

646

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

433
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FROM: Department of Facilities Management

SUBMITTAL DATE:
February 24, 2004

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. 2004-105, Notice of Intent to Condemn Real Property for Caltrans Parcel 17729 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. 2004-106, Authorizing Condemnation of Real Property for Freeway Improvement Purposes, on April 6, 2004.

Departmental Concurrence

Resolution 2004-105 will supercede and replace Resolution No. 2003-58, Notice of Intention to Condemn Real Property, approved by the Board on February 11, 2003 as Agenda Item No. 3.10. Resolution No. 2003-58, Authorizing Condemnation, approved by the Board on March 18, 2003 as Agenda Item No. 9.1, will be superceded by Resolution No. 2004-106, should the Board approve Resolution No. 2004-105. The superceding and replacement of these Resolutions is requested by Caltrans in order to change from a partial take to a full take, which requires a new legal description and map.

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.

MICHAEL J. SYLVESTER, Director
Department of Facilities Management

MJS:JMP:JS:db
8.903

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 type="checkbox"/>

C.E.O. RECOMMENDATION:
APPROVE

County Executive Office Signature

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

CORRIDA OF RIVERSIDE
FEB 30 11:21
OFFICE EXECUTIVE

3007 WVB -3 6WIS: 0J
RECEIVED RIVERSIDE COUNTY

Prev. Agn. Ref.: 2/11/03, #3.10; 3/1/03, #.1 | **District:** 1, 2, 5 | **Agenda Number:**

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

3.20

RESOLUTION NO. 2004-105

NOTICE OF INTENTION TO CONDEMN REAL PROPERTY
FOR FREEWAY IMPROVEMENT PURPOSES

BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the Board of Supervisors of Riverside County, State of California, in regular session assembled on March 9, 2004, and NOTICE IS HEREBY GIVEN as follows:

1. That this Board approve Resolution No. 2004-105, which will supercede and replace Resolution No. 2003-58, Notice of Intention to Condemn Real Property, approved by the Board on February 11, 2003 as Agenda Item No. 3.10. Resolution No. 2003-65, Authorizing Condemnation, approved by the Board on March 18, 2003 as Agenda Item No. 9.1, will be superceded by Resolution No. 2004-106, Authorizing Condemnation, should the Board approve Resolution No. 2004-105. The superceding and replacement of these Resolutions is requested by Caltrans to replace a partial take area with a full take, which requires a new legal description and plat map to be approved by the property owner and new action by the Board of Supervisors.

2. That this Board consider passing a resolution of necessity authorizing the condemnation of certain parcels of real property for freeway improvement purposes described as Assessor's Parcel Number 209-020-024, also known as Caltrans Parcel #17729, shown as legal descriptions and plat maps on file in the Office of the Clerk of the Board, and located in Riverside, and to hold a public hearing on April 6, 2004,

1 RESOLUTION NO. 2004-105
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4 at 9:30 a.m. in the meeting room of the Board of Supervisors located on the 1st Floor,
5 County Administrative Center Annex, 4080 Lemon Street, Riverside, California, at which
6 time the person or entity whose real property is sought to be condemned and whose
7 name and address appears on the last equalized County Assessment Roll and who has
8 filed a timely written request to appear and be heard, will be given an opportunity to be
9 heard on the following matters:
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12 a. Whether the public interest and necessity require the construction
13 of the public improvement.
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15 b. Whether the public improvement is planned and located in the
16 manner that will be most compatible with the greatest public good and the least private
17 injury.
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20 c. Whether the real property sought to be acquired is necessary for
21 the construction of the public improvement.
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23 3. That the failure of any person, whose real property is sought to be
24 condemned, to file a written request to appear and be heard with the Clerk of the Board
25 within 15 days after a copy of the resolution is mailed to, or personally served upon
26 such person, will result in his or her waiver of the right to appear and be heard.
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RESOLUTION NO. 2004-105

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

FEB 25 2004

BY 
ASSISTANT COUNTY COUNSEL

JS:db
2/24/04
098FM
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