and a copy of the right of way map to be mailed to or personally served upon each person or entity whose real property is sought to be condemned and whose name and address appears on the last equalized County Assessment Roll.

FORM APPROVED  
COUNTY COUNSEL

DEC 18 2003

BY   
ASSISTANT COUNTY COUNSEL

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