

614

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

611



FROM: Department of Facilities Management

SUBMITTAL DATE:
December 18, 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 2004-026, 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

for T.L. Miller

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

[Signature]

Policy

Consent

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

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

District: 1, 2, 5

Agenda Number:

9.10

2 RESOLUTION NO. 2004-026

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 January 6, 2004, 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, in
11 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 2. That the authority for the County to acquire the real property by eminent
14 domain is contained in Article 1, Section 19 of the California Constitution; Sections 102 and
15 760 of the Streets and Highways Code; Section 25350.5 of the Government Code; Sections
16 1240.010, 1240.020, 1240.030, 1240.110, 1240.410, 1240.420, 1240.510 and 1240.610 of
17 the Code of Civil Procedure.

18 3. That the public interest and necessity require the proposed project.

19 4. That the use for which the real property is to be taken is for the
20 Interstate 215/91/60 Sequencing Project, for road improvement purposes, including
21 construction and maintenance, and for other uses incidental thereto and required.

22 5. That the real property sought to be condemned is necessary for the
23 construction of the public improvement and is located adjacent to Interstate 215, State
24 Route 91 and State Route 60 in the County of Riverside, State of California, generally
25 described as Assessor's Parcel Number 263-030-059, also known as Caltrans Parcel

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Number 18027, 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 hereof.

6. That 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.

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

BE IT FURTHER RESOLVED that the State of California, Department of Transportation, after approval of the Authorization of Condemnation by the County of Riverside Board of Supervisors, will continue with the processes necessary to acquire, in the name of the State of California, fee simple title and temporary construction easements in accordance with the Constitution and laws relating to eminent domain.

FORM APPROVED
COUNTY COUNSEL

DEC 22 2003

BY 
ASSISTANT COUNTY COUNSEL

JS:sh 27
12/18/03
8.674 28

1 Parcel 18092-1

2 For freeway purposes that portion of that certain parcel of land in the City of Riverside,
3 County of Riverside, State of California, as described in a Quick claim Deed to Lila M. Jones,
4 Trustee of the Lila M. Jones Trust, dated February 27, 1990, said certain parcel of land being
5 shown as Parcel 2, on the map filed in Book 55, page 44 of Records of Survey, records of said
6 County, described as follows:

7 BEGINNING at a point on the southerly line of said certain parcel of land, distant
8 thereon, North 89°13'03" West, 5.543 meters (18.19 feet) from the southeast corner thereof;
9 thence continuing along said southerly line, North 89°13'03" West, 33.740 meters (110.70 feet) to a
10 point on a non-tangent curve in said southerly line, concave northeasterly, having a radius of 36.575
11 meters (120.00 feet) a radial line to said point bears South 25°29'38" West; thence northwesterly
12 along said non-tangent curve, 2.931 meters (9.62 feet) through a central angle of 4°35'30"; thence
13 Course "A", South 87°07'31" East, 36.375 meters (119.34 feet) to the POINT OF BEGINNING.

14 / / /

15 Together with all of the existing improvements which are located partially within and
16 partially outside the boundaries of the above-described parcel, together with the right and
17 easement to enter upon the owner's remaining land outside the boundaries of said parcel at any
18 time within 120 days after the date of possession is authorized as indicated in the order of
19 possession, or within 120 days after Final Judgement in Condemnation, for the purpose of
20 removing all of the said existing improvements.

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23 Together with the extinguishment of all easements of access appurtenant to the
24 remaining lands, in and to said freeway and the adjoining public way (Blaine Street) except
25 over and across that portion of the southerly line of said remaining lands lying easterly of a
26 point distant North 87°07'31" West, 27.294 meters (89.55 feet) from said POINT OF BEGINNING.

27 / / /

28 (continued)

1 **Parcel 18092-1 (continued)**

2 The bearings and distances used in the above description are on the California
3 Coordinate System of 1983 Zone 6. Multiply distances shown by 1.000022150 to obtain the
4 ground level distance.

5 / / /

6 This real property description has been prepared by me or under my direction in
7 conformance with the Land Surveyor's Act.

8
9 Signature: _____

Professional Land Surveyor



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11 Date: July 23, 2003

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1 Parcel 18092-2

2 A temporary easement for construction purposes over, under and across that portion of that
 3 certain parcel of land in the City of Riverside, County of Riverside, State of California, as described
 4 in a quitclaim deed to Lila M. Jones, Trustee of the Lila M. Jones Trust, dated February 27, 1990,
 5 said certain parcel of land being shown as Parcel 2 on the map filed in Book 55, page 44 of Records
 6 of Survey, records of said County, described as follows:

7 COMMENCING at a point on the southerly line of said certain parcel of land, distant
 8 thereon, North 89°13'03" West, 5.543 meters (18.19 feet) from the most easterly corner
 9 thereof; thence North 87°07'31" West, 17.704 meters (50.08 feet) to the POINT OF
 10 BEGINNING; thence continuing North 87°07'31" West, 18.671 meters (61.26 feet) to a point on a
 11 non-tangent curve in the southwesterly line of said certain parcel of land, concave northerly, having
 12 a radius of 36.575 meters (120.00 feet) a radial to said point bears South 30°05'08" West;
 13 thence northwesterly along said non-tangent curve 0.927 meters (3.04 feet) through a central
 14 angle of 1° 27'10"; thence continuing along said southwesterly line, North 44°45'45" West, 25.821
 15 meters (84.71 feet); thence South 87°07'04" East, 9.109 meters (29.89 feet); thence
 16 South 44°46'12" East, 14.578 meters (47.83 feet); thence South 87°07'31" East, 18.403 meters (60.38
 17 feet); thence South 0°50'36" West, 8.014 meters (26.29 feet), to the POINT OF BEGINNING.

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19 Together with all of the existing improvements which are located partially within and
 20 partially outside the boundaries of the above-described parcel, together with the right and
 21 easement to enter upon the owner's remaining land outside the boundaries of said parcel at any
 22 time within 120 days after the date of possession is authorized as indicated in the order of
 23 possession, or within 120 days after Final Judgement in Condemnation, for the purpose of
 24 removing all of the said existing improvements.

25 / / /

26 All rights acquired herein shall terminate on October 31, 2007.

27 / / /

28 (continued)

1 Parcel 18092-2 (page 2)

2 The bearings and distances used in the above description are on the California
3 Coordinate System of 1983 Zone 6. Multiply distances shown by 1.000022150 to obtain the
4 ground level distance.

5 / / /

6 This real property description has been prepared by me or under my direction in
7 conformance with the Land Surveyor's Act.

8
9 Signature: 
Professional Land Surveyor



10
11 Date: July 22, 2003

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1 Parcel 18092-3

2 An easement for public utility purposes upon, over, under and across that portion of Parcel 1, in
3 the City of Riverside, County of Riverside, State of California, as described in a quit claim deed to
4 Lila M. Jones, Trustee of the Lila M. Jones Trust, dated February 27, 1990, said certain parcel of
5 land being shown as Parcel 2, on the map filed in Book 55, page 44 of Records of Survey, records
6 of said County, described as follows:

7 BEGINNING at a point on the southwesterly line of said parcel of land, distant thereon,
8 South 44°45'45" East, 19.997 meters (65.61 feet) from the westerly corner thereof; thence
9 North 33°40'06" West, 5.779 meters (18.96 feet); thence North 48°29'53" East, 3.393 meters (11.13
10 feet); thence South 44°45'48" East, 11.710 meters (38.42 feet); thence South 45°14'10" West, 2.641
11 meters (8.66 feet); thence South 35°45'15" East, 2.334 meters (7.66 feet); thence North 87°07'31" West,
12 1.873 meters (6.15 feet) to a point on a non-tangent curve in said southwesterly line, concave
13 northeasterly, having a radius of 36.575 meters (120.00 feet), a radial line to said point bears
14 South 30°05'08" West; thence northwesterly along said non-tangent curve, 0.928 meters (3.04
15 feet) through a central angle of 1°27'10"; thence continuing along said southwesterly line,
16 North 44°45'45" West, 6.255 meters (20.52 feet) to the POINT OF BEGINNING.

17 / / /

18 Together with all of the existing improvements which are located partially within and partially
19 outside the boundaries of the above-described parcel, together with the right and easement to
20 enter upon the owner's remaining land outside the boundaries of said parcel at any time within 120
21 days after the date of possession is authorized as indicated in the order of possession, or within
22 120 days after Final Judgement in Condemnation, for the purpose of removing all of the said
23 existing improvements.

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28 (continued)

1 Parcel 18092-3 (page 2)

2 The bearings and distances used in the above description are on the California
3 Coordinate System of 1983 Zone 6. Multiply distances shown by 1.000022150 to obtain the
4 ground level distance.

5 / / /

6 This real property description has been prepared by me or under my direction in
7 conformance with the Land Surveyor's Act.

8
9 Signature:


Professional Land Surveyor



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11 Date: July 23, 2003

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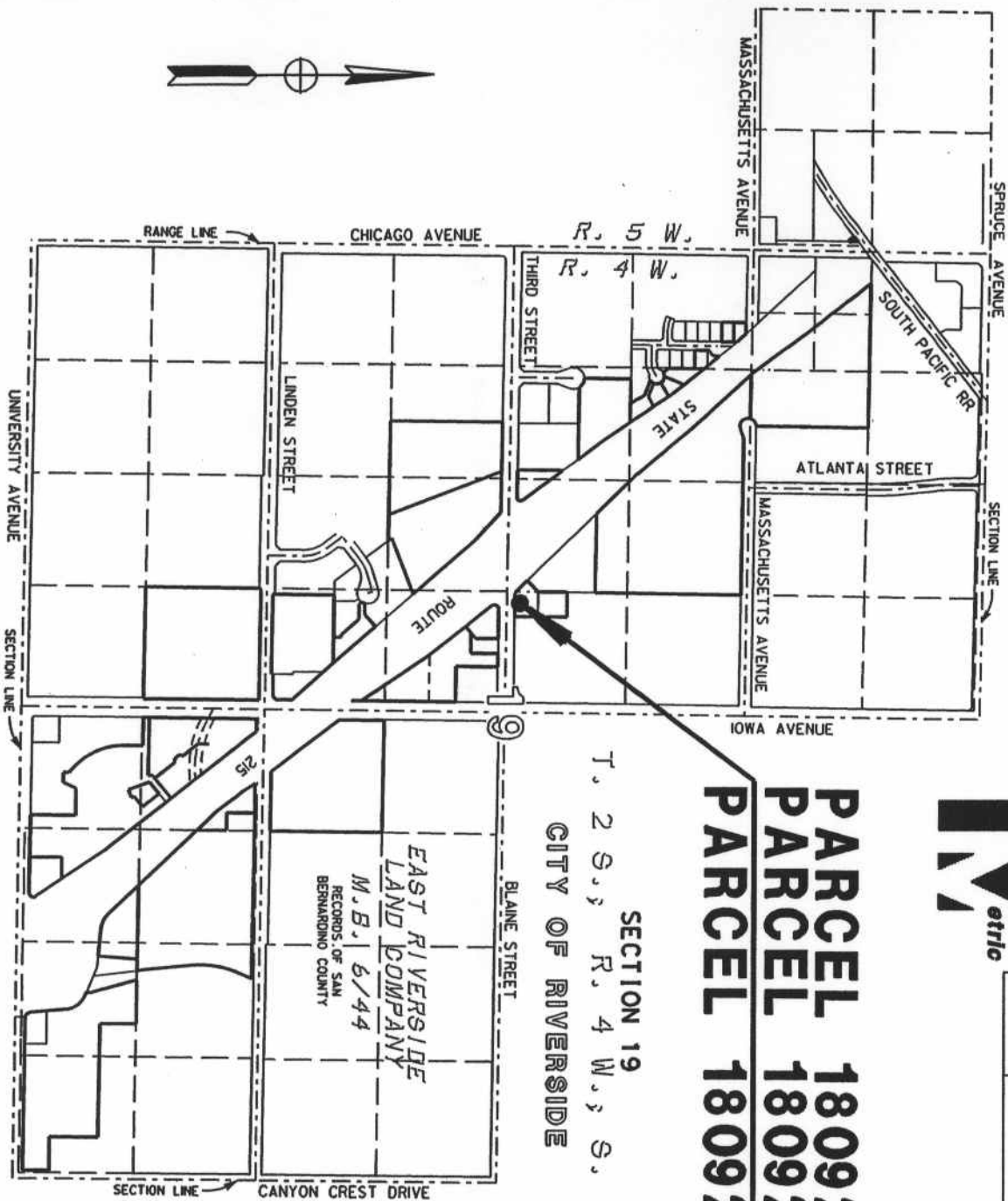


DIST.	COUNTY	ROUTE	KILOMETER POST
08	Riv	215	67.84

EXHIBIT "A"

PARCEL 18092-1 FEE
PARCEL 18092-2 T.C.E.
PARCEL 18092-3 P.U.E.

SECTION 19
T. 2 S., R. 4 W., S. B. M.,
CITY OF RIVERSIDE



EAST RIVERSIDE
LAND COMPANY
M.B., 6/44
RECORDS OF SAN
BERNARDINO COUNTY

**RESOLUTION OF
NECESSITY MAP**

STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING
DEPARTMENT OF TRANSPORTATION

NO SCALE

CITY OF RIVERSIDE

T.2 S., R.4 W., S.B.M.

SECTION 19



DIST.	COUNTY	ROUTE	KILOMETER POST
08	RIV	215	67.84

EXHIBIT "B"

PARCEL 1

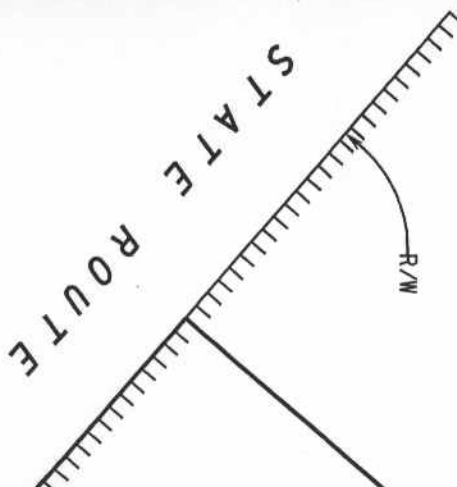
PARCEL 3

R.S. 55/44

PARCEL 2

DEED REC. 8/3/1992
AS INST. NO. 286286 O.R.

PARCEL 18092-1



$\Delta = 4^\circ 35' 30''$
 $R = 36.575m (120.00')$
 $L = 2.931m (9.62')$
 $RB = S25^\circ 29' 38'' W$

**R.W. BEGIN
ACCESS CONTROL**

S87°07'31"E 36.375m (119.34')
 27.294m (89.55')
 33.740m (110.70')
 N89°13'03"W

N89°13'03"W
 5.543m (18.19')

P.O.B.

BLAINE STREET



STATE OF CALIFORNIA
 BUSINESS, TRANSPORTATION AND HOUSING AGENCY
 DEPARTMENT OF TRANSPORTATION
**RESOLUTION OF
 NECESSITY MAP**



SCALE 1:500

CITY OF RIVERSIDE

T. 2 S., R. 4 W., S. B. M.,
SECTION 19



DIST.	COUNTY	ROUTE	KILOMETER POST
08	RIV	215	67.84

EXHIBIT "C"

PARCEL 1

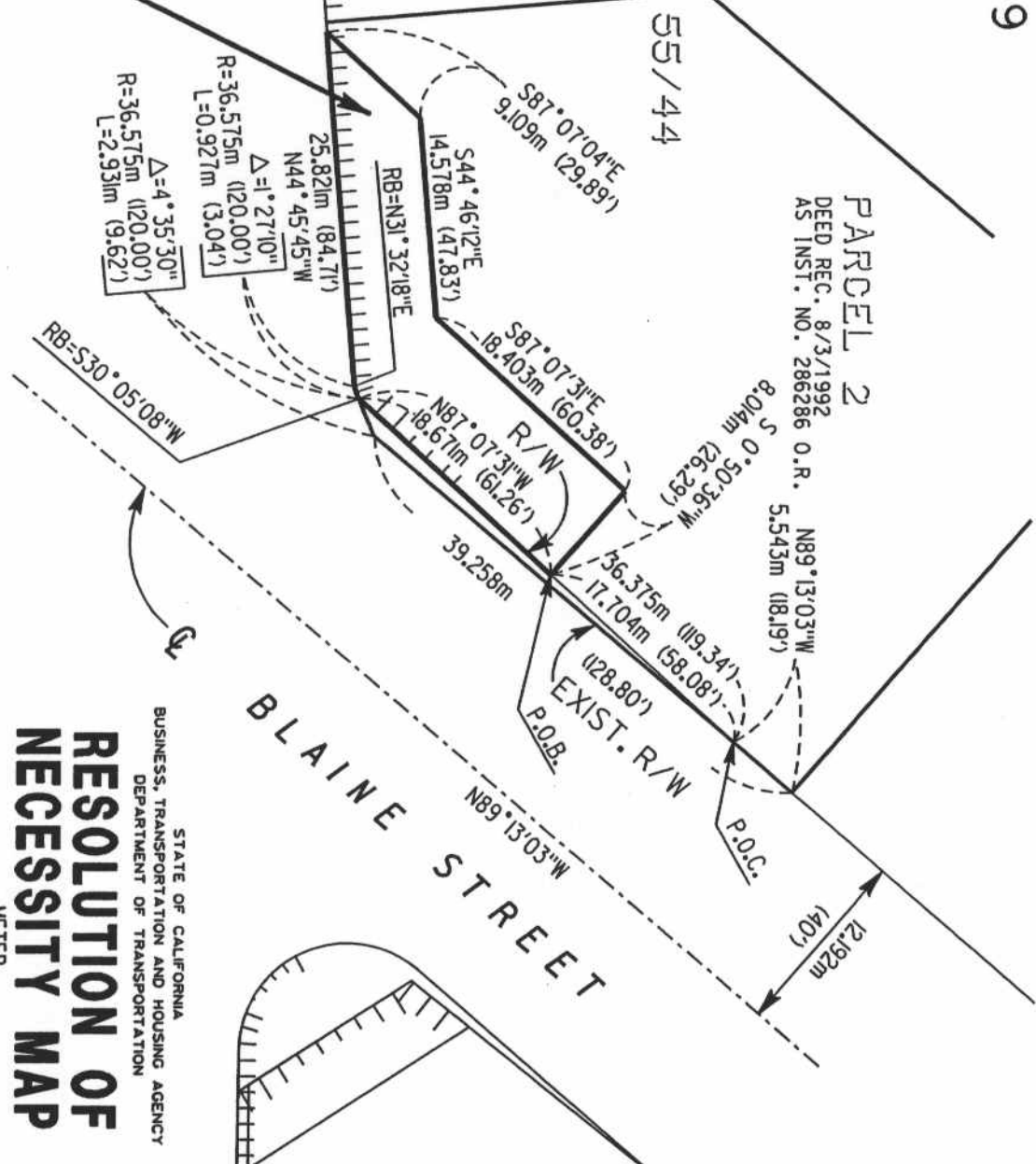
R. S., 55/44

PARCEL 2

DEED REC. 8/3/1992
AS INST. NO. 286286 O.R.

PARCEL 18092-2
(T.C.E.)

STATE ROUTE 215



STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION
**RESOLUTION OF
NECESSITY MAP**
METER



SCALE 1:500

CITY OF RIVERSIDE
T. 2 S., R. 4 W., S.B.M.



DIST.	COUNTY	ROUTE	KILOMETER POST
08	RIV	215	67.84

EXHIBIT "D"

SECTION 19

PARCEL 1

R.S. 55/44

PARCEL 18092-3

P.U.E.

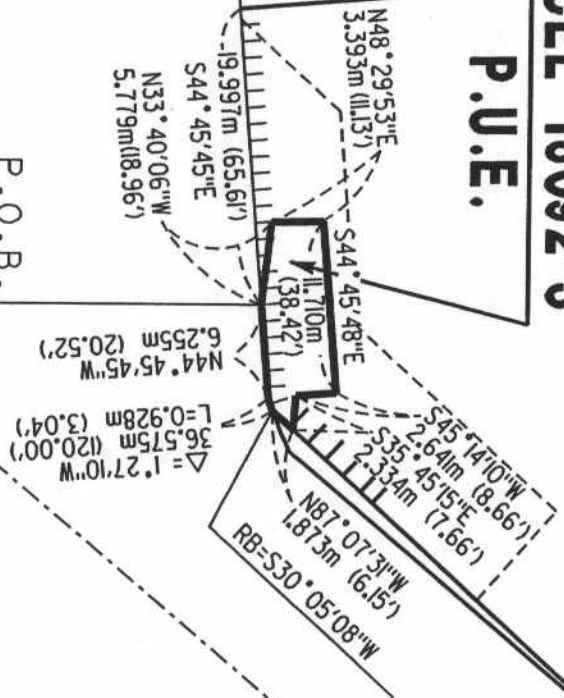
PARCEL 2

DEED REC. 8/3/1992
AS INST. NO. 286286 O.R.

STATE ROUTE 215

EXIST.
R.W.

P.O.B.



BLAINE ST.

STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION
**RESOLUTION OF
NECESSITY MAP**



12/22/2003 MON 11:31 FAX 2138975603

CalTRANS

002



NEUMEYER & DILLION LLP
ATTORNEYS AT LAW

karen.lee@ndll.com

File No.:
956.103

December 19, 2003

Via Facsimile

Mr. Paul Lamond
Department of Transportation
120 South Spring Street
Los Angeles, CA 90012-3606

Re: Rayson Associates
Property: 5720 Sycamore Canyon Blvd., Riverside, CA
Board Hearing Date: January 5, 2004

Dear Mr. Lamond:

This correspondence is to confirm that Rayson Associates consents to the Board Hearing scheduled for January 6, 2004. Your letter, however, did not indicate a time. If your office will kindly let us know, we will appreciate it.

Sincerely,

Peggy K. Wolverson,
secretary to
Karen J. Lee

/pkw

110847.1

305 DDOVE STREET	100 WELSHIRE BLVD
5 TH FLOOR	SUITE 1350
NEWPORT BEACH CA 92660	DANTA MGHQA CA 90401
T 949 854 7000	F 310 804 8228
F 949 854 7099	F 310 804 8228



NEWMAYER & DILLION LLP
ATTORNEYS AT LAW

karen.lee@ndll.com

File No.:
956.103

December 19, 2003

Via Facsimile

Mr. Paul Lamond
Department of Transportation
120 South Spring Street
Los Angeles, CA 90012-3606

Re: Rayson Associates
Property: 5720 Sycamore Canyon Blvd., Riverside, CA
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Dear Mr. Lamond:

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Sincerely,

Peggy K. Wolverton,
secretary to
Karen J. Lee

/pkw

310847.1

895 DOVE STREET	100 WELSHIRE BLVD.
5TH FLOOR	SUITE 1350
NEWPORT BEACH CA 92660	SANTA MONICA CA 90401
T 949 854 7000	T 310 805 6755
F 949 854 7099	F 310 805 6750