

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

820



FROM: Redevelopment Agency

SUBMITTAL DATE:
November 21, 2005

SUBJECT: Adoption of Resolution No. 2005-48, Notice of Intent to Condemn Real Property for the Rubidoux Boulevard, State Route 60 On-ramp Improvements for the Emerald Meadows Ranch Project, Second Supervisorial District

RECOMMENDED MOTION: That the Board of Directors:

1. Adopt Resolution No. 2005-48, Notice of Intent to Condemn Real Property for the Rubidoux Boulevard, State Route 60 On-ramp Improvements for the Emerald Meadows Ranch Project; and
2. Set a public hearing for January 10, 2006, to hear comments from affected property owners; and
3. Authorize and direct the Clerk of the Board to give notice as required.

BACKGROUND: On October 4, 2005, the Board of Supervisors approved the Emerald Meadows Ranch Specific Plan. In order to comply with the conditions of approval for the Specific Plan, the developer, EMR Residential Properties, LLC, must improve the State Route 60 on-ramp at the intersection of Rubidoux Boulevard and the SR 60 Freeway connector. As a result of these very badly needed improvements, this 1.02 acre, multi-unit industrial complex will be affected.

RZ:DL:TE:PKB:kh

S:\RealProperty\Real Property\DIST\05-2-653.Condempck.doc

Robin Zimpfer
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Executive Director

FINANCIAL DATA	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:	NO
	Annual Net County Cost:	\$ N/A	For Fiscal Year:	2005-06

COMPANION ITEM ON BOARD OF SUPERVISORS AGENDA: NO

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

C.E.O. RECOMMENDATION: **APPROVE**

Riva Brandt

County Executive Office Signature

Dep't Recomm.: Consent Policy

Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.: 1/25/05 Item 4.4 **District:** 2 **Agenda Number:**

BACKGROUND (con't.)

On April 12, 2005, a formal written offer to purchase was presented to the property owner. To date, staff has tried unsuccessfully to negotiate a sale of the property. Furthermore, there are seven (7) tenants that occupy space in the complex, and five (5) have found replacement sites to relocate their respective businesses with assistance from the Agency. Staff is continuing to assist the remaining two tenants to find replacement sites. Staff is also negotiating with the property owner to reimburse for the loss of rent until the time that the Redevelopment Agency obtains possession of the property.

It is further the intent of the Agency to continue to negotiate the acquisition of this property with the owner. The Agency is guided by Government Code Section 7267: "In order to encourage and expedite the acquisition and relive congestion in the courts, to assume consistent treatment for owners in the public programs, and to promote public land acquisition practices, public entities shall, to the greatest extent practicable, be guided by the provision of Section 7267.1, 'The public entity shall make every reasonable effort to acquire expeditiously real property by negotiation.' "

If this item is approved by the Board of Directors, it is the intent of the Agency to bring back this item on January 10, 2006, for the Authorization to Condemn Real Property which would then formally authorize the Agency to start condemnation proceedings.

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3 RDA RESOLUTION NO. 2005-48
4 NOTICE OF INTENT TO CONDEMN REAL PROPERTY FOR
5 THE RUBIDOUX BOULEVARD, STATE ROUTE 60 ON-RAMP IMPROVEMENTS FOR THE
6 EMERALD MEADOWS RANCH PROJECT

7 BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the Board of Directors
8 of the Redevelopment Agency for the County of Riverside, State of California, in regular session
9 assembled on December 6, 2005, and NOTICE IS HEREBY GIVEN as follows:

10 1. That this Board intends to adopt a resolution of necessity authorizing the
11 condemnation of certain parcels of real property for the State Route 60 On-ramp Improvements
12 for the Emerald Meadows Ranch Project (the "Public Improvement") described as Assessor's
13 Parcel Number 179-130-006, all of which are shown on the Assessor's Map on file in the Office
14 of the Clerk of the Board, and located in the Jurupa Valley Redevelopment Project Area, and to
15 hold a public hearing on January 10, 2006, at 9:30 a.m. in the meeting room of the Board of
16 Directors located on the 1st floor, County Administrative Center, 4080 Lemon Street, Riverside,
17 California, at which time each person whose real property is sought to be condemned and
18 whose name and address appears on the last equalized County Assessment Roll and who has
19 filed a timely written request to appear and be heard, will be given an opportunity to be heard on
20 the following matters:

21 a. Whether the public interest and necessity require the construction
22 of the Public Improvement.

23 b. Whether the Public Improvement is planned and located in the
24 manner that will be most compatible with the greatest public good and the least private injury.

25 c. Whether the real property sought to be acquired is necessary for
26 the construction of the Public Improvement.

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

EXHIBIT "A"

FEE SIMPLE ESTATE in the real property in the Jurupa Valley Redevelopment Project area, County of Riverside, State of California, described as follows:

Parcel 1 of Parcel Map 6868, in the County of Riverside, State of California, as per Map recorded in Book 24, page (s) 53 and 54, of Parcel Maps, in the Office of the County Recorder of said County.