

**SUBMITTAL TO THE BOARD OF DIRECTORS OF THE  
REDEVELOPMENT AGENCY  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

202



**FROM:** Redevelopment Agency

**SUBMITTAL DATE:**  
March 9, 2004

**SUBJECT:** Adoption of RDA Resolution No. 2004-17 Authorization to Condemn Real Property for the County Fleet Services Project.

**RECOMMENDED MOTION:** That the Board of Directors:

1. Hold a public hearing to review comments from those persons affected by this project;
2. Adopt RDA Resolution No. 2004-17, Authorization to Condemn Real Property for the County Fleet Services Project; and
3. Authorize and direct the Executive Director of the Redevelopment Agency to take the necessary actions to proceed with eminent domain activities.

**BACKGROUND:** On August 19, 2003 the Board of Directors of the Redevelopment Agency for the County of Riverside, approved the proposed five (5) acre site located on north side of Mission Boulevard between Crestmore Road and Daly Avenue for the County Fleet Services Project. Assessor's Parcel Number 179-300-005, 179-300-006, 179-300-007 and 179-300-016 are a part of the proposed five-acre site.  
(continued on next page)

*Bradley J. Hudson*  
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Bradley J. Hudson, Executive Director

BJH:RZ:DML:AMV:REW:sj  
F:\Shared\RealProperty\Real Property\DIST\04-2-114.condemnpckge.doc

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 370,000	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ -0-	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ -0-	For Fiscal Year:	2003/2004

**COMPANION ITEM ON BOARD OF SUPERVISORS AGENDA:** No

<b>SOURCE OF FUNDS: JURUPA VALLEY REDEVELOPMENT IMPROVEMENT FUNDS</b>	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** *Rhonda King*

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

**Prev. Agn. Ref.: #** , 3-30-04 | **District: 2** | **Agenda Number:**

4.2

**BACKGROUND** (continued):

As part of the Agency's acquisition efforts, the Agency has already acquired fourteen (14) parcels out of the eighteen (18) parcels, which make up the needed five acre project site. The acquisition of Assessor's Parcel Number 179-300-005, 179-300-006, 179-300-007 and 179-300-016 are also needed to accommodate the new County Fleet Service's building and grounds.

Riverside County Fleet Services and the Redevelopment Agency are proposing to work jointly to develop a new refueling station in the unincorporated area of Rubidoux. Riverside County Fleet Services has outgrown the existing outdated facility. A new facility will provide all County employees with a convenient location for refueling and maintenance services. The proposed program for the facility will include most of the vehicle maintenance services for western Riverside County, parking for 175 vehicles, approximately 12 maintenance bays (2 for a joint effort with job training), 2 truck bays and a car wash. There will be a fueling island for gas, diesel, CNG, propane and hydrogen fuels. Approximately 5,000 square feet of office space will include the director's office and space for operations, administration, IT functions, dispatch and safety. The facility will have an 800 square foot training room adjacent to the training bays with one office for the trainer.

Notice of today's hearing was given pursuant to RDA Resolution No. 2004-16, adopted by the Board on 3/30/2004. The statutory offer was made to the property owner but no settlement has been reached. Negotiations will continue in hopes of reaching an agreement.

Staff recommends adoption of RDA Resolution No. 2004-17 as stated and is available to answer questions for the Board.

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3 RDA RESOLUTION NO. 2004-17  
4 AUTHORIZATION TO CONDEMN REAL PROPERTY FOR  
THE COUNTY FLEET SERVICE PROJECT

5 BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the Board of Directors  
6 of the Redevelopment Agency for the County of Riverside, State of California, not less than  
7 four-fifths of all members concurring, in regular session assembled on April 20, 2004, as follows:

8 1. That notice of intent to adopt this resolution was given to each person,  
9 whose hereinafter described real property is to be acquired by eminent domain, in accordance  
10 with Section 1245.235 of the Code of Civil Procedure and a hearing was conducted by the  
11 Board of the matters contained herein.

12 2. That the authority for the Agency to acquire the real property by eminent  
13 domain is contained in Article 1, Section 19 of the California Constitution; Title 7, Part III of the  
14 Code of Civil Procedure; Sections 33342, 33367, and 33391 of the Community Development  
15 Law; Section 25350.5 of the Government Code; Sections 1230.01 et seq.; 1240.010 thru  
16 1240.050, 240.110, and 1240.420 of the Code of Civil Procedure.

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

18 4. That the use for which the real property is to be taken for, and for other  
19 uses incidental thereto and required thereby in order to complete the project being known as  
20 Fleet Services Project.

21 5. That the real property sought to be condemned is necessary for the  
22 construction of the public improvement and is located in the Rubidoux area, County of  
23 Riverside, State of California, generally described as Assessor's Parcel Number 179-300-005,  
24 179-300-006, 179-300-007, and 179-300-016, which is located within that portion of Lot 7, 55, 5,  
25 6, and 56 of Rubidoux Vista Tract, in the County of Riverside, State of California, as per map  
26 recorded in Book 13, Page 27 of Maps, in the Office of the County Recorder, and a specific  
27 legal description of the real property and the interests sought to be condemned are set forth in  
28 Exhibit "A", attached hereto and by this reference made a part hereof.

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

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

5           BE IT FURTHER RESOLVED that the Agency Counsel of the Redevelopment Agency  
6 for the County of Riverside is hereby authorized and empowered:

7           1.       To acquire in the name of the Redevelopment Agency, fee simple title by  
8 condemnation in accordance with the Constitution and laws relating to eminent domain.

9           2.       To prepare and prosecute in the name of the Agency such proceedings in  
10 the proper court having jurisdiction thereof as are necessary for such acquisition.

11           3.       To make application to the Court for an order to deposit the probable  
12 amount of compensation out of proper funds under the control of the Agency into the County  
13 Treasury and for an order permitting the Agency to take prejudgment possession and use the  
14 real property for the purpose of constructing the public improvement.

15           4.       To compromise and settle such proceedings, if such settlement can be  
16 reached, and in that event, to take all necessary action to complete the acquisition, including  
17 stipulations as to judgment and other matters, and causing all payments to be made.

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FORM APPROVED  
COUNTY COUNSEL

MAR 15 2004

BY   
ASSISTANT COUNTY COUNSEL

## EXHIBIT "A"

**FEE SIMPLE ESTATE** in the real property in the Rubidoux area, County of Riverside, State of California, described as follows:

**PARCEL 1:**

**APN: 179-300-007**

LOTS 7 AND 55 OF RUBIDOUX VISTA TRACT, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 13, PAGE 27 OF MAPS, RECORDS OF RIVERSIDE COUNTY.

EXCEPT THEREFROM THE SOUTHWESTERLY 37 FEET ON SAID LOT 7.

**PARCEL 2:**

**APN: 179-300-005**

LOT 5 RUBIDOUX VISTA TRACT, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 13 PAGE 27 OF MAPS, RIVERSIDE COUNTY RECORDS.

EXCEPT THE SOUTHWESTERLY 37 FEET AS DEEDED TO THE STATE OF CALIFORNIA BY DEED RECORDED AUGUST 23, 1940 AS INSTRUMENT NO. 3411.

**PARCEL 3.**

**APN: 179-300-006**

LOT 6 RUBIDOUX VISTA TRACT, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 13 PAGE 27 OF MAPS, RIVERSIDE COUNTY RECORDS.

EXCEPT THE SOUTHWESTERLY 37 FEET AS DEEDED TO THE STATE OF CALIFORNIA BY DEED RECORDED AUGUST 22, 1940 IN BOOK 471 PAGE 365 OF OFFICIAL RECORDS.

SAID LAND IS ALSO SITUATED IN THE UNINCORPORATED AREA OF RIVERSIDE COUNTY.

**PARCEL 4:**

**APN: 179-300-016**

LOT 56 OF RUBIDOUX VISTA TRACT, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 13 PAGE 27 OF MAPS, RIVERSIDE COUNTY RECORDS.

SDOP W/3 ST VW10:32  
RUBIDOUX VISTA TRACT  
RIVERSIDE COUNTY