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

FROM: Department of Facilities Management and
Transportation Department

SUBMITTAL DATE:
March 30, 2004

SUBJECT: RESOLUTION NO. 2004-121, AUTHORIZING CONDEMNATION OF REAL PROPERTY FOR ROAD AND UTILITY PURPOSES FOR THE CANTU-GALLEANO RANCH ROAD (FORMERLY KNOWN AS GALENA STREET) PROJECT

RECOMMENDED MOTION: That the Board of Supervisors approve Resolution No. 2004-121 - Authorizing Condemnation of Real Property for Road and Utility Purposes for the Cantu-Galleano Ranch Road (formerly known as Galena Street) Project.

BACKGROUND: The County of Riverside, Transportation Department, is preparing to install an interchange on Interstate 15 at Cantu-Galleano Ranch Road. The Department of Facilities Management, Real Property Division, has been attempting to acquire the right of way required for the improvement. Settlement has not been reached with the property owners and negotiations are still in process. Resolution No. 2004-120, Notice of Intent to Condemn Real Property for Road and Utility Purposes for the Galena Street and Interstate 15 Project was approved by the Board on March 30, 2004.

Departmental Concurrence

George A. Johnson

Michael J. Sylvester

GEORGE A. JOHNSON, Director
Transportation Department
GAJ:MJS:JMP:db
8.943

MICHAEL J. SYLVESTER, Director
Department of Facilities Management

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 6,074,000	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	03/04

SOURCE OF FUNDS: Federal Highway Demonstration Funds and Mira Loma Road and Bridge Benefit District W.O. A2-0421

Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

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

County Executive Office Signature

James G. Infante

COUNTY OF RIVERSIDE
MAY 31 11:29

OFFICE EXECUTIVE

MAY 11 11:30

RECEIVED RIVERSIDE COUNTY

2 RESOLUTION NO. 2004-121

3 AUTHORIZING CONDEMNATION OF REAL PROPERTY
4 FOR ROAD AND UTILITY PURPOSES FOR THE CANTU-GALLEANO RANCH ROAD
5 (FORMERLY KNOWN AS GALENA STREET) PROJECT

6 BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the Board of
7 Supervisors of Riverside County, State of California, not less than four-fifths of all
8 members concurring, in regular session assembled on April 27, 2004, as follows:

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.

13 2. That the authority for the County to acquire the real property by
14 eminent domain is contained in Article 1, Section 19 of the California Constitution;
15 Sections 940 and 943 of the Streets and Highways Code; Section 25350.5 of the
16 Government Code; Sections 1240.420 and Sections 1240.010, 1240.020, and 1240.110
17 of the Code of Civil Procedure.

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

19 4. That the use for which the real property is to be taken is for
20 roadway and drainage improvements, and for other uses incidental thereto and required
21 thereby in order to complete the project being known as Galena Street and Interstate
22 15.

23 5. That the real property sought to be condemned is necessary for the
24 construction of the public improvement and is located entirely within the boundaries of
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1 the County of Riverside, State of California, known as Parcels 0421-001A, 0421-001B,
2 0421-001C, also described as a portion of Assessor's Parcel Number 160-020-020;
3 Parcel 0421-002, also described as a portion of Assessor's Parcel Number 160-020-
4 008; Parcel 0421-003, also described as a portion of Assessor's Parcel Number 160-
5 040-001 Parcel 0421-005, also described as a portion of Assessor's Parcel Number
6 160-020-014; Parcel 17417, also described as a portion of Assessor's Parcel Number
7 160-020-010; Parcel 17418, also described as a portion of Assessor's Parcel
8 Number 160-020-020; Parcel 17419, also described as a portion of Assessor's Parcel
9 Numbers 160-040-001 and 160-040-007, which are located in the Mira Loma area of
10 the County of Riverside, and a specific description of the real property and the interests
11 sought to be condemned are set forth in Exhibits "A" and " B", attached hereto and by
12 this reference made a part hereof.
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14
15 6. That the public improvement is planned and located in the manner
16 that will be most compatible with the greatest public good and the least private injury.

17 7. That the offer required by Section 7267.2 of the Government Code
18 has been made to the owner or owners of record.
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20 BE IT FURTHER RESOLVED that the County Counsel of the County of
21 Riverside is hereby authorized and empowered:
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23 1. To acquire in the name of the County, Fee Take and Road
24 Easements by condemnation in accordance with the Constitution and laws relating to
25 eminent domain.
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2. To prepare and prosecute in the name of the County such proceedings in the proper court having jurisdiction thereof as are necessary for such acquisition.

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

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

FORM APPROVED
COUNTY COUNSEL

MAR 23 2004

BY 
ASSISTANT COUNTY COUNSEL

JMP:db
3/16/04
8.939

EXHIBIT "A"

APN 160-020-020 (GRAINGER)

FEE SIMPLE TITLE in the real property in the Mira Loma area, County of Riverside, State of California, described as follows:

(FOR LEGAL DESCRIPTION, PLEASE SEE ATTACHED)

AN EASEMENT for public road, slope and drainage purposes, including public utility and public services purposes, over, upon, across, and within the real property in the County of Riverside, State of California, more particularly described as:

(FOR LEGAL DESCRIPTION, PLEASE SEE ATTACHED)

APN 160-020-008 AND 160-020-010 (Resort Holding, LLC)

FEE SIMPLE TITLE in the real property in the Mira Loma area, County of Riverside, State of California, described as follows:

(FOR LEGAL DESCRIPTION, PLEASE SEE ATTACHED)

AN EASEMENT for public road, slope and drainage purposes, including public utility and public services purposes, over, upon, across, and within the real property in the County of Riverside, State of California, more particularly described as:

(FOR LEGAL DESCRIPTION, PLEASE SEE ATTACHED)

APN 160-040-001 AND 160-040-007 (IDI)

FEE SIMPLE TITLE in the real property in the Mira Loma area, County of Riverside, State of California, described as follows:

(FOR LEGAL DESCRIPTION, PLEASE SEE ATTACHED)

APN 160-020-014 (LIAO)

FEE SIMPLE TITLE in the real property in the Mira Loma area, County of Riverside, State of California, described as follows:

(FOR LEGAL DESCRIPTION, PLEASE SEE ATTACHED)