

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



FROM: Department of Facilities Management

SUBMITTAL DATE:
October 28, 2008

SUBJECT: Resolution No. 2008-471, Authorization to Convey Fee Simple and Easement Interests in Real Property in the Unincorporated Area of Rubidoux - A Portion of Each Assessor's Parcel Numbers 186-230-034 and 186-250-010; and for Assessor's Parcel Numbers 186-230-034 and 186-240-003, Respectively

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve Resolution No. 2008-471, Authorization to Convey Fee Simple and Easement Interests in Real Property located in the unincorporated Rubidoux area, County of Riverside, a .19 acre portion of Assessor's Parcel Number 186-230-034 and a .376 acre portion of Assessor's Parcel Number 186-250-010 by Grant Deed and Easement Rights totaling 3.2145 acres in portions of Assessor's Parcel Numbers 186-230-034 and 186-240-003 by Easement Deed to the Rubidoux Community Services District;

(Continued)

Robert Field, Director
Department of Facilities Management

FINANCIAL DATA	Current F.Y. Total Cost:	\$-0-	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$-0-	Budget Adjustment:	No
	Annual Net County Cost:	\$-0-	For Fiscal Year:	08/09
SOURCE OF FUNDS: N/A			Positions To Be Deleted Per A-30	<input type="checkbox"/>
			Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY: Jennifer L. Sargent

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL
 BY: Synthia M. Gunzel DATE: 11-3-08
 SYNTHIA M. GUNZEL
 Departmental Concurrence

Policy
 Policy

Consent
 Consent

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

Prev. Agn. Ref.: 10/28/08 3.19 | District: 2 | Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

3.20

Department of Facilities Management
Resolution No. 2008-471, Authorization to Convey Fee Simple and Easement Interests
in Real Property in the Unincorporated Area of Rubidoux - A Portion of Each Assessor's
Parcel Numbers 186-230-034 and 186-250-010; and for Assessor's Parcel Numbers
186-230-034 and 186-240-003, Respectively
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RECOMMENDED MOTION: (Continued)

2. Approve the attached settlement agreement between the County of Riverside, Riverside County Regional Park and Open-Space District and Rubidoux Community Service District for the acquisition and disposition of real property located in the unincorporated area of Rubidoux, County of Riverside, to construct Regional Wastewater Conveyance and Facilities;
3. Authorize the Chairman of the Board of Supervisors to execute the documents to complete the conveyance of real property and this transaction; and
4. Authorize the Director of the Department of Facilities Management, or his designee, to execute any other documents and administer all actions necessary to complete this transaction.

BACKGROUND:

Rubidoux Community Services District (Rubidoux), during the 2005 storm events, lost critical Regional Wastewater Conveyance and Facilities which adversely impacted the transmission of wastewaters for treatment and disposal. The replacement facilities and alignments of the new "project" were designed on higher ground in order to prevent the destruction of its facilities again and to traverse across Riverside County Regional Park and Open-Space District (Parks) and County properties. On June 5, 2008, the Board of Directors for the Rubidoux Community Services District approved at its regular Board meeting Resolution No. 776, a Resolution of Necessity which identifies certain properties and easements owned or controlled by the County and District as necessary for the replacement facilities and alignment of the Project. Further, under threat of eminent domain/condemnation, this Resolution authorizes Rubidoux to acquire subject properties at fair market values. The installation of this new regional wastewater conveyance and facilities is crucial to the area that the Rubidoux serves and it is imperative that it acquire the interests to begin the repairs and construction.

Rubidoux desires to acquire Fee Simple and Easement Interests from the County and will convey Interests in Real Property it no longer needs to the County as referenced and described herein when it completes its project. Due to the proximity of the parcels of land to each other and the valuation, Rubidoux, the County and Parks intend to enter into a settlement agreement which will result in Rubidoux acquiring the needed Interests in Real Property and the County receiving Interests in Real Property which can be used for parks and open-space purposes. Rubidoux will also purchase Fee Simple and Easement Interests in Real Property owned by Parks.

Department of Facilities Management
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186-230-034 and 186-240-003, Respectively

October 28, 2008

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(Continued)

BACKGROUND:

Pursuant to Government Code Section 25365, the County may exchange Interests in Real Property, or interest therein, belonging to the County with another public agency, upon the terms and conditions as are agreed upon and without complying with any other provisions of the Government Code, if the property or interest therein to be conveyed is not required for County use and the property to be acquired is required for County use. The County intends to convey Fee Simple and Easement Interests in Real Property located in the unincorporated Rubidoux area, County of Riverside, a .19 acre portion of Assessor's Parcel Number 186-230-034 and a .376 acre portion of Assessor's Parcel Number 186-250-010 by Grant Deed and Easement Rights totaling 3.2145 acres in portions of Assessor's Parcel Numbers 186-230-034 and 186-240-003 by Easement Deed, more particularly described in Exhibits "A", Legal Description and Exhibit "B" for each respective real property interest, attached hereto to the Rubidoux Community Services District.

Upon completion of the project by Rubidoux, it will convey a Fee Simple Interest for a .106 acre portion of Assessor's Parcel Number 186-250-014 and Rubidoux will vacate and convey the Easement Interests totaling 6.175 acres in a portion of Assessor's Parcel Numbers 186-240-001, 186-240-003, 186-250-010, 186-270-002, and 186-270-004.

This has been reviewed and approved by County Counsel as to legal form.

1 BOARD OF SUPERVISORS

COUNTY OF RIVERSIDE

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3 Resolution No. 2008-471
4 Authorization to Convey Real Property to the
5 Rubidoux Community Services District in the Unincorporated
6 Area of Rubidoux, County of Riverside, California
7 A .19 Acre Portion of Assessor's Parcel Number 186-230-034 and a .376 Acre Portion
8 of Assessor's Parcel Number 186-250-010 by Grant Deed and Easement Rights Totaling
9 3.2145 Acres in Portions of Assessor's Parcel Numbers 186-230-034 and 186-240-003 by
10 Easement Deed

11 BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of the
12 County of Riverside, California, in regular session assembled on November 25, 2008, at 9:00
13 a.m., in the meeting room of the Board of Supervisors located on the 1st floor of the County
14 Administrative Center, 4080 Lemon Street, Riverside, California, authorizes the conveyance to
15 the Rubidoux Community Services District the following described real property: Certain real
16 property located in the unincorporated Rubidoux area, County of Riverside, State of California,
17 identified by and as a .19 acre portion of Assessor's Parcel Number 186-230-034 and a .376
18 acre portion of Assessor's Parcel Number 186-250-010 by Grant Deed and Easement Rights
19 totaling 3.2145 acres in portions of Assessor's Parcel Numbers 186-230-034 and 186-240-003
20 by Easement Deed, more particularly described in Exhibit "A" Legal Description for each
21 respective Assessor's Parcel Number, attached hereto and thereby made a part hereof.

22 BE IT FURTHER RESOLVED AND DETERMINED that the Chairman of the Board of
23 Supervisors of the County of Riverside is authorized to execute the documents to complete the
24 conveyance of real property and this transaction.

25 BE IT FURTHER RESOLVED AND DETERMINED that the Director of the Department
of Facilities Management, or his designee, is authorized to execute any other documents to
complete this transaction.

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BE IT FURTHER RESOLVED AND DETERMINED that the Clerk of the Board of Supervisors has given notice hereof as provided in Section 6061 of the Government Code.

Dated: _____

COUNTY OF RIVERSIDE

ATTEST:
Nancy Romero
Clerk of the Board

By: _____
Roy Wilson, Chairman
Board of Supervisors

By: _____
Deputy

JKH:jw
10/27/08
074PD
12.304

FORM APPROVED COUNTY COUNSEL
BY: *Synthia M. Gunzel*
SYNTHIA M. GUNZEL DATE 11-3-08