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



**FROM:** Department of Facilities Management

**SUBMITTAL DATE:**  
April 15, 2004

**SUBJECT:** NOTICE OF INTENTION TO CONDEMN REAL PROPERTY FOR STREET WIDENING PURPOSES, COUNTY COUNSEL/ COMMUNITIES SOUTHWEST SECOND SUPERVISORIAL DISTRICT

**RECOMMENDED MOTION:** : That the Board of Supervisors approve Resolution No. 2004-178, Notice of Intention to Condemn Real Property for Road Purposes, and to set a public hearing for Resolution No. 2004-179, Authorizing Condemnation of Real Property for Street Widening Purposes, on May 18, 2004.

**BACKGROUND:** The Limonite/Wineville Road Project was approved (according to conditions on Tract Map 29213), requiring a fee acquisition and a temporary construction easement. Negotiations have been conducted with the property owner, but have been unsuccessful to date. (Continued on Page 2)

MJS:JRF:db  
8.980

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: Costs reimbursed 100% by developer.	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

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

Prev. Agn. Ref.: | District: 2 | Agenda Number:

3.45

**BOARD OF SUPERVISORS**

**Form 11: NOTICE OF INTENTION TO CONDEMN REAL PROPERTY FOR STREET WIDENING  
PURPOSES, COUNTY COUNSEL/ COMMUNITIES SOUTHWEST SECOND  
SUPERVISORIAL DISTRICT**

April 15, 2004

Page 2

**BACKGROUND:** (Continued)

The Board previously authorized the condemnation of the subject property pursuant to Resolutions Nos. 2003-131 and 2003-132. However, the Superior Court found the prior Resolution of Necessity improperly adopted, and, thereby, requiring the adoption of a new Resolution of Necessity as provided by the attached Resolution No. 2004-178.

2 RESOLUTION NO. 2004-178

3 NOTICE OF INTENTION TO CONDEMN REAL PROPERTY  
4 FOR STREET WIDENING PURPOSES

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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 April 20, 2004, and NOTICE IS HEREBY GIVEN as follows:

9 THAT, this Board intends to adopt a resolution of necessity authorizing the  
10 condemnation of that certain parcel of real property for street widening purposes  
11 described as a portion of Assessor's Parcel Number 157-250-010, shown as legal  
12 descriptions and plat maps on file in the Office of the Clerk of the Board, and located in  
13 the Mira Loma area, and to hold a public hearing on May 18, 2004, at 9:30 a.m. in the  
14 meeting room of the Board of Supervisors located on the 1st Floor, County  
15 Administrative Center, 4080 Lemon Street, Riverside, California, at which time each  
16 person whose real property is sought to be condemned and whose name and address  
17 appears on the last equalized County Assessment Roll and who has filed a timely  
18 written request to appear and be heard, will be given an opportunity to be heard on the  
19 following matters:

- 20 a. Whether the public interest and necessity require the construction of the
- 21 project.
- 22 b. Whether the project is planned and located in the manner that will be most
- 23 compatible with the greatest public good and the least private injury.
- 24 c. Whether the property sought to be acquired is necessary for the project.

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

FORM APPROVED  
COUNTY COUNSEL

APR 15 2004

*B.T.M.*

1 BE IT FURTHER RESOLVED that the Clerk of the Board shall cause a copy of  
2 this resolution and a copy of the legals and plats to be mailed to or personally served  
3 upon each person whose real property is sought to be condemned and whose name  
4 and address appears on the last equalized County Assessment Roll.

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JRF:db  
4/15/04  
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