

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

446



FROM: Economic Development Agency

SUBMITTAL DATE:
October 6, 2010

SUBJECT: Resolution No. 2010-295, Notice of Intention to Purchase Real Property in the Unincorporated Area of Hemet, County of Riverside, California

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2010-295, Notice of Intention to Purchase Real Property located in the Unincorporated Area of Hemet, California, further described as County of Riverside Assessor's Parcel Numbers 465-020-010 and 465-020-011;
2. Authorize the Economic Development Agency to negotiate the purchase of the subject property, Assessor's Parcel Numbers 465-020-010 and 465-020-011, at a price not-to-exceed \$10,185,000;

Reviewed by
CIP
Christopher Hays
(ued)

Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 10,225,400	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2010/11

COMPANION ITEM ON BOARD OF DIRECTORS AGENDA: No

SOURCE OF FUNDS: Multi-Species Project Trust Fund (#5852) 44%; Western Riverside County Regional Conservation Authority (RCA) 7%; Open Space Mitigation Fee 4%; and State Wildlife Conservation Board (WCB) 45%	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY:
Alex Gann

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Tavaglione and duly carried, IT WAS ORDERED that the above matter is approved as recommended, and is set for Tuesday, November 30, 2010, at 9:00 a.m.

Ayes: Buster, Tavaglione, Benoit and Ashley
Nays: None
Absent: None
Abstain: Stone
Date: October 19, 2010
xc: EDA, CIP, Auditor, COB

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

Prev. Agn. Ref.:

District: 3

Agenda Number:

ATTACHMENTS FILED WITH
THE CLERK OF THE BOARD

3.64

FISCAL PROCEDURES APPROVED
 ROBERT E. BYRD, AUDITOR-CONTROLLER
 BY: SAMUEL WONG
 FORM APPROVED BY: KARIN WATTS
 COUNSEL DATE: 10/15/10

Policy Policy
 Consent Consent
 Dept's Recomm.: Per Exec. Ofc.:

RECOMMENDED MOTION: (Continued)

3. Authorize the Economic Development Agency to incur typical due diligence and transaction costs not-to-exceed \$40,400, and
4. Direct the Clerk of the Board to give notice pursuant to Government Code Section 6061.

BACKGROUND:

In May of 2008, the Environmental Programs Department and Western Riverside County Regional Conservation Authority (RCA) determined that the above-referenced property was described for Conservation and should be included in the Multiple Species Habitat Conservation Plan (MSHCP) Conservation Area if it could be acquired. The property includes vernal pool habitat essential for several vernal pool species covered by the MSHCP. Negotiations to acquire the property were initiated with the RCA but the parties were unable to come to agreement on terms. The property owner has requested and received assistance from County staff in facilitating an acquisition.

As part of this process, staff initiated the preparation of a new appraisal in order to assist in obtaining Section 6 matching funds from the State Wildlife Conservation Board (WCB). We anticipate that the County and RCA will provide local funding of 55% of the purchase price in order to obtain the 45% match in Section 6 funding. Funding is available from reserved Open Space Mitigation fees collected prior to approval of the MSHCP; from an established Multi-Species Project Trust Fund (#5852); and from the RCA (up to \$800,000). Staff has requested that this acquisition be scheduled for consideration by the WCB on November 18, 2010.

This Form 11 has been reviewed and approved by County Counsel as to legal form.

FINANCIAL DATA:

The following summarizes the funding necessary to acquire Assessor's Parcel Numbers 465-020-010 and 465-020-011:

Purchase Price	\$10,185,000
Estimated Title and Escrow Charges	\$ 17,000
Preliminary Title Report:	\$ 450
Due Diligence Expense	\$ 3,000
Appraisal	\$ 10,950
Acquisition Administration	\$ 9,000
Total Estimated Acquisition Costs:	<u>\$10,225,400</u>

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

All costs associated with this property acquisition are fully funded through the Environmental Programs Department for FY 2010/2011. Thus, no additional net county costs will be incurred as a result of this transaction.

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Resolution No. 2010-295
Notice of intention to Purchase Real Property
in the Unincorporated Area of Hemet, County of Riverside, California
Assessor's Parcel Numbers: 465-020-010 and 465-020-011

BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of the County of Riverside in regular session assembled on October 19, 2010, and NOTICE IS HEREBY GIVEN, pursuant to Section 25350 of the Government Code, that this Board at its public meeting on or after November 30, at 9:00 a.m. in the meeting room of the Board of Supervisors located on the 1st floor of the County Administrative Center, 4080 Lemon Street, Riverside, California intends to authorize a transaction in which the County of Riverside will purchase real property in the Unincorporated Area of Hemet, County of Riverside, State of California, known as Assessor's Parcel Numbers 465-020-010 and 465-020-011, more particularly described in Exhibit "A," attached hereto and made a part hereof, from the Wilhelm Family Ranch, L.P. consisting of 70.86 acres, for a price not to exceed Ten Million One Hundred Eighty-Five Thousand Dollars (\$10,185,000).

BE IT FURTHER RESOLVED AND DETERMINED that Economic Development Agency is to expend an amount not-to-exceed Forty Thousand Four Hundred Dollars (\$40,400) to complete due diligence on the property, consisting of a preliminary title report, appraisal costs, a hazardous materials survey, Economic Development Agency staff time and miscellaneous other studies as may be deemed necessary.

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

BE IT FURTHER RESOLVED AND DETERMINED that the Assistant County Executive Officer of the Economic Development Agency, or his designee, is authorized to execute the necessary documents to complete this purchase of real property.

FORM APPROVED COUNTY COUNSEL
BY: *Karin L. Watts-Bazan* 10/15/10
DATE: KARIN L. WATTS-BAZAN

CO:ra
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001EP
13.686

2 RESOLUTION NO. 2010 – 295

3 NOTICE OF INTENTION TO PURCHASE REAL PROPERTY
4 IN THE UNINCORPORATED AREA OF HEMET, COUNTY OF RIVERSIDE, CALIFORNIA
5 ASSESSOR'S PARCEL NUMBERS: 465-020-010 AND 465-020-011

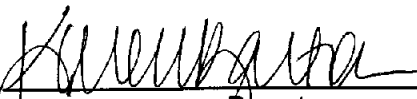
6 ADOPTED by Riverside County Board of Supervisors on October 19, 2010.

7 ROLL CALL:

8 Ayes: Buster, Tavaglione, Benoit, and Ashley
9 Nays: None
10 Absent: None
11 Abstain: Stone

12 The foregoing is certified to be a true copy of a resolution duly adopted by said Board of
13 Supervisors on the date therein set forth.

14 KECIA HARPER-IHEM, Clerk of said Board

15 By: 
16 Deputy

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EXHIBIT "A"

PARCEL 1:

THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER AND THE NORTH 5 ACRES OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 5 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

EXCEPT THAT PORTION CONVEYED TO THE COUNTY OF RIVERSIDE BY DEED RECORDED MARCH 30, 1915 IN BOOK 406 PAGE 135 OF DEEDS.

ALSO EXCEPT THAT PORTION THEREOF LYING SOUTHEASTERLY OF THE NORTHWESTERLY LINE OF THE SECOND SAN DIEGO AQUEDUCT CANAL AS CONVEYED TO THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA BY DEEDS RECORDED JUNE 30, 1959 IN BOOK 2500 PAGE 593 AND JULY 20, 1959 IN BOOK 2512 PAGE 270, BOTH OF OFFICIAL RECORDS.

PARCEL 2:

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 5 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 13,
THENCE WEST 70 RODS,
THENCE AT A RIGHT ANGLE NORTH 220 RODS,
THENCE AT A RIGHT ANGLE EAST, 50 RODS,
THENCE AT A RIGHT ANGLE NORTH, 20 RODS TO THE NORTH LINE OF SAID SECTION,
THENCE EAST ALONG SAID NORTH LINE, 20 RODS TO THE NORTHEAST CORNER OF THE WEST-HALF OF SAID SECTION;
THENCE SOUTH ALONG THE CENTER LINE OF SAID SECTION, 240 RODS TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION THEREOF LYING SOUTHEASTERLY OF THE NORTHWESTERLY LINE OF THE SECOND SAN DIEGO AQUEDUCT CANAL AS CONVEYED TO THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA BY DEEDS RECORDED JUNE 30, 1959 IN BOOK 2500 PAGE 593 AND JULY 20, 1959 IN BOOK 2512 PAGE 270, BOTH OF OFFICIAL RECORDS.

APN: 465-020-011-9 and 465-020-010-8