

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

273C



FROM: Redevelopment Agency

SUBMITTAL DATE:
February 19, 2009

SUBJECT: RDA Resolution No. 2009-017, Authorization to Purchase Real Property in the Jurupa Valley Project Area – APN 169-070-031 – 2nd Supervisorial District

RECOMMENDED MOTION: That the Board of Directors:

1. Adopt RDA Resolution No. 2009-017, Authorization to Purchase Real Property in the Jurupa Valley Project Area within the unincorporated community of Glen Avon, County of Riverside;
2. Approve and authorize the Chairman of the Board to execute the Acquisition Agreement for the purchase of APN 169-070-031 from Phillip W. Smith, Brian C. Smith, Larry A. Smith, and Robin I. Richart by the Redevelopment Agency;
3. Authorize the Clerk of the Board to certify acceptance of any documents pertaining to this transaction; and
4. Authorize the Executive Director of the Redevelopment Agency or designee to execute and take all necessary steps to implement the Acquisition Agreement including signing subsequent, necessary related documents to complete this transaction.

(continued on Page 2)

Robert Field

RF:TE:JMP:DSC:JFM:jm
Robert Field
Executive Director

S:\RealProperty\Real Property\District Projects\Dist 2\Glen Avon Housing\Smith\Smith Fm11 Auth 2-2-09.doc

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 362,000 plus escrow fees	In Current Year Budget:	YES
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	NO
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2008/2009

COMPANION ITEM ON BOARD OF SUPERVISORS AGENDA: YES	
SOURCE OF FUNDS: Redevelopment Agency 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
BY: *Jennifer L. Sargent*
County Executive Office Signature

FORM APPROVED COUNTY COUNSEL
BY: MICHELLE CLACK
DATE: 4/6/09
Departmental Concurrence

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

Prev. Agn. Ref.: 3/17/09 Item 4.3 District: 2 Agenda Number:

BACKGROUND:

Agency staff has successfully negotiated a settlement for the acquisition of property identified as Assessor's Parcel Number 169-070-031 with Phillip W. Smith, Brian C. Smith, Larry A. Smith, and Robin I. Richart for a purchase price of \$362,000 plus escrow fees and miscellaneous costs associated with the acquisition.

The negotiated price is consistent with current property values in the Glen Avon area based on an independent fee appraisal report.

The subject parcel consists of 0.83 acres located at 8845 Mission Boulevard with an existing house and storage building, estimated to have been built around 1949. The parcel is needed for future phases of the Glen Avon Housing Project, provided other contiguous properties can be acquired. The project will include housing development, while eliminating blighting conditions in the Project Area.

The Notice of Intent to Purchase Real Property was approved by the Board of Directors on March 17, 2009.

Guided by Government Code Section 7267: "In order to encourage and expedite the acquisition and relieve congestion in the courts, to assume consistent treatment for owners in the public programs, and to promote public land acquisition practices, public entities shall, to the greatest extent practicable be guided by the provision of Section 7267.1: 'The public entity shall make every reasonable effort to acquire expeditiously real property by negotiation.' "

1 **BOARD OF DIRECTORS**

REDEVELOPMENT AGENCY

2 **RDA RESOLUTION NO. 2009-017**
3 **AUTHORIZATION TO PURCHASE REAL PROPERTY IN THE JURUPA VALLEY**
4 **PROJECT AREA**
5 **APN 169-070-031**
6 **(Second Supervisorial District)**

7 **WHEREAS**, the Redevelopment Agency for the County of Riverside ("Agency")
8 is a Redevelopment Agency duly created, established and authorized to transact
9 business and exercise its powers, all under and pursuant to the provisions of the
10 Community Redevelopment Law which is Part 1 of Division 24 of the California Health
11 and Safety Code (commencing with Section 33000 et seq.); and

12 **WHEREAS**, the Riverside County Board of Supervisors adopted redevelopment
13 plans for Redevelopment Project Area Nos. 1-1986, Jurupa Valley, Mid-County, Desert
14 Communities and I-215 Corridor, as amended, ("Project Areas"); and

15 **WHEREAS**, pursuant to Section 33670 of the Health and Safety Code, the
16 Agency began receiving tax increment from the Project Areas in January 1988, and
17 continues to receive annual tax increment revenue; and

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

21 **WHEREAS**, the Agency has based on an independent fee appraisal report,
22 negotiated a purchase price of \$362,000 for real property identified as Assessor's
23 Parcel Number 169-070-031 ("Property"), more particularly described in Exhibit "A"
24 attached hereto and incorporated herein by reference; and

25 **WHEREAS**, the Glen Avon Sub-Area is located within the Jurupa Valley
26 Redevelopment Project Area ("Sub-Area"); and

27 **WHEREAS**, the Property is located within the Sub-Area; and

28 **WHEREAS**, the Agency intends to construct public improvements on the
Property, which will assist in implementing the Sub-Area's redevelopment plan ("Plan");

FORM APPROVED COUNTY COUNSEL
BY: MICHELLE CLACK
DATE: 3/2/09

1 and

2 **WHEREAS**, the public improvements will benefit the Sub-Area; and

3 **WHEREAS**, there are no other reasonable means of financing available to the
4 community; and

5 **WHEREAS**, the public improvements will assist in eliminating physical blighting
6 conditions within the Sub-Area; and

7 **WHEREAS**, the purchase of the Property for the construction of public
8 improvements is consistent with the implementation plan adopted pursuant to Health
9 and Safety Code Section 33490; and

10 **WHEREAS**, prior to using the Property for the purpose described in the Plan, the
11 Agency understands and agrees to fully comply with the California Environmental
12 Quality Act.

13 **NOW THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED** by the
14 Board of Directors of the Redevelopment Agency for the County of Riverside, State of
15 California, in regular session assembled on April 14, 2009, as follows:

16 1. That the Board of Directors hereby finds and declares that the above
17 recitals are true, correct and incorporated herein by reference.

18 2. That the Redevelopment Agency for the County of Riverside is authorized
19 to purchase real property identified as Assessor's Parcel Number 169-070-031, as
20 shown in Exhibit "A".

21 3. That the purchase price for the real property is \$362,000.

22 4. That the Chairman of the Board of Directors is hereby authorized to
23 execute any and all documents necessary to purchase the real property from Phillip W.
24 Smith, Brian C. Smith, Larry A. Smith, and Robin I. Richart.

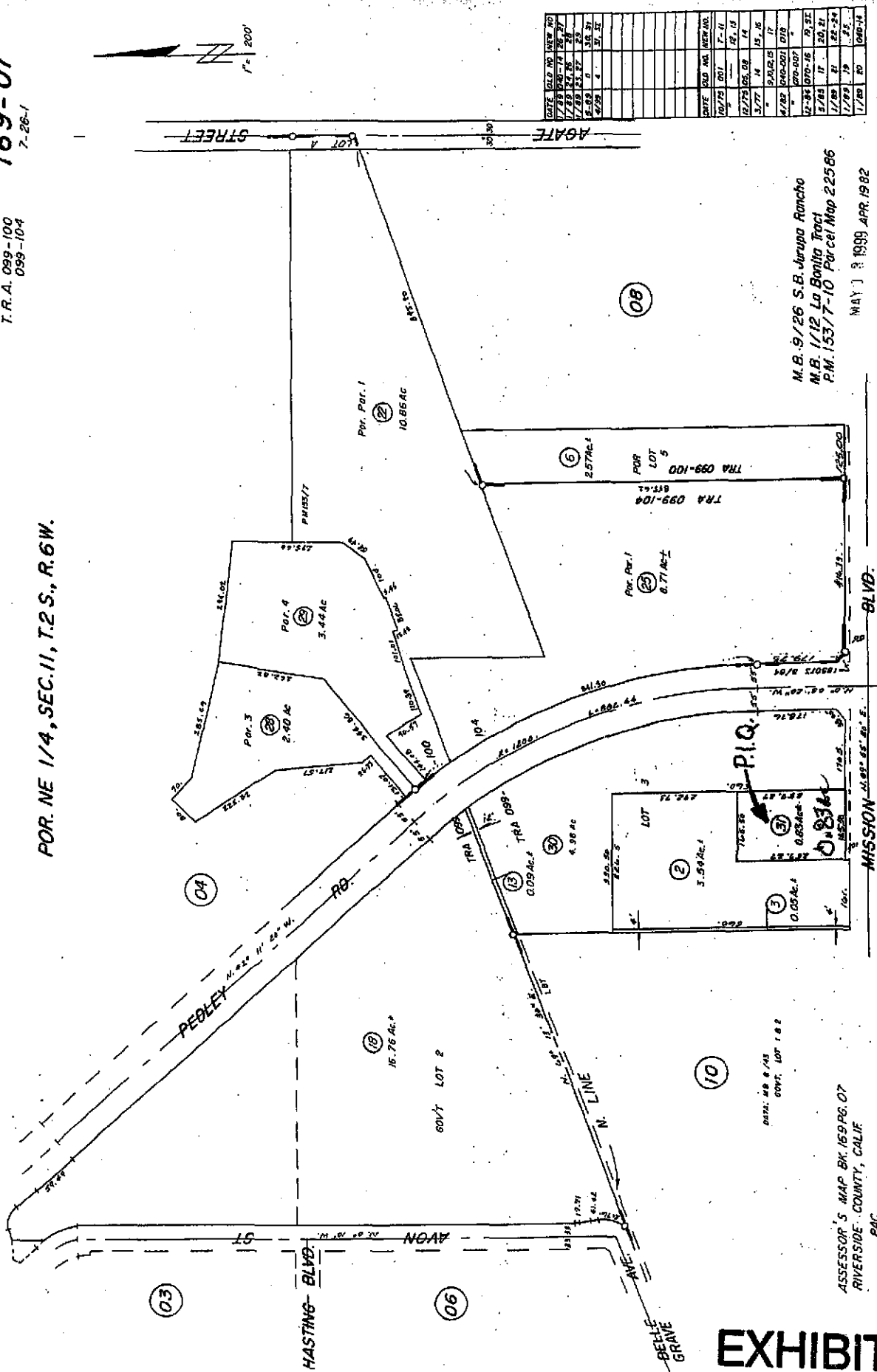
25 5. That the Executive Director of the Redevelopment Agency or designee is
26 hereby authorized to execute subsequent and relevant documents necessary to
27 complete this transaction.

28 ///

169-07
7-26-1

T.R.A. 099-100
099-104

FOR. NE 1/4, SEC. 11, T.2 S., R.6 W.



DATE	OLD NO.	NEW NO.
7/29/79	100-74	100-27
7/29/79	100-75	100-28
7/29/79	100-76	100-29
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7/29/79	100-78	100-31
7/29/79	100-79	100-32
7/29/79	100-80	100-33
7/29/79	100-81	100-34
7/29/79	100-82	100-35
7/29/79	100-83	100-36
7/29/79	100-84	100-37
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7/29/79	100-199	100-152
7/29/79	100-200	100-153

M.B. 9/26 S.B. Jurupa Rancho
M.B. 1/12 La Bontita Tract
P.M. 153/7-10 Parcel Map 22586
MAY 13 1999 APR 19 82

EXHIBIT A

ASSESSOR'S MAP BK. 169 PG. 07
RIVERSIDE COUNTY, CALIF
PAC

Project: Glen Avon Housing
APN 169-070-031
Address: 8845 Mission Boulevard

ACQUISITION AGREEMENT

This agreement is made by and between the REDEVELOPMENT AGENCY FOR THE COUNTY OF RIVERSIDE, herein called "Agency", and PHILLIP W. SMITH, BRIAN C. SMITH, LARRY A. SMITH, AND ROBIN I. RICHART, herein called "Grantor".

Grantor has executed and will deliver to John F. McDonald, Real Property Agent III for the Agency or to the designated escrow company, a Grant Deed dated _____, 2009, identifying Assessor's Parcel Number 169-070-031, in consideration of which it is mutually agreed as follows:

1. The Agency shall:

A. Pay to the order of Grantor the sum of \$362,000 for the property, or interest therein, conveyed by said deed, when title to said property or interest vests in Agency free and clear of all liens, encumbrances, easements, leases (recorded or unrecorded), and taxes except those encumbrances and easements which, in the sole discretion of the Agency, are acceptable.

B. Handle real property taxes, bonds, and assessments in the following manner:

1. All real property taxes shall be prorated, paid, and canceled pursuant to the provisions of Section 5081 et. seq, of the Revenue and Taxation Code.

2. Agency is authorized to pay from the amount shown in Paragraph 1A herein, any unpaid taxes together with penalties, cost and interest thereon, and any bonds or assessments that are due on the date title is transferred to, or possession is taken by the Agency, whichever first occurs.

C. Pay all ~~typical~~ escrow, recording, reconveyance, and/or any other fees incurred in this transaction, and if title insurance is desired by Agency, the premium charged therefore.

SIGNED IN COUNTERPART

1 10. Grantor, his assigns and successors in interest, shall be bound by all the terms
2 and conditions contained in this agreement, and all the parties thereto shall be jointly and
3 severally liable thereunder.

4 Dated: 2/23/09

Phillip W. Smith
Phillip W. Smith

6 Dated: 2/10/09

Brian C. Smith
Brian C. Smith

8 Dated: _____

Larry A. Smith

10 Dated: _____

Robin I. Richart

12 RECOMMENDED FOR APPROVAL:

13 By: John F. McDonald
14 John F. McDonald
Real Property Agent III

16 APPROVED AS TO FORM:

17 PAMELA J. WALLS
18 ~~Interim~~ County Counsel

19 By: Michelle Clark 2/2/09
20 Deputy Michelle Clark

21 ATTEST:

22 NANCY ROMERO
23 Clerk to the Board

REDEVELOPMENT AGENCY
FOR THE COUNTY OF RIVERSIDE

24 Dated: _____

26 By: _____
27 Deputy

By: _____
Chairman
Board of Directors

1 10. Grantor, his assigns and successors in interest, shall be bound by all the terms
2 and conditions contained in this agreement, and all the parties thereto shall be jointly and
3 severally liable thereunder.

4 Dated: _____

Phillip W. Smith

5
6 Dated: 2/10/09

Brian C. Smith
Brian C. Smith

7
8 Dated: 2/18/09

Larry A. Smith
Larry A. Smith

9
10 Dated: _____

Robin I. Richart

11
12 RECOMMENDED FOR APPROVAL:

13 By: John F. McDonald
14 John F. McDonald
Real Property Agent III

15
16 APPROVED AS TO FORM:

17 PAMELA J. WALLS
18 Interim County Counsel

19 By: Michelle Clark 2/18/09
20 Deputy Michelle Clark

21 ATTEST:

22 NANCY ROMERO
23 Clerk to the Board

REDEVELOPMENT AGENCY
FOR THE COUNTY OF RIVERSIDE

24 Dated: _____

25
26 By: _____
27 Deputy

By: _____
Chairman
Board of Directors

1 10. Grantor, his assigns and successors in interest, shall be bound by all the terms
2 and conditions contained in this agreement, and all the parties thereto shall be jointly and
3 severally liable thereunder.

4 Dated: _____

Phillip W. Smith

5
6 Dated: 2/10/09

Brian C. Smith
Brian C. Smith

7
8 Dated: _____

Larry A. Smith

9
10 Dated: 2-20-09

Robin I. Richart
Robin I. Richart

12 RECOMMENDED FOR APPROVAL:

13 By: John F. McDonald
14 John F. McDonald
15 Real Property Agent III

16 APPROVED AS TO FORM:

17 PAMELA J. WALLS
18 Interim County Counsel

19 By: Pamela J. Walls 2/2/09
20 Deputy Michael Clark

21 ATTEST:

22 NANCY ROMERO
23 Clerk to the Board

REDEVELOPMENT AGENCY
FOR THE COUNTY OF RIVERSIDE

24 Dated: _____

25
26 By: _____
27 Deputy

By: _____
Chairman
Board of Directors

28