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

Reviewed by
CIP TEAM
Christopher Hans

FROM: Department of Facilities Management

SUBMITTAL DATE:
June 20, 2008

SUBJECT: Resolution No. 2008-085, Notice of Intention to Purchase Real Property in the City of Banning, California

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve Resolution No. 2008-085, Notice of Intention to Purchase Real Property, located in the City of Banning, County of Riverside, Assessor's Parcel Number 543-160-015;
2. Authorize the Department of Facilities Management to negotiate the purchase of the subject property, Assessor's Parcel Number 543-160-015, at a price not-to-exceed \$405,000;
3. Authorize the Department of Facilities Management to incur typical due diligence, transaction costs and relocation costs not-to-exceed \$47,567; and

Lisa Brandl for:

(Continued)

Lisa Brandl for
Robert Field, Director
Department of Facilities Management

FORM APPROVED COUNTY COUNSEL
BY: *Synthia M. Gunzel* 6-23-08
SYNTHIA M. GUNZEL DATE

FINANCIAL DATA	Current F.Y. Total Cost:	\$452,567	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$452,567	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ -0-	For Fiscal Year:	08/09

SOURCE OF FUNDS: General Fund Designation (Previously approved budget)	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY: *Jennifer Sargent*
Jennifer Sargent

County Executive Office Signature

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

Prev. Agn. Ref.: 3.20, 2/5/08 District: 5 Agenda Number:

3.38

RECOMMENDED MOTION: (Continued)

4. Authorize the Executive Office to transfer \$452,567 from the General Fund Designation to the Department of Facilities Management to cover various expenditures associated with t6/23/2008his land acquisition transaction, including due diligence costs, transaction cost, and staff time, with any unused funds to be returned to the CIP General Fund Designation account.

BACKGROUND: On June 19, 2006, the Board of Supervisors received a report regarding the need to increase the capacity of the county's jail system. The report recommended adding 400 to 600 beds to the Larry Smith Correctional Facility. In response the Department of Facilities Management (DOFM) has had a 582 bed expansion designed and bid; the construction contract was recently awarded and the project is underway.

Accomplishing the increase in bed capacity necessitated the purchase of additional property to provide for increased parking capacity and to create a buffer zone between the facility and the adjacent neighborhood.

The purchase of the property is exempt from the provisions of CEQA since it does not involve any changes to land use, the existing building or the environment. Pursuant to CEQA Guidelines, Section 15061, a Notice of Exemption was filed with the county clerk on January 15, 2008 and removed by the county clerk on February 16, 2008, finalizing the 30-day period.

County Counsel has reviewed and approved Resolution 2008-085, Notice of Intention to Purchase Real Property of a 1,753 square foot, single family home located at 246 Wesley Street City of Banning, County of Riverside, California. Obligations to be issued by the County of Riverside and Directing Certain Actions, as to legal form.

While Facilities Management will cover the cost for acquisition services at the time of this property transaction, the General Fund Designation will reimburse Facilities Management for these costs.

FINANCIAL DATA: The following summarizes the funding necessary to acquire Assessor's Parcel Number 543-160-015:

Purchase Price:	\$ 405,000
Estimated Title and Escrow Charges	\$ 4,000
Due Diligence Expense	\$ 500
Estimated Real Property Appraisal	\$ 4,000
Property Owners Appraisal Cost	\$ 400
Acquisition Consultant Costs	\$ 3,500
Relocation Consultant Costs	\$ 4,667
Estimated Relocation Assistance Payment	\$ 27,500
DOFM Real Property Costs	<u>\$ 3,000</u>
Total Estimated Acquisition Costs:	\$ 452,567

Any necessary budget adjustments will be brought forward under separate cover seeking authorization to purchase the related real property.

The project budget for the Larry D. Smith Correctional Facility Expansion No. 3 Project will be used to fund this acquisition. The Department of Facilities Management will make every effort to incorporate this acquisition into the overall general fund designation. The Department of Facilities Management will work collectively with the Executive Office to ensure appropriate funding is available.

All costs associated with this property acquisition are fully funded through the General Fund Designation using retained earnings for FY 08/09. Thus, no additional net county costs will be incurred as a result of this transaction.

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3 Resolution No. 2008-085
4 Notice of Intention to Purchase Real Property
5 In the City of Banning, County of Riverside, California
6 Assessor's Parcel Number: 543-160-015

7 BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of the
8 County of Riverside, in regular session assembled on July 1, 2008, and NOTICE IS HEREBY
9 GIVEN, pursuant to Section 25350 of the Government Code, that this Board at its public
10 meeting on July 29, 2008, at 9:00 a.m., in the meeting room of the Board of Supervisors
11 located on the 1st floor of the County Administrative Center, 4080 Lemon Street, Riverside,
12 California, intends to authorize a transaction in which the County of Riverside will purchase
13 from Marsha Ann Denney, certain real property located in the City of Banning, County of
14 Riverside, State of California, identified by Riverside County Assessor's Parcel Number 543-
15 160-015, more particularly described in Exhibit "A", attached hereto and thereby made a part
16 hereof, consisting of one 1,753 square foot, single family home at a purchase price not-to-
17 exceed Four Hundred and Five Thousand Dollars (\$405,000), plus miscellaneous escrow and
18 closing costs in the approximate amount of Four Thousand Dollars (\$4,000).

19 BE IT FURTHER RESOLVED AND DETERMINED that the Department of Facilities
20 Management is to expend approximately Forty Three Thousand Five Hundred Sixty Seven
21 Dollars (\$43,567) to complete due diligence on the property, consultant acquisition cost, a
22 preliminary title report, appraisal costs, a hazardous materials survey and miscellaneous other
23 studies as deemed necessary.

24 BE IT FURTHER RESOLVED AND DETERMINED that the Clerk of the Board of
25 Supervisors is directed to give notice hereof as provided in Section 6063 of the Government

Code.

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1 BE IT FURTHER RESOLVED AND DETERMINED that the Director of the Department
2 of Facilities Management, or his designee, is authorized to execute the necessary documents
3 to complete this purchase of real property.
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FORM APPROVED COUNTY COUNSEL
BY: *Synthia M. Gunzel* 6-23-08
SYNTHIA M. GUNZEL DATE

EXHIBIT "A"

LEGAL DESCRIPTION

The land referred to herein is situated in the State of California, County of Riverside, City of Banning, and described as follows:

THAT PORTION OF LOT 82 OF BANNING COLONY LANDS, IN THE CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 3 PAGE 149 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING ON THE SOUTH LINE OF WESLEY STREET AT THE NORTHWEST CORNER OF SAID LOT 82; THENCE EAST 90.00 FEET ON SAID SOUTH LINE TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 350.00 FEET PARALLEL WITH THE WEST LINE OF SAID LOT 81 TO THE WESTERLY PROLONGATION OF THE SOUTH LINE OF THE LAND CONVEYED TO JOHN B. NELSON, ET UX, BY DEED RECORDED AUGUST 22, 1970 AS INSTRUMENT NO. 79020 OF OFFICIAL RECORDS; THENCE EAST ON SAID PROLONGATION OF THE SOUTHWEST CORNER OF SAID LAND CONVEYED TO JOHN B. NELSON, ET UX; THENCE NORTH ON THE WEST LINE OF SAID LAND TO THE SOUTH LINE OF THE NORTH 212.00 FEET ON SAID LOT 81; THENCE WEST ON LAST SAID SOUTH LINE TO A LINE OF LOT 81; THENCE NORTH 212.00 FEET ON SAID PARALLEL LINE TO THE SOUTH LINE OF SAID LOT 81; THENCE WEST 95.00 FEET ON LAST SAID SOUTH LINE TO THE TRUE POINT OF BEGINNING.

(End of Legal Description)

SUBJECT TO:

THE ENCROACHMENT OF A BLOCK WALL THREE FEET FROM THE WESTERLY PROPERTY LINE OF SAID PARCEL, AND A FENCE ENCROACHMENT BY THE ADJACENT PROPERTY OF AN UNKNOWN DISTANCE FROM THE EASTERLY PROPERTY LINE OF SAID PARC