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

FROM: Economic Development Agency

SUBMITTAL DATE:
February 10, 2004

SUBJECT: Adoption of Resolution No. 2004-100, Notice of Intent to Condemn Real Property for the Cabazon Refueling Station Project.

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2004-100 Notice of Intent to Condemn Real Property for the Cabazon Refueling Station Project; and
2. Set a public hearing on March 30, 2004, to hear comments from affected property owners; and
3. Authorize and direct the Clerk of the Board to give notice as required.

BACKGROUND: On June 25, 2003, the Board of Directors of the Redevelopment Agency and Board of Supervisors of the County of Riverside, Items 3.12 and 4.1 approved and authorized the purchase of the site for construction of a new County Refueling Station. Assessor's Parcel Number 526-023-005 was identified as one of the properties needed for the proposed public improvement. (continued on next page)

Departmental Concurrence

Bradley J. Hudson
Bradley J. Hudson, Assistant County Executive Officer/EDA

BJH:RZ:DML:AMV:AMG:sj
F:\Shared\RealProperty\Real Property\DIST5\03-5-076.condempck.doc

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 171,000.00 ,plus escrow costs	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ N/A	For Fiscal Year:	2003/2004

SOURCE OF FUNDS: MID-COUNTY CAPITAL IMPROVEMENT FUND	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 *Bronna King*

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

500 FEB 52 11:33
COUNTY OF RIVERSIDE
RECEIVED

CORRECTIONAL DEPARTMENT
FEB 50 11:20 AM '04
OFFICE EXECUTIVE

**Form 11 – Adoption of County Resolution No. 2004-100, Notice of Intent to Condemn
Real Property for the Cabazon Refueling Station Project.**

February 10, 2004

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BACKGROUND (continued): Currently, there are no readily accessible fleet services operations between Riverside and Indio. A refueling station in Cabazon will provide a fuel stop midway between Riverside and Indio for County employees traveling along Interstate 10. In addition, the proposed public improvement will provide a convenient fueling location for staff working at the just completed Cabazon Sheriff Station.

An offer has been made has been made to the property owner, but no settlement has been reached as of this date. Notice of the County's intent to exercise its eminent domain powers has been given as required. Negotiations with the property owners will continue in hopes of reaching a mutually acceptable agreement.

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3 COUNTY RESOLUTION NO. 2004-100
4 NOTICE OF INTENT TO CONDEMN REAL PROPERTY FOR THE CABAZON REFUELING
5 STATION PROJECT

6 BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the Board of
7 Supervisors of the County of Riverside, State of California, in regular session assembled on
8 March 2, 2004, and NOTICE IS HEREBY GIVEN as follows:

9 1. That this Board intends to adopt a resolution of necessity authorizing the
10 condemnation of Assessor's Parcel Number 526-023-005 for the Cabazon Refueling Station
11 Project, shown on the Assessor's Map on file in the Office of the Clerk of the Board, and to hold
12 a public hearing on March 30, 2004, at 9:30 a.m. in the meeting room of the Board of
13 Supervisors located on the 1st floor, County Administrative Center, 4080 Lemon Street,
14 Riverside, California, at which time each person whose real property is sought to be condemned
15 and whose name and address appears on the last equalized County Assessment Roll and who
16 has filed a timely written request to appear and be heard, will be given an opportunity to be
17 heard on the following matters:

18 a. Whether the public interest and necessity require the construction
19 of the public improvement.

20 b. Whether the public improvement is planned and located in the
21 manner that will be most compatible with the greatest public good and the least private injury.

22 c. Whether the real property sought to be acquired is necessary for
23 the construction of the public improvement.

24 2. That the failure of any person, whose real property is sought to be
25 condemned, to file a written request to appear and be heard with the Clerk of the Board within
26 15 days after a copy of the resolution is mailed to, or personally served upon such person, will
27 result in his or her waiver of the right to appear and be heard.

28 BE IT FURTHER RESOLVED that the Clerk of the Board shall cause a copy of
this resolution and a copy of the Assessor's Map to be mailed to or personally served upon each

1 person whose real property is sought to be condemned and whose name and address appears
2 on the last equalized County Assessment Roll.

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FORM APPROVED
COUNTY COUNSEL

FEB 19 2004

BY 
ASSISTANT COUNTY COUNSEL

EXHIBIT "A"

FEE SIMPLE ESTATE IN THE REAL PROPERTY IN THE CABAZON AREA, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

LOT 160 OF CABAZON RANCHO SUBDIVISION NO. 2 IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP ON FILE IN BOOK 8 PAGE 63 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.