

622

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

835A



FROM: Department of Facilities Management

SUBMITTAL DATE:
January 7, 2004

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 2004-025, 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 January 6, 2004, the Board adopted the Resolution for the Notice of Intent to Condemn Real Property for Caltrans Parcel Number 19011 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:db
8.834

Michael J. Sylvester
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	

C.E.O. RECOMMENDATION:
APPROVE

County Executive Office Signature *Kevin D. Hummer*

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

Prev. Agn. Ref.: 1/6/04, 3.14 | District: 1, 2, 5 | Agenda Number:

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

9.4

STAMP: COUNTY OF RIVERSIDE, JAN 12 6 41 PM '04, OFFICE EXECUTIVE

2 RESOLUTION NO. 2004-025

3 AUTHORIZING CONDEMNATION OF REAL PROPERTY
4 FOR I-215/60/91 FREEWAY IMPROVEMENT PURPOSES

5 BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the Board of
6 Supervisors of Riverside County, State of California, in regular session assembled on
7 January 27, 2004, at least four-fifths of all members concurring, as follows:
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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,
11 in 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.
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14 2. That the authority for the County to acquire the real property by
15 eminent domain is contained in Article 1, Section 19 of the California Constitution;
16 Sections 102 and 760 of the Streets and Highways Code; Section 25350.5 of the
17 Government Code; Sections 1240.010, 1240.020, 1240.030, 1240.110, and 1240.420 of
18 the Code of Civil Procedure.

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 the
21 Interstate 215/91/60 Sequencing Project, for road improvement purposes, including
22 construction and maintenance, and for other uses incidental thereto and required.
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24 5. That the real property sought to be condemned is necessary for the
25 construction of the public improvement and is located adjacent to Interstate 215, State
26 Route 91 and State Route 60 in the County of Riverside, State of California, generally
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1 described as Assessor's Parcel Number 256-050-007 and 256-050-008, also known as
2 Caltrans Parcel Number 19011, and a specific description of the real property and the
3 interests sought to be condemned are set forth in Exhibit "A", attached hereto and by
4 this reference made a part hereof.

5
6 6. That the public improvement is planned and located in the manner
7 that will be most compatible with the greatest public good and the least private injury.

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

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