

**SUBMITTAL TO THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

845 B



**FROM:** General Manager-Chief Engineer

**SUBMITTAL DATE:**  
October 17, 2006

**SUBJECT:** Murrieta Creek Flood Control Project, Phase II  
Project No. 7-0-0021  
Notice of Intention to Condemn Real Property

**RECOMMENDED MOTION:**

Approve Resolution No. F2006-33, Notice of Intention to Condemn Real Property for Flood Control Purposes, and set a public hearing for Resolution No. F2006-34, Authorizing Condemnation of Real Property for Flood Control Purposes, on November 21, 2006.

**BACKGROUND:**

The District, in conjunction with the U.S. Army Corps of Engineers, is planning to construct flood control improvements with appurtenances for Murrieta Creek, thereby preventing flooding in this area of Riverside County. Negotiations have been conducted with the affected owners, but to date, have not been successful. Although, these negotiations will continue, in order to facilitate the timely construction of the flood control improvements, staff is recommending the approval of Resolution No. F2006-34.

GSW:rlp

**WARREN D. WILLIAMS**  
General Manager-Chief Engineer

**FINANCIAL DATA**

|                             |        |                         |     |
|-----------------------------|--------|-------------------------|-----|
| Current F.Y. District Cost: | \$ N/A | In Current Year Budget: | N/A |
| Current F.Y. County Cost:   | \$ N/A | Budget Adjustment:      | N/A |
| Annual Net District Cost:   | \$ N/A | For Fiscal Year:        | N/A |

**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**

**County Executive Office Signature**

- Policy
- Policy
- Consent
- Consent
- Dept't Recomm.:
- Per Exec. Ofc.:

OCT 03 2006  
BY [Signature]

Departmental Concurrence

Prev. Agn. Ref.:

District: 3rd

Agenda Number:

11.6

**BOARD OF SUPERVISORS****RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT****RESOLUTION NO. F2006-33****NOTICE OF INTENTION TO CONDEMN REAL PROPERTY  
FOR FLOOD CONTROL PURPOSES**

BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of the Riverside County Flood Control and Water Conservation District, County of Riverside, State of California, in regular session assembled on October 17, 2006, and NOTICE IS HEREBY GIVEN as follows:

1. That this Board intends to adopt a resolution of necessity authorizing the condemnation of those certain parcels of real property for the construction of the Murrieta Creek Project, described as Parcel 7021-19 also known as APN: 922-061-022, Parcel 7021-20 also known as APN 922-046-012, Parcels 7021-21A and 7021-21B also known as APNs 922-045-013, 922-045-014, 922-045-015 and 922-045-020, Parcel 7021-22 also known as APN 922-053-023, Parcel 7021-23 also known as APN 922-053-013, Parcels 7021-24A and 7021-24B also known as APNs 922-053-025 and 922-053-026, Parcel 7021-25 also known as APNs 922-035-015 and 922-035-016, Parcel 7021-27 also known as APN 922-053-032, Parcel 7021-28 also known as APN 922-053-024, Parcel 7021-29 also known as APNs 922-051-005, 922-051-006 and 922-051-007, Parcels 7021-30A and 7021-30B also known as APNs 922-026-023, 922-026-025, Parcel 7021-31 also known as APN 922-026-027, Parcel 7021-32 also known as APN 922-046-002 and as shown on Record of Survey on file in the Office of the Clerk of the Board, and hold a public hearing on November 21, 2006, at 1:30 p.m. in the meeting room of the Board of Supervisors located on

1 the 1st floor, County Administrative Center, 4080 Lemon Street, Riverside,  
 2 California. At which time each person whose real property is sought to be  
 3 condemned and whose name and address appears on the last equalized County  
 4 Assessment Roll has the right to appear and be heard on the matters listed  
 5 below, upon filing a timely written request to appear and be heard, will be  
 6 given an opportunity to be heard on the following matters:

- 7
- 8 a Whether the public interest and necessity require the construction of the  
 9 public improvement.
- 10 b. Whether the public improvement is planned and located in the manner  
 11 that will be most compatible with the greatest public good and the least  
 12 private injury.
- 13 c. Whether the real property sought to be acquired is necessary for the  
 14 construction of the public improvement.
- 15 d. Whether the offer required by Section 7267.2 of the Government Code  
 16 has been made to the owner or owners of record.

- 17
- 18 2. That the failure of any person, whose real property is sought to be condemned,  
 19 to file a written request to appear and be heard with the Office of the Clerk of  
 20 the Board within 15 days after a copy of the resolution is mailed to, or  
 21 personally served upon such person, will result in his or her waiver of the right  
 22 to appear and be heard.

23

24 BE IT FURTHER RESOLVED that the Office of the Clerk of the Board shall cause  
 25 a copy of this resolution and a copy of the Record of Survey to be mailed to or personally served  
 26 upon each person whose real property is sought to be condemned and whose name and address  
 27 appears on the last equalized County Assessment Roll.

28 GW:rlp

FORM APPROVED  
 COUNTY COUNSEL

OCT 03 2006

BY 