

8238

**SUBMITTAL TO THE BOARD OF SUPERVISORS**  
**COUNTY OF RIVERSIDE, STATE OF CALIFORNIA** 126



**FROM:** Department of Facilities Management

**SUBMITTAL DATE:**  
March 22, 2005

**SUBJECT:** RESOLUTION NO. 2005-108, AUTHORIZING CONDEMNATION OF REAL PROPERTY / FIFTH SUPERVISORIAL DISTRICT

**RECOMMENDED MOTION:** That the Board of Supervisors adopt Resolution No. 2005-108, Authorizing Condemnation of Real Property for the County of Riverside Sheriff's Facility and the Community Health Agency (CHA).

**BACKGROUND:** The property known as APN. No.'s 311-190-010, 311-190-018, 311-190-024 and 311-190-025, containing approximately 1.40 acres of land, is located adjacent to the sixteen (16) acres of land which was acquired from the City of Perris in exchange for the Perris County Administrative Center at San Jacinto Avenue and Interstate 215.  
(Continued on Page 2)

Departmental Concurrence

*Michael J. Sylvester*  
MICHAEL J. SYLVESTER, Director  
Department of Facilities Management

MJS:JMP:CNS:db  
9.403

<b>FINANCIAL DATA</b>	<b>Current F.Y. Total Cost:</b>	\$148,000.00	<b>In Current Year Budget:</b>	Yes
	<b>Current F.Y. Net County Cost:</b>	\$ -0-	<b>Budget Adjustment:</b>	No
	<b>Annual Net County Cost 04/05:</b>	\$ -0-	<b>For Fiscal Year:</b>	04/05

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

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

*Lisa Brandt*

County Executive Office Signature

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

BOARD OF SUPERVISORS

Form 11: RESOLUTION NO. 2005-108, AUTHORIZING CONDEMNATION OF REAL  
PROPERTY / FIFTH SUPERVISORIAL DISTRICT

March 22, 2005

Page 2

**BACKGROUND:** (Continued)

The County is developing a future Sheriff Patrol Station together with regional support and administrative facilities and is also constructing a twenty-two thousand (22,000) square foot replacement facility for the Community Health Agency (CHA) Clinic on the sixteen (16) acres. The subject property is necessary to avoid land use conflict with these large public facilities and is required to address parking and infrastructure issues.

A settlement has not been reached with the property owner although negotiations are still in progress.

2 RESOLUTION NO. 2005-108

3 AUTHORIZING CONDEMNATION OF REAL PROPERTY

4  
5 BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the  
6 Board of Supervisors of Riverside County, State of California, not less than four-  
7 fifths of all members concurring, in regular session assembled on May 3, 2005, as  
8 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  
11 domain, in accordance with Section 1245.235 of the Code of Civil Procedure and a  
12 hearing was 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 Section 25350.5 of the Government Code; Sections 1240.010, 1240.020, 1240.110,  
16 and 1240.420 of the Code of Civil Procedure.

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

19 4. That the use for which the real property is to be taken is for  
20 County of Riverside Sheriff's Facility and the Community Health Agency (CHA) and  
21 for other uses incidental thereto and required thereby in order to complete the  
22 project being known as County of Riverside Sheriff's Facility and Community Health  
23 Agency (CHA) Project.  
24  
25

1           5.       That the real property sought to be condemned is necessary to  
2 avoid land use conflict with large public facilities and is required to address parking  
3 and infrastructure issues and is located entirely within the boundaries of the City of  
4 Perris, County of Riverside, State of California, generally described as /Assessor's  
5 Parcel Numbers 311-190-010, 311-190-018, 311-190-024 and 311-190-025  
6 consisting of 1.40 acres and which are located at the northwest quadrant of  
7 Interstate 215 and San Jacinto Avenue, City of Perris, in the County of Riverside,  
8 and a specific description of the real property and the interests sought to be  
9 condemned are set forth in Exhibit "A", attached hereto and by this reference made  
10 a part hereof.  
11

12           6.       That the public improvement is planned and located in the manner  
13 that will be most compatible with the greatest public good and the least private  
14 injury.  
15

16           7.       That the offer required by Section 7267.2 of the Government  
17 Code has been made to the owner or owners of record.  
18

19           BE IT FURTHER RESOLVED that the County Counsel of the County of  
20 Riverside is hereby authorized and empowered:  
21

22           1.       To acquire in the name of the County, fee simple by  
23 condemnation in accordance with the Constitution and laws relating to eminent  
24 domain.  
25

          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.

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

6           4.       To compromise and settle such proceedings, if such settlement  
7 can be reached, and in that event, to take all necessary action to complete the  
8 acquisition, including stipulations as to judgment and other matters, and causing all  
9 payments to be made.  
10

CNS:db  
03/22/05  
048FM  
3.402

11  
12 APPROVED AS TO FORM:

13 JOE S. RANK  
COUNTY COUNSEL

14 By:   
15 ASSISTANT COUNTY COUNSEL  
16  
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## Exhibit "A"

All that real property situated in the County of Riverside, State of California described as follows:

### PARCEL 1

Lot "E" in Block 16, Figadota Farms No. 2, as shown by Map on file in Book 16, page 63 of Maps, records of Riverside County.

(Assessor's Parcel No. 311-190-010)

### PARCEL 2

The West 30 feet and the East 30 feet of that portion of Lot "J", as shown on a Map of Figadota Farms No. 2, on file in Book 16 of Maps, page 63, records of Riverside County, described as follows:

Beginning at the Southeast Corner of said Lot "J" (adjacent to the Southwest Corner of Lot "A", Block 17 of said Map); thence Northerly along the East line of said Lot "J", 205.19' more or less to a point 84.31' Southerly of the Northwest Corner of Said Lot "A", said point being on the Southwesterly line of the parcel of land granted to the State of California by Deed filed for record March 26, 1952, as Instrument No. 12893; thence North 51° 18' West, along the Southwesterly line of said parcel to the West line of said Lot "J"; thence Southerly along the West line of said Lot "J" to the Southwest corner thereof (adjacent to the Southeast corner of Lot "E", Block 16 of said Map); thence East along the South line of said Lot "J" to the point of beginning.

(Assessor's Parcel No. 311-190-024 & 025)

### PARCEL 3

That portion of Lots "A" and "B" in Block 17 of Figadota Farms No.2 as shown by Map on file in Book 16, page 63 of Maps, records of Riverside County, described as follows:

Beginning at the Southwest corner of said of Lot "A"; thence Northerly on West line of said of Lot, 205.19 feet, more or less, to a point 84.31' feet Southerly of the Northwest corner of said Lot, said point being on the Southwesterly line of the parcel of land granted to the State of California by Deed filed for record March 26, 1952, as Instrument No. 12893; thence South 51° 18' East, on the Southwesterly line of said parcel granted to the State of California, 229.03 feet; thence South 0° 21' 27" West, on the west line of said parcel granted to the State of California, 63.61 feet to the South line of Lot "B"; thence Westerly on the Southerly line of Lots "B" and "A" to the point of beginning.

(Assessor's Parcel No. 311-190-018)

311-19

T. R. A. 008-001  
008-018  
008-029  
008-032  
008-101  
008-110

S1/2 SW1/4 SEC. 29, T. 4S, R. 3W

THIS MAP IS FOR  
ASSESSMENT PURPOSES ONLY

DATE	OLD NO.	NEW NO.
1/1/73	21	21
1/1/73	22	22
1/1/73	23	23
1/1/73	24	24
1/1/73	25	25
1/1/73	26	26
1/1/73	27	27
1/1/73	28	28
1/1/73	29	29
1/1/73	30	30
1/1/73	31	31
1/1/73	32	32
1/1/73	33	33
1/1/73	34	34
1/1/73	35	35
1/1/73	36	36
1/1/73	37	37
1/1/73	38	38
1/1/73	39	39
1/1/73	40	40
1/1/73	41	41
1/1/73	42	42
1/1/73	43	43
1/1/73	44	44
1/1/73	45	45
1/1/73	46	46
1/1/73	47	47
1/1/73	48	48
1/1/73	49	49
1/1/73	50	50

M.B. 16/63 Figadato Forms No. 2

DATA: M.A. 64/74  
MRT: 017-78-200, 014 of 101

MAY 1971

ASSESSOR'S MAP BK. 311, PG. 19  
RIVERSIDE COUNTY, CALIF.

APR 01 1998

