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769 A



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

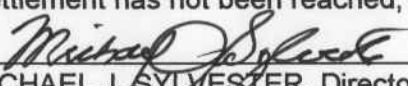
FROM: Department of Facilities Management and
TLMA/Transportation Department

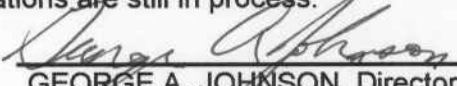
SUBMITTAL DATE:
August 10, 2004

SUBJECT: ADOPTION OF RESOLUTION 2004-324, AUTHORIZING CONDEMNATION OF REAL
PROPERTY FOR ROADWAY PURPOSES/WASHINGTON STREET OFFSITE IMPROVEMENTS
FOR TRACT MAP 29622-1 / FIRST SUPERVISORIAL DISTRICT

RECOMMENDED MOTION: That the Board of Supervisors adopt Resolution No. 2004-324, Authorizing
Condemnation of Real Property for Roadway Purposes/Washington Street Offsite Improvements for Tract
Map 29622-1.

BACKGROUND: On July 27, 2004, the Board of Supervisors approved Resolution No. 2004-323, Notice
of Intention to Condemn Real Property for Roadway Purposes/Washington Street Offsite Improvements.
An offer has been made to the property owners as required by Government Code Section 7267.2.
Settlement has not been reached, although negotiations are still in process.


MICHAEL J. SYLVESTER, Director
Department of Facilities Management


GEORGE A. JOHNSON, Director
Transportation Department

MJS:GAJ:JS
9.091

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 2,542	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$0	Budget Adjustment:	No
	Annual Net County Cost:	\$0	For Fiscal Year:	04/05

SOURCE OF FUNDS: Costs reimbursed to County Counsel 100% by developer	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input checked="" type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature



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

RECEIVED
 COUNTY OF RIVERSIDE
 EXECUTIVE OFFICE
 AUG 10 2004

Prev. Agn. Ref.: | District: 1 | Agenda Number:

9.1

Departmental Concurrence

2 RESOLUTION NO. 2004-324

3 AUTHORIZING CONDEMNATION OF REAL PROPERTY
4 FOR ROADWAY PURPOSES
5 WASHINGTON STREET OFFSITE IMPROVEMENTS

6
7 BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the Board of Supervisors of
8 Riverside County, State of California, not less than four-fifths of all members concurring, in regular
9 session assembled on August 24, 2004, as follows:

10 1. That notice of intention to adopt this resolution was given to each person, whose
11 hereinafter described real property is to be acquired by eminent domain, in accordance with Section
12 1245.235 of the Code of Civil Procedure and a hearing was conducted by the Board of the matters
13 contained herein.

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

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

19 4. That the real property to be condemned is necessary for the proposed project.

20 5. That the use for which the real property is to be taken is for offsite improvements
21 and roadway purposes, and for other uses incidental thereto and required thereby in order to complete the
22 project being known as Washington Street (Bridle Creek).

23 6. That the real property sought to be condemned is located entirely within the
24 boundaries of the County of Riverside, State of California, generally described as Assessor's Parcel
25 Numbers 274-040-002 and 274-040-025, which are located within Riverside County in the Woodcrest
26 area, and a specific description of the real property and the interests sought to be condemned are set forth
27 in Exhibit "A", attached hereto and by this reference made a part hereof.

28 7. That the proposed project is planned and located in the manner that will be most

1 Resolution 2004-324

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3 compatible with the greatest public good and the least private injury.

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

6 BE IT FURTHER RESOLVED that the County Counsel of the County of Riverside is hereby
7 authorized and empowered:

8 1. To acquire in the name of the County an easement by condemnation in accordance
9 with the Constitution and laws relating to eminent domain.

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

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

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

19

20

21

FORM APPROVED
COUNTY COUNSEL

22

JUL 07 2004

23

BY BT.M. [Signature]

24

25

26 ///

27 ///

28 ///

EXHIBIT "A"
ROAD DEDICATION
WASHINGTON STREET

A PORTION OF LOTS 4 AND 5 OF WOODCREST ACRES NO. 4, FILED IN BOOK 15, PAGE 24 OF MAPS ALSO BEING IN THE NORTHWEST QUARTER OF SECTION 25 TOWNSHIP 3 SOUTH RANGE 5 WEST SAN BERNARDINO MERIDIAN IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF LOT "F" KNOWN AS WASHINGTON STREET BEING 30.00 FEET IN HALF WIDTH PER SAID WOODCREST ACRES NO. 4 AND LOT "J" KNOWN AS VAN BUREN BOULEVARD BEING 100.00 FEET WIDE (70.00 FEET SOUTHERLY AND 30.00 FEET NORTHERLY) PER FINAL ORDER OF CONDEMNATION NO. 33752, RECORDED FEBRUARY 16, 1943 IN BOOK 571, PAGE 113 OF OFFICIAL RECORDS OF SAID COUNTY;

THENCE ALONG THE CENTERLINE OF SAID WASHINGTON STREET AND THE WESTERLY LINE OF SAID SECTION, SOUTH $00^{\circ}37'15''$ WEST, A DISTANCE OF 375.12 FEET TO THE WESTERLY PROLONGATION OF THE SOUTHERLY LINE OF SAID LOT 4 OF SAID MAP;

THENCE AT RIGHT ANGLES SOUTH $89^{\circ}22'45''$ EAST ALONG SAID WESTERLY PROLONGATION, A DISTANCE OF 30.00 FEET TO THE WESTERLY LINE OF SAID LOT 4 AND THE EASTERLY RIGHT OF WAY LINE OF SAID WASHINGTON STREET, SAID POINT BEING THE **TRUE POINT OF BEGINNING**;

THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE, NORTH $00^{\circ}37'15''$ EAST, A DISTANCE OF 177.66 FEET TO THE SOUTHERLY LINE OF SAID LOT 5;

THENCE ALONG SAID SOUTHERLY LINE, SOUTH $89^{\circ}22'45''$ EAST, A DISTANCE OF 14.00 FEET TO THE EASTERLY LINE OF DEED RECORDED JUNE 5, 1975 AS INSTRUMENT NO. 65685 OFFICIAL RECORDS OF SAID COUNTY;

THENCE ALONG SAID EASTERLY LINE, NORTH $00^{\circ}37'15''$ EAST, A DISTANCE OF 118.14 FEET TO THE SOUTHERLY LINE OF DEED RECORDED SEPTEMBER 28, 1965 AS INSTRUMENT NO. 111196 OF OFFICIAL RECORDS OF SAID COUNTY, SAID POINT BEING THE BEGINNING OF A NON TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 40.00 FEET, A LINE RADIAL TO SAID CURVE AT SAID POINT BEARS NORTH $39^{\circ}55'14''$ WEST;

THENCE ALONG SAID SOUTHERLY LINE AND THE ARC OF SAID CURVE, AN ARC DISTANCE OF 25.94 FEET THROUGH A CENTRAL ANGLE OF $37^{\circ}09'01''$ TO THE SOUTHERLY LINE OF SAID DEED AND SAID ORDER OF CONDEMNATION, ALSO BEING THE SOUTHERLY RIGHT OF WAY LINE OF SAID VAN BUREN BOULEVARD;

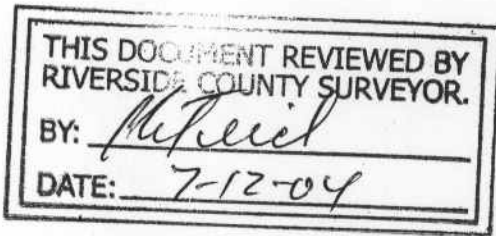
THENCE TANGENT TO SAID CURVE AND ALONG SAID SOUTHERLY RIGHT OF WAY LINE, SOUTH $89^{\circ}33'32''$ EAST, A DISTANCE OF 5.29 FEET;

THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE, SOUTH $45^{\circ}31'51''$ WEST, A DISTANCE OF 32.48 FEET TO A POINT ON A LINE LYING 50.00 FEET EASTERLY AND PARALLEL WITH THE CENTERLINE OF SAID WASHINGTON STREET AS MEASURED AT RIGHT ANGLES;

THENCE ALONG SAID PARALLEL LINE SOUTH 00°37'15" WEST, A DISTANCE OF 282.35 FEET TO THE SOUTHERLY LINE OF SAID LOT 4 OF SAID MAP;

THENCE ALONG SAID SOUTHERLY LINE, NORTH 89°22'45" WEST, A DISTANCE OF 20.00 FEET TO THE TRUE POINT OF BEGINNING.

DESCRIBED PARCEL CONTAINS: 4,505.55 SQUARE FEET MORE OR LESS AND BY REFERENCE THERETO MADE A PART HEREOF.



Prepared under the supervision of:

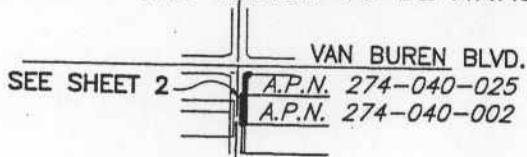
[Signature] Date: 3/29/04

Bruce A. Pierce, PLS. #7560
Expires 12/31/05
THE KEITH COMPANIES, INC.
22690 Cactus Avenue, Suite 300
Moreno Valley, CA 92553
(909) 697-8300

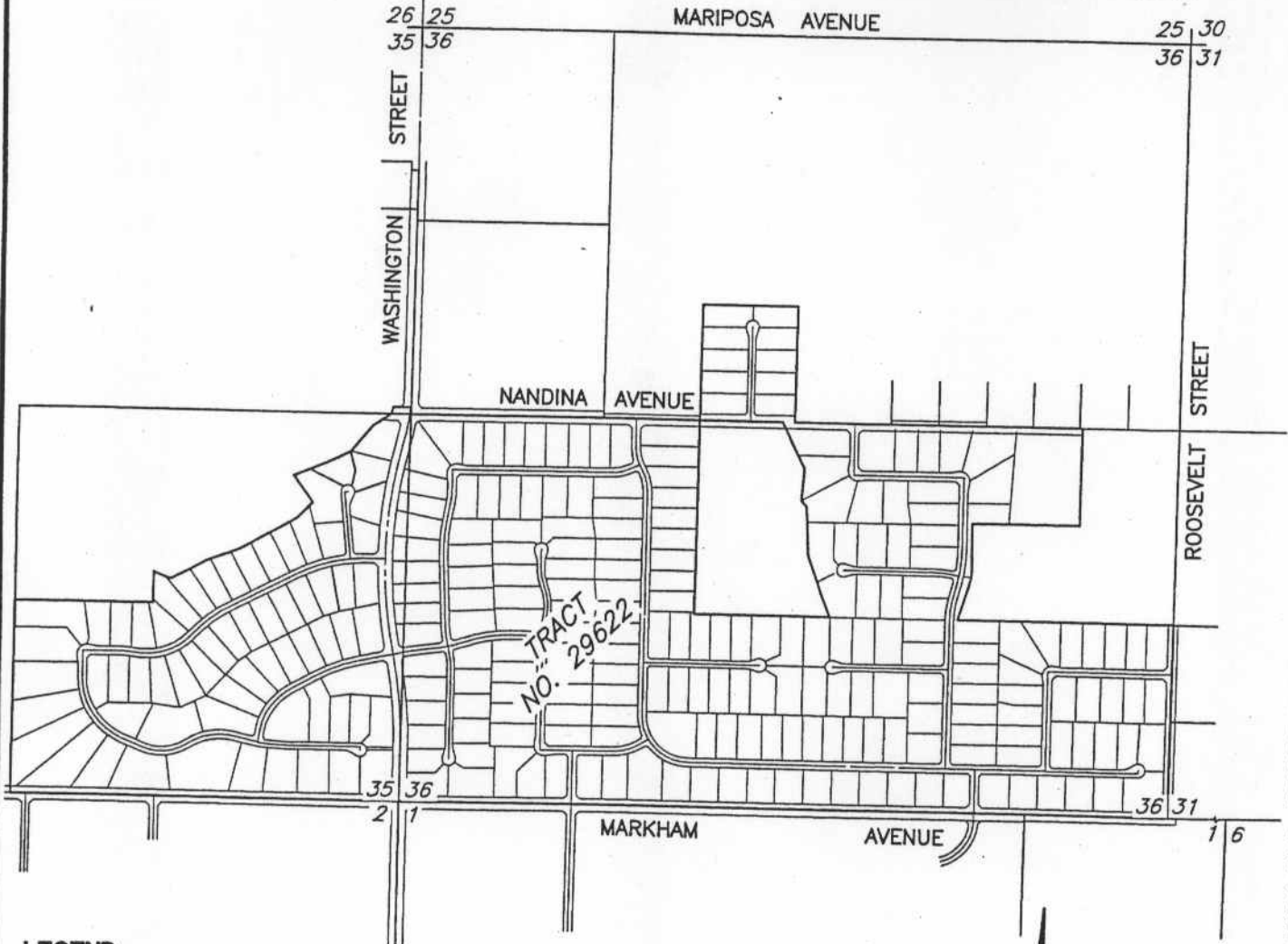
EXHIBIT "B"

SHEET 1 OF 2

THIS EXHIBIT TO BE ATTACHED TO THE LEGAL EXHIBIT



THIS DOCUMENT REVIEWED BY
RIVERSIDE COUNTY SURVEYOR.
BY: *[Signature]*
DATE: 7-12-04



LEGEND

- SECTION LINES
- - - - - TENTATIVE TRACT BOUNDARY



SCALE: 1" = 1200'

SECTION 25 T.3S., R.5W. S.B.M.

**ROAD DEDICATION
WASHINGTON STREET**

The Keith Companies | **TKC**

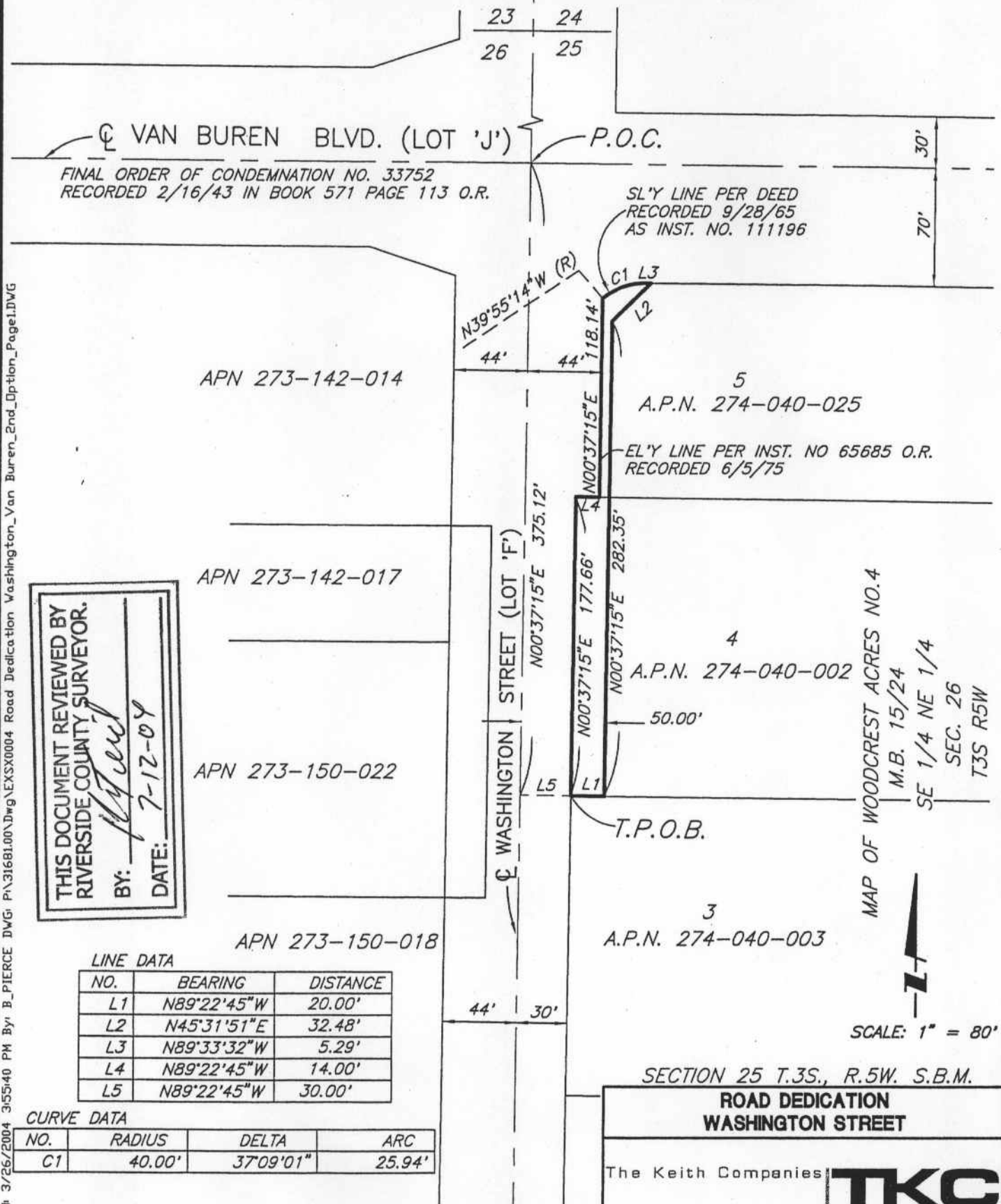
[Signature] 3/29/04
PREPARED UNDER THE SUPERVISION OF DATE
BRUCE A. PIERCE, L.S. 7560
EXP. 12-31-05

22690 Cactus Avenue, Suite 300 Moreno Valley, CA 92553-9024 (909) 653-0234

Plotted 3/25/2004 3:26:48 PM By: B_PIERCE DWG P:\31681.00\Draw\EXS\0005 Road Dedication Washington_Van Buren_2nd_Option_Page2.DWG

EXHIBIT "B"

THIS EXHIBIT TO BE ATTACHED TO THE LEGAL EXHIBIT



☉ VAN BUREN BLVD. (LOT 'J')

P.O.C.

FINAL ORDER OF CONDEMNATION NO. 33752
RECORDED 2/16/43 IN BOOK 571 PAGE 113 O.R.

SL'Y LINE PER DEED
RECORDED 9/28/65
AS INST. NO. 111196

N39°55'14"W (R)
44' 44' 118.14'

APN 273-142-014

5
A.P.N. 274-040-025

EL'Y LINE PER INST. NO 65685 O.R.
RECORDED 6/5/75

APN 273-142-017

☉ WASHINGTON STREET (LOT 'F')

4
A.P.N. 274-040-002

APN 273-150-022

MAP OF WOODCREST ACRES NO.4
M.B. 15/24
SE 1/4 NE 1/4
SEC. 26
T3S R5W

T.P.O.B.

APN 273-150-018

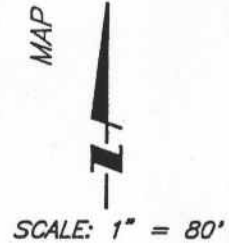
3
A.P.N. 274-040-003

LINE DATA

NO.	BEARING	DISTANCE
L1	N89°22'45"W	20.00'
L2	N45°31'51"E	32.48'
L3	N89°33'32"W	5.29'
L4	N89°22'45"W	14.00'
L5	N89°22'45"W	30.00'

CURVE DATA

NO.	RADIUS	DELTA	ARC
C1	40.00'	37°09'01"	25.94'



SECTION 25 T.3S., R.5W. S.B.M.

**ROAD DEDICATION
WASHINGTON STREET**

The Keith Companies



Plotted: 3/26/2004 3:55:40 PM By: B_PIERCE DWG: P:\31681.00\Draw\EXSX0004 Road Dedication Washington_Van Buren_2nd_Option_Page1.DWG

THIS DOCUMENT REVIEWED BY
RIVERSIDE COUNTY SURVEYOR.
BY: *[Signature]*
DATE: 7-12-04