

**SUBMITTAL TO THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT
BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

FORM 11: Approve Resolution No. F2014-28 - Notice of Intent to Adopt a Resolution of Necessity Regarding Romoland Line A Stage 4, Project No. 4-0-00310, APN: 331-140-019 District 3/District 3 [\$0]

DATE: July 29, 2014

PAGE: Page 2 of 2

BACKGROUND:

Summary (continued)

The FEIR identified "Proposed Phase I Facilities" (Approved Project) that were expected to be constructed over the next few years. Since that time, final design was completed and regulatory permit authorizations were obtained by a private corporation for the construction of Approved Project. Except for some interim excavation, the construction of the Approved Project by the private corporation was delayed and will now be constructed by the District. The Project consists of the construction, operation and maintenance of the following facilities which were included in the Approved Project: Romoland MDP Line A, Romoland MDP Line A-2, Romoland MDP Line A-3, Homeland MDP Briggs Road Basin, Homeland MDP Line 1, and Homeland MDP Juniper Flats Basin. The Project will begin just upstream of I-215 and terminate northeast of the intersection of Juniper Flats Road and Falcon View Lane. The Project length is approximately 41,000 lineal feet and consists of open channels, underground reinforced concrete boxes/reinforced concrete pipes and two (2) basins. The Project will convey runoff from the hills northeast of Romoland and flows emanating from the Homeland area starting upstream in the vicinity of the Juniper Flats area. It will also provide an outlet to such storm runoff. Staff is recommending the approval of Resolution No. F2014-28

Impact on Residents and Businesses

The proposed Project will protect residents, property and the watershed from damage or destruction from flood and stormwater impacts. There is a residential tenant which will be relocated pursuant to the Uniform Relocation and Property Acquisition Act of 1970, as amended.

ATTACHMENTS:

1. Resolution No. F2014-28

BOARD OF SUPERVISORS

**RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT**

RESOLUTION NO. F2014-28

NOTICE OF INTENT TO ADOPT
A RESOLUTION OF NECESSITY REGARDING
ROMOLAND LINE A, STAGE 4
PROJECT NO. 4-0-00310-04

WHEREAS, the real property that is the subject of this Notice (collectively the Subject Property) is located in the City of Menifee, County of Riverside, State of California; the project (the Proposed Project) alignment begins just upstream of I-215 and terminates northeast of the intersection of Juniper Flats Road and Falcon View Lane. The Proposed Project length is approximately 41,000 lineal feet and consists of open channels, underground reinforced concrete boxes/reinforced concrete pipes and two (2) basins; is legally described and visually depicted in the documents attached hereto as Exhibits "A" and "B", and incorporated herein by this reference; and are referred to in attached Exhibits "A" and "B" as Parcel 4310-18 (which is Riverside County Assessor's Parcel No. APN 331-150-025); and

WHEREAS, the Proposed Project that is the subject of this Notice is to develop and construct a public flood control facility, and is for other uses incidental to that stated use, and required by that stated use including but not limited to the development and construction of an access road, and including but not limited to the incidental creation of "remnant(s)" within the meaning of Code of Civil Procedure Section 1240.410; and

WHEREAS, the interests in property that is the subject of this Notice (collectively the Subject Property Interests) are a Fee Interest, Parcel 4310-18; and

WHEREAS, the authorities that authorize the District to acquire the Subject Property Interest by eminent domain include Article 1, Section 19 of the California Constitution; Section 25350.5 of the Government Code; Section 48-9 of the Water Code-Appendix; and Sections

FORM APPROVED COUNTY COUNSEL
BY: ANNA W. WANG
DATE: 7/14/14

1 1240.010, 1240.020, 1240.030, 1240.040, 1240.110, 1240.410, 1240.510 and 1240.610 of the
2 Code of Civil Procedure.

3
4 NOW, THEREFORE, BE IT RESOLVED AND ORDERED as follows by the Board of
5 Supervisors of the Riverside County Flood Control and Water Conservation District in regular
6 session assembled on July 29, 2014.

7 1. You are hereby notified that this Board (at its public meeting on September 9, 2014
8 at 10:30 a.m. or soon thereafter in the meeting room of the Board of Supervisors
9 located on the 1st Floor of the County Administrative Center, 4080 Lemon Street,
10 Riverside, California) may decide to adopt a Resolution of Necessity that would
11 authorize the District to acquire the Subject Property Interest by eminent domain
12 (and that would find and determine each of the following matters):

- 13 (a) The public interest and necessity require the Proposed Project;
- 14 (b) The Proposed Project is planned or located in the manner that will be most
15 compatible with the greatest public good and the least private injury;
- 16 (c) The Subject Property Interest is necessary for the Proposed Project;
- 17 (d) The offer required by Section 7267.2 of the Government Code has been made
18 to the owner or owners of record of the Subject Property;
- 19 (e) To the extent that the Subject Property is already devoted to a public use, the
20 use of the Proposed Project is a compatible use that will not unreasonably
21 interfere with or impair the continuance of the public use as it presently exists
22 or may reasonably be expected to exist in the future (California Code of Civil
23 Procedure Section 1240.510), or the use of the Proposed Project is a more
24 necessary public use than is the presently existing public use (California Code
25 of Civil Procedure Section 1240.610); and
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(f) This notice was duly given as required by Section 1245.235 of the California Code of Civil Procedure.

2. If, within fifteen (15) days from the mailing of this Notice, you file a written request to appear at the public meeting and be heard on the matters described in 1(a), 1(b), 1(c), 1(d), 1(e) and 1(f) (or any one or more of them), you will have a right to appear at that meeting and be heard on those matters.
3. All such written requests to appear and be heard must be filed with the Clerk of the Board of Supervisors of the District.
4. Your written request to appear and be heard must be filed within the fifteen (15) day time period. Failure to file such a timely written request will result in a waiver of your right to appear and be heard.
5. Questions regarding the amount of compensation to be paid will not be a part of the public meeting and the Board will not consider such questions in determining whether a Resolution of Necessity should be adopted.
6. The Clerk of the Board of Supervisors of the District shall cause a copy of this Notice to be sent by first-class mail to each person whose property may be acquired by eminent domain and whose name and address appears on the last equalized County Assessment Roll (including the roll of State-assessed property).

Exhibit "A"

**Romoland MDP Line A Stage 4
Parcel 4310-18**

All of Parcel 4 together with Lot "B" of Parcel Map Book No. 12337 as shown on Parcel Map Book 67, Page 94, records of Riverside County, State of California, located within the city of Menifee, county of Riverside, State of California.

Containing 2.39 net acres, more or less.



William R. Hofferber Jr.

WILLIAM R. HOFFERBER JR.

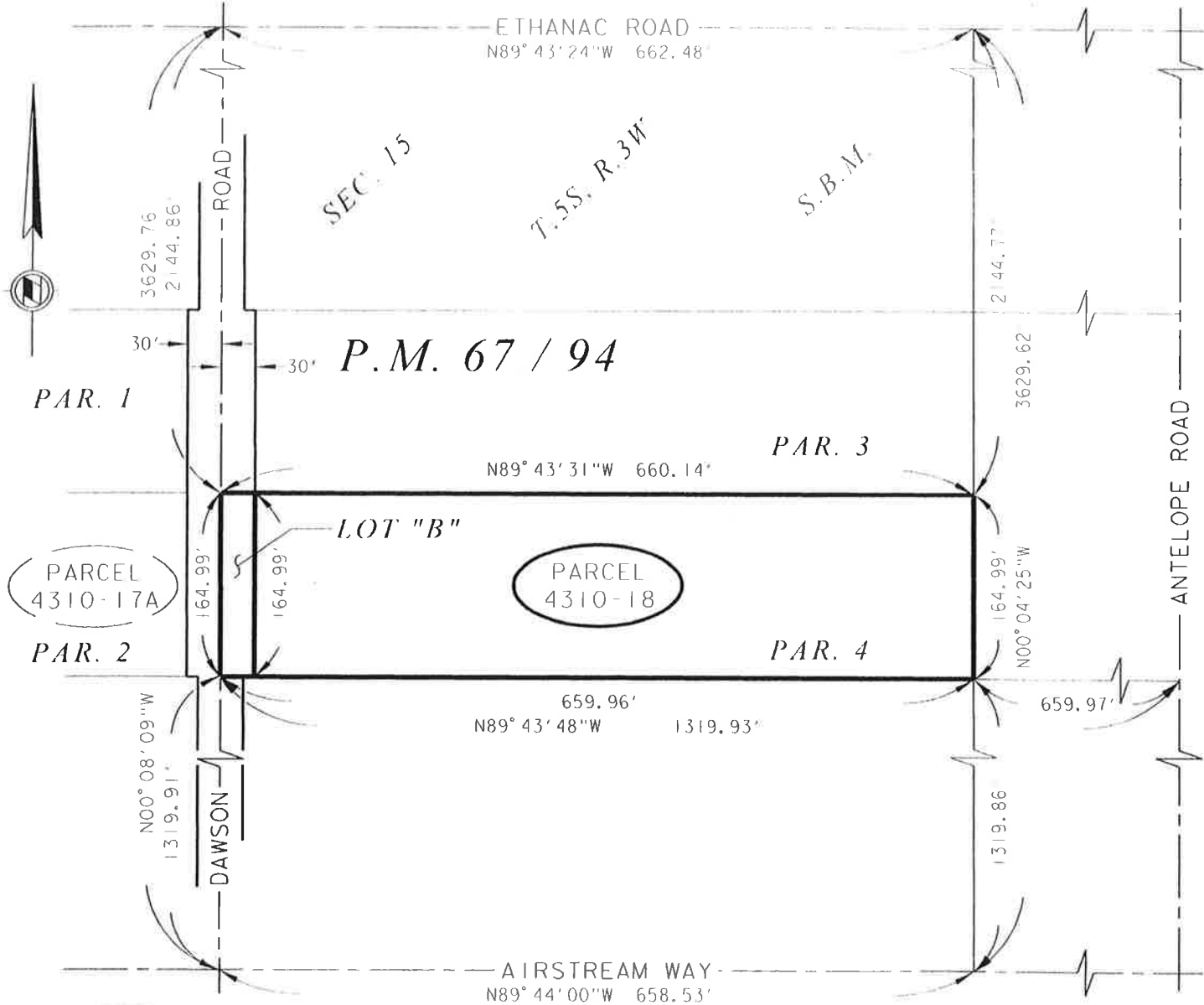
Land Surveyor No. 7360

Signed For: Riverside County Flood Control
and Water Conservation District

Date: 02 JULY, 2014

Exhibit "B"

ALL THAT PORTION OF PARCEL 4 TOGETHER WITH LOT "B" OF PARCEL MAP BOOK NO. 12337 AS SHOWN ON PARCEL MAP BOOK 67 PAGE 94, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, WITHIN THE CITY OF MENIFEE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.



William R. Hoffecker, Jr.
 DATE: 02 JULY, 2014

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

1995 MARKET ST. RIVERSIDE, CA. 92501

PROJECT NAME: ROMOLAND MDP LINE A STAGE 4			
THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN.	RCFC PARCEL NUMBER(S):	SCALE:	PREPARED BY:
	PARCEL 4310-18	NO SCALE	DAC
		JUN-17-2014	SHEET NO. 1 OF 1