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



FROM: Redevelopment Agency

SUBMITTAL DATE:
October 30, 2006

SUBJECT: Adoption of Resolution Number 2006-37, Notice of Intent to Acquire Real Property for the Middleton Affordable Housing Project – APN 751-160-007, 009, 012, and 014 – 4th Supervisorial Dist.

RECOMMENDED MOTION: That the Board of Directors:

1. Approve RDA Resolution 2006-37, Notice of Intent to Acquire Real Property for the Middleton Affordable Housing Project, Assessor's Parcel Numbers 751-160-007, 009, 012, and 014; and
2. Authorize and instruct the Clerk of the Board to advertise pursuant to Section 6063 of the Government Code.

BACKGROUND: The Redevelopment Agency proposes to acquire approximately 23.87 acres of unimproved real property at fair market value located in the unincorporated Riverside County community of Thermal on Middleton Street. The Redevelopment Agency wishes to assemble sufficient land to develop affordable housing on this site. (Continued on Page 2)

FORM APPROVED COUNTY COUNSEL

NOV 01 2006

Departmental Concurrence

RZ:JC:JV:ER:AMG:CW:ss

Robin Zimpfer

Robin Zimpfer
Executive Director

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FINANCIAL DATA	Current F.Y. Total Cost:	\$4,393,000	In Current Year Budget:	YES
	Current F.Y. Net County Cost:	\$0	Budget Adjustment:	NO
	Annual Net County Cost:	\$0	For Fiscal Year:	2006 / 2007

COMPANION ITEM ON BOARD OF SUPERVISORS AGENDA: NO

SOURCE OF FUNDS: Low- and Moderate-Income Housing Fund	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

James K. Zimpfer

- Consent
- Policy
- Consent
- Policy

Prev. Agn. Ref.: NONE **District:** 4 **Agenda Number:**

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BACKGROUND (continued):

The proposed preferred site is located inside a triangle created by Middleton Street, Avenue 66 and Highway 86 in the unincorporated community of Thermal. Proposed project includes mixed uses of a single family subdivision, a multi-family housing complex and commercial retail space. The project scope and development budget have not yet been fully developed.

The Agency proposes to acquire and assemble such project land and subsequently convey to a capable developer. The site is currently used as a date palm grove, and the seller has agreed to clear the site prior to subsequent conveyance to a development firm.

RESOLUTION NUMBER 2006-37
NOTICE OF INTENT TO ACQUIRE REAL PROPERTY
IN THE
UNINCORPORATED COMMUNITY OF THERMAL
BY THE
REDEVELOPMENT AGENCY FOR THE COUNTY OF RIVERSIDE

WHEREAS, the Redevelopment Agency for the County of Riverside (“Agency”) is a redevelopment agency duly created, established and authorized to transact business and exercise its powers, under and pursuant to the provisions of the Community Redevelopment Law which is Part 1 of Division 24 of the California Health and Safety Code (commencing with Section 33000 et seq.); and

WHEREAS, pursuant to the provisions of the Community Redevelopment Law, Section 33391 of the Health and Safety Code, the Agency may acquire, within a survey area or for purpose of redevelopment, any interest in real property; and

WHEREAS, the Agency wishes to facilitate development of affordable housing for persons and families of low or moderate income and has identified a Preferred Site for this development; and

WHEREAS, the Preferred Site, hereinafter referred to as the “Property”, is identified as APNS 751-160-007, 751-160-009, 751-160-012 and 751-130-014, more particularly described in Exhibit “A”, attached hereto;

WHEREAS, the Property is located outside the Desert Communities Project Area but as an affordable housing project we find and determine that it is a benefit to the project area; and

WHEREAS, Urban Housing Communities has entered into a purchase and sale agreement for the Property with the Cocopah Nurseries, Inc.; and

WHEREAS, Urban Housing Communities wishes to assign said purchase and sale agreement to Agency; and

1 **WHEREAS**, Agency wishes to accept said assignment and acquire the Property
2 based on an independent fee appraisal report,; and

3 **WHEREAS**, the Cocopah Nurseries, Inc. consents to the above described
4 assignment; and

5 **WHEREAS**, the Cocopah Nurseries, Inc. is a willing seller; and

6 **WHEREAS**, prior to using the Property for the purpose described in this
7 resolution the Agency understands and agrees to fully comply with the California
8 Environmental Quality Act.

9 **BE IT RESOLVED, DETERMINED, AND ORDERED** by the Board of Directors of
10 the Redevelopment Agency for the County of Riverside, State of California, that certain
11 real property located within the County of Riverside, State of California, shown on
12 Exhibit "A" attached to this resolution is desired by Agency as the Preferred Site for the
13 Middleton Street Affordable Housing Project.

14 **NOTICE IS HEREBY GIVEN** that it is the intention of the Board of Directors to
15 purchase said real property pursuant of the provisions of Sections 33391, of the Health
16 and Safety Code, upon the following terms and conditions:

- 17 1. The purchase price of the Property will be at fair market value of \$4,393,000;
- 18 2. The total acreage being acquired is 23.10 acres through an assignment of an
19 existing Purchase Agreement and Amended and Restated Purchase
20 Agreement, located within the unincorporated community of Thermal, County
21 of Riverside, State of California;
- 22 3. The Agency will assume an existing purchase and sale agreement by and
23 between Urban Housing Communities and Cocopah Nurseries, Inc for the
24 acquisition of the Property; and
- 25 4. As consideration for such assumption, the Agency intends to enter into a
26 Memorandum of Understanding with Urban Housing Communities for a right
27 to negotiate the development of the Property.

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1 The property conveyance agreement shall be considered on December 5, 2006 by the
2 Board of Directors of the Redevelopment Agency for the County of Riverside at a duly
3 scheduled meeting in the meeting room of the Board of Supervisors, County
4 Administrative Center, 4080 Lemon Street, First Floor, Riverside, California, 92501-
5 3656, at 9:00am, or as soon thereafter as the agenda of the Board permits.

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FORM APPROVED
COUNTY COUNSEL

NOV 01 2006

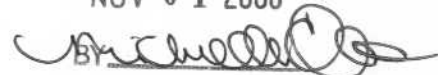


Exhibit "A"

LEGAL DESCRIPTION

Real property in the unincorporated area of the County of Riverside, State of California, described as follows:

PARCEL 1: (751-160-007)

THE SOUTHWESTERLY 10 ACRES OF LOT 10 OF SUBDIVISION OF A PORTION OF SECTION 17, TOWNSHIP 7 SOUTH, RANGE 8 EAST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF, AS SHOWN BY MAP OF FILE IN BOOK 10 PAGE 23, OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

EXCEPT THE SOUTHWESTERLY 10 FEET OF SAID SOUTHEASTERLY 350 FEET.

PARCEL 2: (751-160-009)

LOT 10 OF THE SUBDIVISION OF A PORTION OF SECTION 17, TOWNSHIP 7 SOUTH, RANGE 8 EAST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF, AS SHOWN BY MAP ON FILE IN BOOK 10 PAGE 23, OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

EXCEPT THE SOUTHWESTERLY 10 ACRES, THE NORTHEASTERLY TINE OF SAID 10 ACRES BEING PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT 10;

ALSO EXCEPT THAT PARDON OF SAID PROPERTY CONVEYED TO HENRY J. DIETRICH AND GEORGIA LEE DIETRICH, HUSBAND AND WIFE, BY DEED RECORDED JULY 14, 1949 AS INSTRUMENT NO. 1550 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 10;
THENCE SOUTH 45° 35' WEST 308.6 FEET;
THENCE IN A NORTHWESTERLY DIRECTION, 216 FEET, TO A GIVEN POINT 378 FEET WEST OF THE POINT OF BEGINNING;
THENCE EAST 378 FEET TO THE POINT OF BEGINNING;

ALSO EXCEPT ONE-HALF INTEREST IN AND TO ALL OIL, OTHER HYDROCARBONS, GAS AND OTHER ASSOCIATED SUBSTANCES AND OTHER MINERALS AND KINDRED SUBSTANCES IN AND/OR LYING UNDER SAID LAND, AS RESERVED IN DEED FROM OLLA J. GRANT AND ELSIE M. GRANT, HUSBAND AND WIFE, RECORDED JUNE 22, 1954 IN BOOK 1600 PAGE 50 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL 3: (751-160-012 AND 750-160-014)

LOT 1 OF THE SUBDIVISION OF A PORTION OF SECTION 17, TOWNSHIP 7 SOUTH, RANGE 8 EAST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF, AS SHOWN BY MAP ON FILE IN BOOK 10 PAGE 23, OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

EXCEPT THE NORTHEASTERLY ONE-HALF ACRE OF THE SOUTHWESTERLY THREE-QUARTERS ACRE OF SAID LOT 1, THE NORTHEASTERLY AND SOUTHWESTERLY LINES OF SAID ONE-HALF ACRE BEING PARALLEL WITH THE NORTHEASTERLY AND SOUTHWESTERLY LINES OF SAID LOT

