

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

636



FROM: Economic Development Agency

SUBMITTAL DATE:
May 5, 2004

SUBJECT: Adoption of Resolution Number 2004-244, First Amendment to Acquisition Agreement between County of Riverside and North Peak Partners

RECOMMENDED MOTION: That the Board of Supervisors:

- (1) Approve attached Resolution Number 2004-244, which authorizes an amendment to the Board approved Acquisition Agreement, resulting in a reduction in the acreage to be acquired and the total purchase price;
- (2) Approve the attached First Amendment to Acquisition Agreement between the County of Riverside and North Peak Partners, and authorize the Chairman to execute the First Amendment to Acquisition Agreement; and
- (3) Authorize and direct the Assistant County Executive Officer/EDA or his designee to execute any related purchase documents and to take the necessary actions to complete this transaction.

BACKGROUND: On February 24, 2004, item #3.7, the Board of Supervisors authorized the purchase of 287 acres at a sales price of \$2,083,940.00 memorialized in an Acquisition Agreement between the County of Riverside and North Peak Partners. Subsequent to the execution of the Acquisition Agreement, North Peak Partners decided to reduce the acreage of the transaction. Therefore, the County will be acquiring 166.74 acres, rather than 287 acres, at the same price per/acre (\$7,250.00), resulting in a total purchase price of \$1,208,865.00. Staff recommends the approval of this Amendment, which will result in an Ordinance 810 fundina savings of \$875.075.00.

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

BJH:RZ:BJG:BB:BCS:sj
F:\Shared\RealProperty\Real Property\MSHCP\04-H-044.fm11.doc

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 1,208,865.00 plus escrow fees	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2003-2004

SOURCE OF FUNDS: Ordinance 810 funds	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.: Policy
- Per Exec. Ofc.: Policy
- Consent
- Consent

Prev. Agn. Ref.: 01/27/04, 3.18 & 02/24/04, 3.7 | **District:** 1 | **Agenda Number:**

3.8

2 COUNTY RESOLUTION NO. 2004-244
3 FIRST AMENDMENT TO ACQUISITION AGREEMENT
4 (First Supervisorial District)

5 WHEREAS, the County and North Peak Partners, agree to amend the
6 Acquisition Agreement, Board approved on 02/24/04, item #3.7;

7 WHEREAS, the County and North Peak Partners agree to reduce the
8 acreage to be acquired from 287 acres (shown in Exhibit "A") to 166.74 acres (shown on
9 Exhibit "B"), thus resulting in a reduction in purchase price from \$2,083,940.00 to
10 \$1,208,865.00;

11 WHEREAS, the County and North Peak Partners mutually agree that no
12 other changes are to be incorporated than those explicitly depicted in this Amendment;

13 WHEREAS, the acquisition of this property will assist the County in
14 providing open space for conservation of wildlife and plant life.

15 NOW THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED by the
16 Board of Supervisors of the County of Riverside, in regular session assembled on May
17 25, 2004, as follows:

18 1. That the Board of Supervisors hereby finds and declares that the above
19 recitals are true and correct.

20 2. That the County of Riverside is authorized to purchase real property in the
21 City of Lake Elsinore area for a sum of \$1,208,865.00.

22 3. That the Chairman of the Board of Supervisors is hereby authorized to
23 execute any and all documents necessary to purchase the real property from North
24 Peak Partners.

25 4. That the Assistant County Executive Officer/EDA of the County of
26 Riverside is hereby authorized to take the necessary actions and execute any related
27 documents to complete this purchase.

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FORM APPROVED
COUNTY COUNSEL

MAY 07 2004

BY 
ASSISTANT COUNTY COUNSEL

COPY

EXHIBIT "A"
LEGAL DESCRIPTION
LAND BANK PARCEL

BEING A PORTION OF SECTION 17, TOWNSHIP 5 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, AS SHOWN BY RECORD OF SURVEY ON FILE IN BOOK 89, PAGES 35 THROUGH 39, INCLUSIVE, RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, AND BEING LOTS 1 THROUGH 7, INCLUSIVE, LOT 25 AND A PORTION OF LOTS 64, 26, 160 AND 157 AS SHOWN BY RECORD OF SURVEY ON FILE IN BOOK 31, PAGES 78 THROUGH 82, RECORDS OF SURVEY, RECORDS OF SAID COUNTY, IN THE CITY OF LAKE ELSINORE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 17, SAID POINT BEING MARKED BY A 1/2-INCH IRON PIN WITH PUNCH MARK ON TOP FOUND 1.0' UP IN ROCK MOUND PER SAID RECORD OF SURVEY 89/35-39,

THENCE, ALONG THE EAST LINE OF SAID SECTION 17 AND THE EAST LINE OF SAID LOTS 1 THROUGH 7, INCLUSIVE, NORTH 01°25'59" WEST, A DISTANCE OF 1161.93 FEET TO THE NORTHEAST CORNER OF SAID LOT 7;

THENCE, ALONG THE NORTH LINE OF SAID LOT 7, NORTH 89°27'46" WEST, A DISTANCE OF 322.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 7 AND THE SOUTHWEST CORNER OF LOT 8;

THENCE, ALONG THE WEST LINE OF LOT 8 AS SHOWN BY SAID RECORD OF SURVEY 31/78-82, NORTH 01°23'31" WEST, A DISTANCE OF 166.22 FEET TO THE CORNER COMMON TO LOTS 8, 9 AND 24 AS SHOWN BY SAID RECORD OF SURVEY 31/78-82;

THENCE, ALONG THE SOUTH LINE OF SAID LOT 24, NORTH 89°25'16" WEST, A DISTANCE OF 321.88 FEET TO THE SOUTHWEST CORNER OF SAID LOT 24;

THENCE, ALONG THE WEST LINE OF LOTS 17 THROUGH 24 AS SHOWN BY SAID RECORD OF SURVEY 31/78-82, NORTH 01°21'03" WEST, A DISTANCE OF 1331.60 FEET TO THE NORTHWEST CORNER OF SAID LOT 17 AND THE SOUTHWEST CORNER OF LOT 54 AS SHOWN BY SAID RECORD OF SURVEY 31/78-82;

THENCE, ALONG THE WEST LINE OF LOTS 52 THROUGH 54, INCLUSIVE, AS SHOWN BY SAID RECORD OF SURVEY 31/78-82, NORTH 00°06'37" EAST, A DISTANCE OF 658.92 FEET TO THE CORNER COMMON TO SAID LOTS 51, 52 AND 55;

THENCE, ALONG THE SOUTH LINE OF SAID LOT 55 AND LOT 63 AS SHOWN BY SAID RECORD OF SURVEY 31/78-82, NORTH 89°21'50" WEST, A DISTANCE OF 646.63 FEET TO THE SOUTHWEST CORNER OF SAID LOT 63;

THENCE, ALONG THE WEST LINE OF LOTS 62 AND 63 AS SHOWN BY SAID RECORD OF SURVEY 31/78-82, NORTH 00°17'50" WEST, A DISTANCE OF 655.89 FEET TO THE CORNER COMMON TO LOTS 61 AND 62 AS SHOWN BY SAID RECORD OF SURVEY 31/78-82;

THENCE, DEPARTING SAID WEST LINE, NORTH 89°39'17" WEST, A DISTANCE OF 665.00 FEET;

THENCE SOUTH 10°13'39" EAST, A DISTANCE OF 280.00 FEET;
THENCE SOUTH 66°20'47" EAST, A DISTANCE OF 290.00 FEET;
THENCE SOUTH 32°19'14" EAST, A DISTANCE OF 360.00 FEET;
THENCE SOUTH 29°15'58" WEST, A DISTANCE OF 250.00 FEET;
THENCE SOUTH 14°58'52" EAST, A DISTANCE OF 170.00 FEET;
THENCE SOUTH 39°16'56" EAST, A DISTANCE OF 110.00 FEET;
THENCE SOUTH 05°21'46" EAST, A DISTANCE OF 200.00 FEET;
THENCE SOUTH 30°00'00" WEST, A DISTANCE OF 560.00 FEET;
THENCE SOUTH 68°23'54" WEST, A DISTANCE OF 165.00 FEET;
THENCE NORTH 63°19'23" WEST, A DISTANCE OF 480.00 FEET;
THENCE SOUTH 44°03'13" WEST, A DISTANCE OF 160.00 FEET;
THENCE SOUTH 34°00'00" WEST, A DISTANCE OF 360.00 FEET;
THENCE SOUTH 02°07'41" WEST, A DISTANCE OF 90.00 FEET;
THENCE SOUTH 52°48'22" EAST, A DISTANCE OF 290.00 FEET;
THENCE SOUTH 03°22'18" WEST, A DISTANCE OF 300.00 FEET;
THENCE SOUTH 43°00'00" WEST, A DISTANCE OF 85.00 FEET;
THENCE SOUTH 04°00'00" WEST, A DISTANCE OF 100.00 FEET;
THENCE SOUTH 38°00'00" WEST, A DISTANCE OF 140.00 FEET;
THENCE SOUTH 65°00'00" WEST, A DISTANCE OF 350.00 FEET;
THENCE NORTH 86°12'39" WEST, A DISTANCE OF 140.00 FEET;
THENCE SOUTH 61°42'05" WEST, A DISTANCE OF 145.00 FEET;
THENCE NORTH 69°09'54" WEST, A DISTANCE OF 270.00 FEET;
THENCE SOUTH 27°00'00" WEST, A DISTANCE OF 110.00 FEET;
THENCE SOUTH 52°00'00" EAST, A DISTANCE OF 250.00 FEET;
THENCE SOUTH 10°00'00" WEST, A DISTANCE OF 180.00 FEET;
THENCE SOUTH 38°00'00" WEST, A DISTANCE OF 260.00 FEET;

THENCE SOUTH 70°00'00" WEST, A DISTANCE OF 160.00 FEET;
THENCE SOUTH 45°00'00" WEST, A DISTANCE OF 112.00 FEET;
THENCE SOUTH 68°00'00" WEST, A DISTANCE OF 150.00 FEET;
THENCE NORTH 80°00'00" WEST, A DISTANCE OF 70.00 FEET;
THENCE NORTH 32°00'00" WEST, A DISTANCE OF 290.00 FEET;
THENCE NORTH 74°00'00" WEST, A DISTANCE OF 116.00 FEET;
THENCE SOUTH 67°12'38" WEST, A DISTANCE OF 150.00 FEET;
THENCE SOUTH 42°33'31" WEST, A DISTANCE OF 440.37 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 17 AND SAID LOT 157, SAID POINT BEARS NORTH 89°45'15" WEST A DISTANCE OF 121.31 FEET FROM THE SOUTHEAST CORNER OF LOT 157 AS SHOWN ON SAID RECORD OF SURVEY 31/78-82;
THENCE, ALONG THE SOUTH LINE OF SAID LOTS 157,26, 25, 1 AND SAID SECTION 17, SOUTH 89°45'15" EAST, A DISTANCE OF 2058.00 FEET TO THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 17 AS SHOWN BY SAID RECORD OF SURVEY 89/35-39;
THENCE, CONTINUING ALONG SAID SOUTH LINE, SOUTH 89°45'15" EAST, A DISTANCE OF 2582.25 FEET TO THE **POINT OF BEGINNING**.
DESCRIBED PARCEL CONTAINING 166.74 ACRES AND AS SHOWN ON ATTACHED EXHIBIT "B".



Prepared under the supervision of:

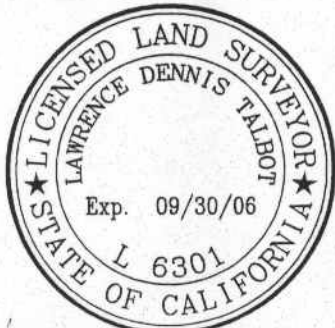
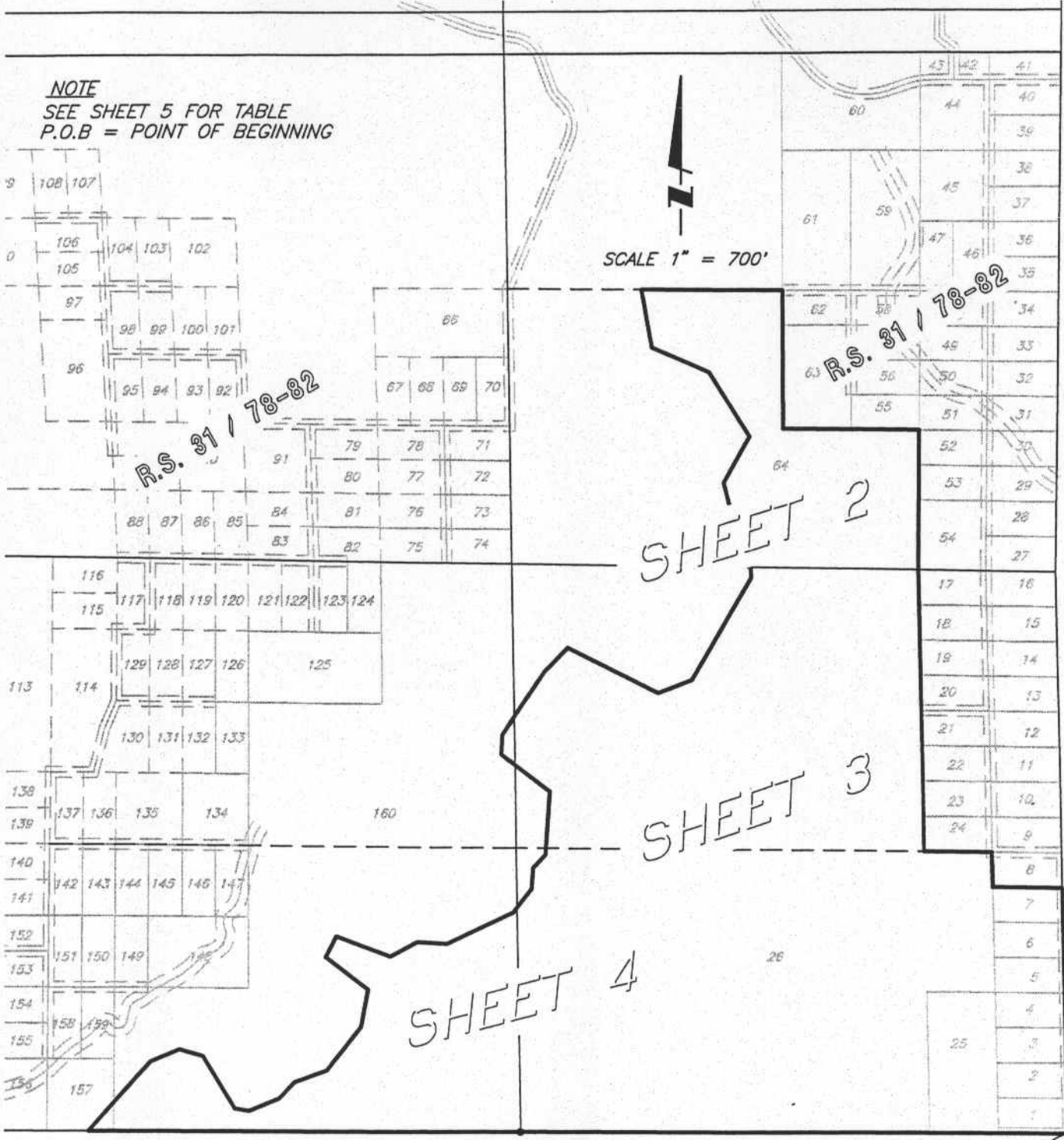
Lawrence D. Talbot Date: 1/21/04
Lawrence D. Talbot, P.L.S. #6301
Expires 09/30/06
THE KEITH COMPANIES, INC.
22690 Cactus Avenue, Suite 300
Moreno Valley, CA 92553
(909) 697-8300

LXHIBIT 'B'

"TO BE ATTACHED TO THE LEGAL DESCRIPTION"

NOTE

SEE SHEET 5 FOR TABLE
P.O.B = POINT OF BEGINNING



Lawrence D. Talbot
PREPARED UNDER THE SUPERVISION OF
LAWRENCE D. TALBOT, L.S. 6301
EXP. 9-30-06

DATE 11/21/04

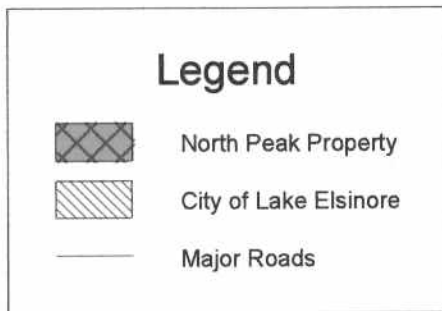
CONSERVATION BANK EXHIBIT

The Keith Companies **TKC**

22690 Cactus Avenue, Suite 300 Moreno Valley, CA 92553-9024 (909) 697-8300

Plotted 1/21/2004 8:39:30 AM By: R_SMITH DWG: P:\31854.00\DWG\PRX0004 CONSERVATION EASEMENT EXHIBIT_Sheet 1.DWG

Proposed North Peak Acquisition



This map was made by the Riverside County EDA utilizing Geographic Information System (GIS) technology. Data and information represented on this map is subject to update and modification.