

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



856

FROM: Economic Development Agency

SUBMITTAL DATE:
November 23, 2010

SUBJECT: Resolution No. 2010-319, Authorization to Convey a Fee Simple Interest and Exchange Easement Interests in Real Property; Resolution No. 2010-321, Authorization to Lease Real Property – 4th Supervisorial District

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2010-319, Authorization to Convey a Fee Simple Interest to and Exchange Easement Interests in Real Property, located in the City of Indio, County of Riverside, described as an approximate 4.6 acre portion of Assessor's Parcel Number 614-150-031 by Grant Deed and Easement Deeds, with the State of California, Judicial Council of California, Administrative Office of the Courts at a purchase price of \$2,840,000 plus miscellaneous real property transactional costs in the approximate amount of \$122,200;

(Continued)

Lisa Brandl for

Robert Field
Assistant County Executive Officer/EDA
By Lisa Brandl, Managing Director

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 122,200	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	Yes
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2010/11

COMPANION ITEM ON BOARD OF DIRECTORS AGENDA: No

SOURCE OF FUNDS: State of California, Judicial Council of California, Administrative Office of the Courts	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input checked="" type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

BY: *[Signature]*
Dean Deines

County Executive Office Signature

APPROVED PREMATURELY....PLEASE SEE ITEM 3.30 OF DECEMBER 14, 2010

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Benoit and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: December 7, 2010
xc: EDA, Auditor, EO

Kecia Harper-Ihem
Clerk of the Board
By: *[Signature]*
Deputy

Prev. Agn. Ref.: _____ **District:** 4 **Agenda Number:** 3.51

FISCAL PROCEDURES APPROVED
 ROBERT E. BYRD, AUDITOR-CONTROLLER
 BY: *[Signature]* 12/16/10
 SAMUEL WONG
 FORM APPROVED COUNTY COUNSEL
 BY: *[Signature]* 12-1-10
 DATE: _____
 SYNTHIA M. GUNZEL

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

RECOMMENDED MOTION: (Continued)

2. Approve the attached property acquisition agreement between the County of Riverside and State of California, Judicial Council of California, Administrative Office of the Courts (State) for the purchase and sale of and exchange of real property interests located in the City of Indio, County of Riverside;
3. Authorize the Chairman of the Board of Supervisors to execute the agreement and the conveyance documents to complete the conveyances of real property and this transaction;
4. Authorize and direct the Chairman of the Board of Supervisors to certify acceptance of any documents successively in favor of the County, as part of this transaction;
5. Adopt Resolution No. 2010-321, Authorization to Lease Real Property to the State an approximate two acre portion of Assessor's Parcel Number 614-150-031, located in Indio, County of Riverside;
6. Approve the attached lease agreement and authorize the Chairman of the Board to execute the same on behalf of the County;
7. Authorize the Assistant County Executive Officer/EDA, or his designee, to execute any other documents to complete this transaction; and
8. Authorize the Auditor-Controller to amend the Economic Development Agency's Real Property budget as specified on "Schedule A".

BACKGROUND:

Pursuant to Government Code Section 25365, the County of Riverside may transfer and exchange interests in real property, or any interest therein, belonging to the county to 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 needed for county use. The county intends to convey a Fee Simple Interest in Real Property located in the City of Indio, County of Riverside, described as an approximate 4.6 acre portion of Assessor's Parcel Number 612-150-031 by Grant Deed, more particularly legally described in Exhibit "A" and "B", attached hereto, to the State of California, Judicial Council of California, Administrative Office of the Courts and exchange Easement Interests by Easement Deeds with the State to serve the access needs of each respective party.

The County of Riverside and the State of California, acting by and through the Judicial Counsel of California, Administrative Office of the Courts, have been working cooperatively to pursue the needs of the State and to provide for a new Juvenile Court facility to serve the Coachella Valley. The current courthouse located at 47671 Oasis Street, Indio, sits adjacent to the existing County Juvenile Detention Facility and lacks in both space and parking to meet the major growth in caseloads and population within this region. The State of California is seeking to acquire the County's partial interest in the current courthouse and an additional 2.5 acres of contiguous land owned by the county to construct a new Juvenile Court Facility.

(Continued)

BACKGROUND: (Continued)

As the new Court facility will serve the needs of juvenile offenders, both the county and the State desire to locate this new facility as closely adjacent to the existing Juvenile Detention Facility as possible. By maintaining the court facility in close proximity to the detention facility the project will continue to provide for the transport of juvenile defendants safely, efficiently, and with a cost savings to the taxpayers. The planning and construction of the new Juvenile Court Facility is wholly a State project and the same is responsible for State's compliance with California Environmental Quality Act (CEQA).

During the construction of the new Juvenile Court Facility, the State needs to utilize vacant, unimproved real property that is adjacent to the existing Court Facility property for use as a parking lot and construction staging area. The State will lease from County an approximate two acre portion of Assessor's Parcel Number 614-150-031, for the duration of the construction. The Lease Agreement is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The County's approval of this proposed Lease does not create any reasonably foreseeable physical change in the environment; it is a temporary use of vacant, unimproved land where no permanent alterations will be made to the real property.

The sale of the facility will provide the county with \$2,840,000 of gross proceeds (minus reimbursed Real Property transactional and transfer costs) from the sale of this property.

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

FINANCIAL DATA:

The following summarizes the funding necessary to convey Assessor's Parcel Number 614-150-031:

Estimated Title and Escrow Charges	\$ 8,000
Preliminary Title Report	\$ 900
Appraisal Report	\$ 19,500
Notice of Publication	\$ 1,500
Legal Services Fees	\$ 17,300
Surveying	\$ 35,000
EDA Real Property Costs	<u>\$ 40,000</u>
Total Estimated Conveyance Costs:	\$122,200

All costs associated with the conveyance of this property are fully funded through the proceeds of the conveyance to the State of California, Judicial Council of California, Administrative Office of the Courts. The Real Property Division will reimburse itself for all related transactional costs from the conveyance of this property. Thus no net county costs will be incurred as a result of this transaction.

Attachments:

- Schedule "A"
- Exhibit "A"
- Exhibit "B"

Schedule A

Increase Estimated Revenues:

47220-7200400000-777520	Reimbursement for Services	\$ 82,200
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Increase Appropriations:

47220-7200400000-524550	Appraisal Services	\$ 19,500
47220-7200400000-524820	Engineering Services	\$ 35,000
47220-7200400000-525020	Legal Services	\$ 17,300
47220-7200400000-525400	Title Company Services	\$ 8,900
47220-7200400000-526420	Advertising	\$ <u>1,500</u>
		\$ 82,200

EXHIBIT "A"

PARCEL "A":

That portion of the southwest quarter of the southeast quarter of Section 26, Township 5 South, Range 7 East, San Bernardino Base and Meridian, described as follows:

Commencing at the northeast corner of said southwest quarter of the southeast quarter of Section 26;

Thence South 00 degrees 11 minutes 54 seconds West, along the easterly line of said southwest quarter of the southeast quarter of Section 26, a distance of 357.32 feet, to the **Point of Beginning**;

Thence North 89 degrees 48 minutes 06 seconds West a distance of 58.45 feet, to the westerly right-of-way line of Oasis Street (30' westerly half width);

Thence North 64 degrees 51 minutes 56 seconds West a distance of 210.63 feet;

Thence South 25 degrees 11 minutes 40 seconds West a distance of 163.91 feet;

Thence South 64 degrees 48 minutes 20 seconds East a distance of 17.81 feet;

Thence South 23 degrees 41 minutes 41 seconds West a distance of 117.28 feet;

Thence North 64 degrees 48 minutes 18 seconds West a distance of 106.04 feet;

Thence North 25 degrees 09 minutes 01 seconds East a distance of 62.03 feet;

Thence North 64 degrees 48 minutes 18 seconds West a distance of 221.22 feet;

Thence South 00 degrees 50 minutes 40 seconds East a distance of 373.71 feet, to the south line of the north 700 feet of the southwest quarter of the southeast quarter of said Section 26;

Thence North 89 degrees 09 minutes 20 seconds East along said south line a distance of 613.06 feet, to the easterly line of said southwest quarter of the southeast quarter of Section 26;

Thence North 00 degrees 11 minutes 54 seconds East along said easterly line, a distance of 342.80 feet, to the Point of Beginning.

Said described parcel contains 4.64 gross acres and 4.18 net acres.

See Exhibit "B" attached hereto and by this reference made a part hereof.

David B. Ragland 6/7/10
David B. Ragland, LS 5173

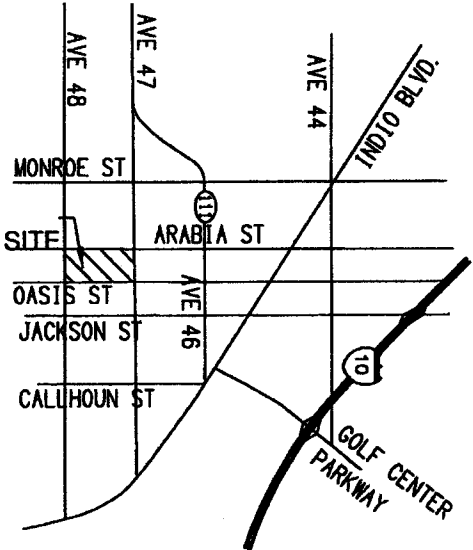


THIS DOCUMENT REVIEWED BY
RIVERSIDE COUNTY SURVEYOR.
BY: *Robert F. Robinson*
DATE: *06/07/10*

EXHIBIT "B"

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RIVERSIDE COUNTY SURVEYOR.
BY: *Robert E. Robinson*
DATE: 06/07/10

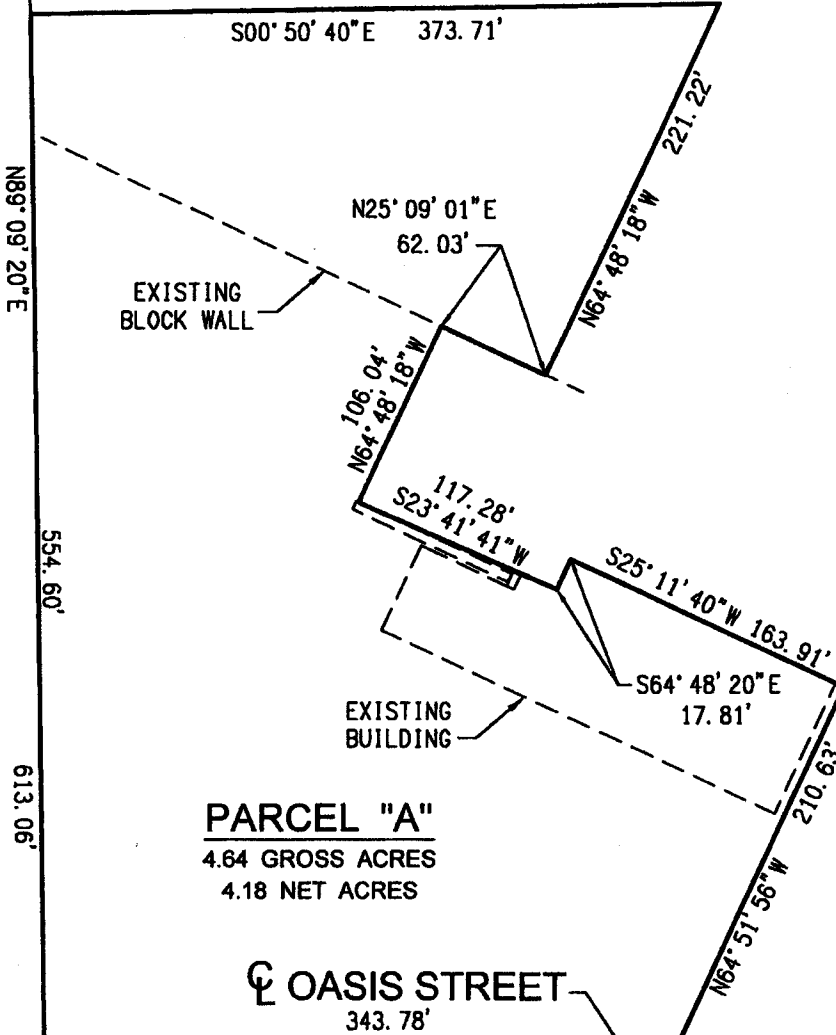
THE SOUTH LINE OF THE NORTH
700' OF THE S.W. 1/4 OF THE
S.E. 1/4 OF SEC. 26, T.5 S,
R. 7 E., S. B. B. M.



VICINITY MAP

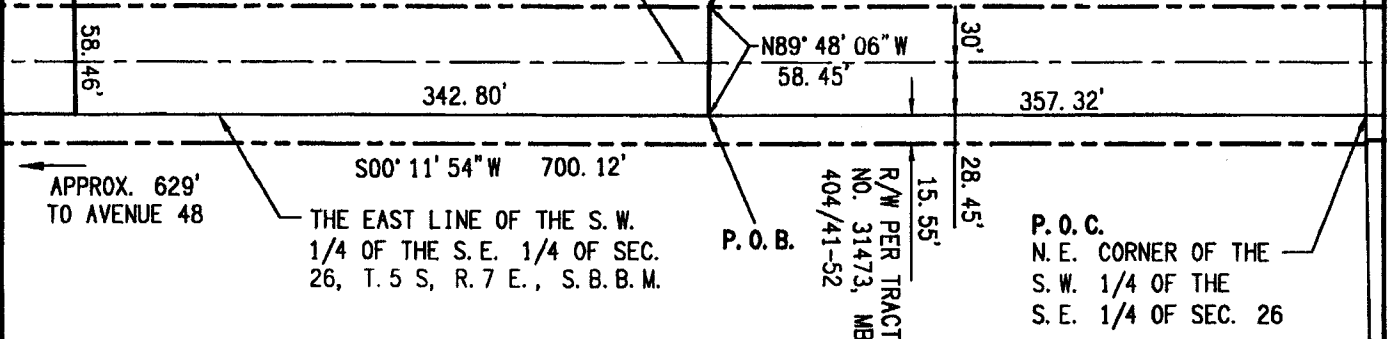
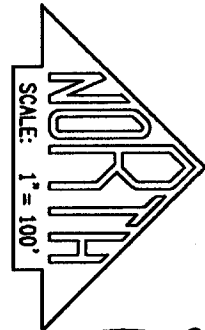
NOT TO SCALE

THE NORTH LINE OF THE S.W.
1/4 OF THE S.E. 1/4 OF SEC.
26, T.5 S, R.7 E., S.B.B.M.



PARCEL "A"
4.64 GROSS ACRES
4.18 NET ACRES

OASIS STREET
343.78'



APPROX. 629'
TO AVENUE 48

THE EAST LINE OF THE S.W.
1/4 OF THE S.E. 1/4 OF SEC.
26, T.5 S, R.7 E., S.B.B.M.

P. O. C.

R/W PER TRACT
NO. 31473, MB
404/41-52

P. O. C.
N.E. CORNER OF THE
S.W. 1/4 OF THE
S.E. 1/4 OF SEC. 26

EXHIBIT "B"

THE NORTH
 W. 1/4 OF THE
 SEC. 26, T. 5 S.,
 R. 7 E., S.B.B.M.

SITE

ARABIA ST

OASIS ST

JACKSON ST

CALLHOUN ST

AVE 44

AVE 48

AVE 46

GOLF CENTER
 PARKWAY

UNITY MAP

NOT TO SCALE

THE NORTH LINE OF THE S.W.
 1/4 OF THE S.E. 1/4 OF
 SEC. 26, T. 5 S., R. 7 E., S.B.B.M.



EXISTING
 BLOCK WALL

EXISTING
 BUILDING

PARCEL "A"

64 GROSS SQUARE FEET
 4.18 NET SQUARE FEET

S00° 50' 40" E 373.71'

N25° 09' 01" E
 62.03'

N64° 48' 18" W
 221.22'

N64° 48' 18" W
 17.28'

S25° 11' 40" W 163.91'
 S64° 48' 20" W 17.81'

N04° 51' 15" W
 69.212'

343.78'

N89° 48' 06" W
 58.45'

342.80'

257.22'

S00° 11' 54" W 700.12'

APPROX. 629'
 TO AVENUE 48

THE EAST LINE OF THE S.W.
 1/4 OF THE S.E. 1/4 OF SEC.
 26, T. 5 S., R. 7 E., S.B.B.M.

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P.O.C.
 N.E. CORNER OF THE
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 S.E. 1/4 OF SEC. 26

1 BOARD OF SUPERVISORS

COUNTY OF RIVERSIDE

2
 3 RESOLUTION NO. 2010-319
 4 AUTHORIZATION TO CONVEY A FEE SIMPLE INTEREST TO AND EXCHANGE
 5 EASEMENT INTERESTS IN REAL PROPERTY WITH
 6 THE STATE OF CALIFORNIA, JUDICIAL COUNCIL OF CALIFORNIA,
 ADMINISTRATIVE OFFICE OF THE COURTS,
 IN THE CITY OF INDIO, COUNTY OF RIVERSIDE, CALIFORNIA
 AN APPROXIMATE 4.6 ACRE PORTION OF ASSESSOR'S PARCEL NUMBER 614-150-031
 BY GRANT DEED AND EASEMENT DEEDS, RESPECTIVELY

7 BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of
 8 the County of Riverside, California, in regular session assembled on December 7, 2010 at 9:00
 9 a.m., in the meeting room of the Board of Supervisors located on the 1st floor of the County
 10 Administrative Center, 4080 Lemon Street, Riverside, California, authorizes the conveyance to
 11 and exchange of real property interests with the State of California, Judicial Council of
 12 California, Administrative Office of the Courts (State), the following described real property:
 13 Certain real property located in the City of Indio, County of Riverside, State of California,
 14 identified by and as an approximate 4.6 acre portion of Assessor's Parcel Number(s) 614-150-
 15 031, more particularly described in Exhibit "A" and "B", attached hereto and thereby made a
 16 part hereof, at a purchase price of Two Million Eight Hundred Forty Thousand Dollars
 17 (\$2,840,000) plus miscellaneous escrow, closing and due diligence costs in the approximate
 amount of One Hundred Twenty Two Thousand Two Hundred Dollars (\$122,200).

18 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Board of
 19 Supervisors of the County of Riverside approves the Property Acquisition Agreement
 20 (Agreement) between the County of Riverside and the State.

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

24 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Assistant
 25 County Executive Officer/EDA or his designee, is authorized to execute any other documents

FORM APPROVED COUNTY COUNSEL
 BY: *Synthia M. Gunzel* DATE: 12-10-10
 SYNTHIA M. GUNZEL

1 to complete this transaction.

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

4 ROLL CALL:

5 Ayes: Buster, Tavaglione, Stone, Benoit, and Ashley
6 Nays: None
7 Absent: None

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

10 KECIA HARPER-IHEM, Clerk of said Board

11 By: _____
12 Deputy

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EXHIBIT "A"

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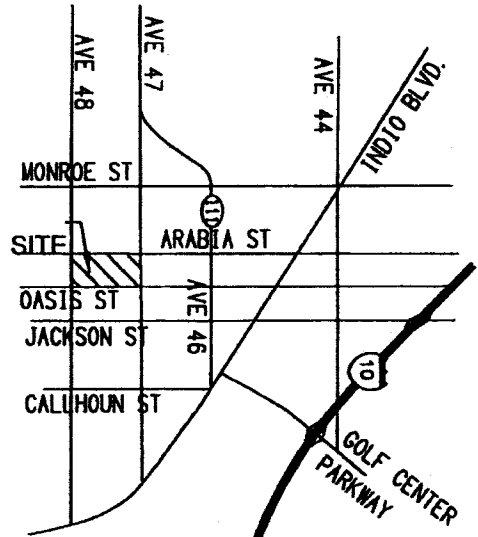


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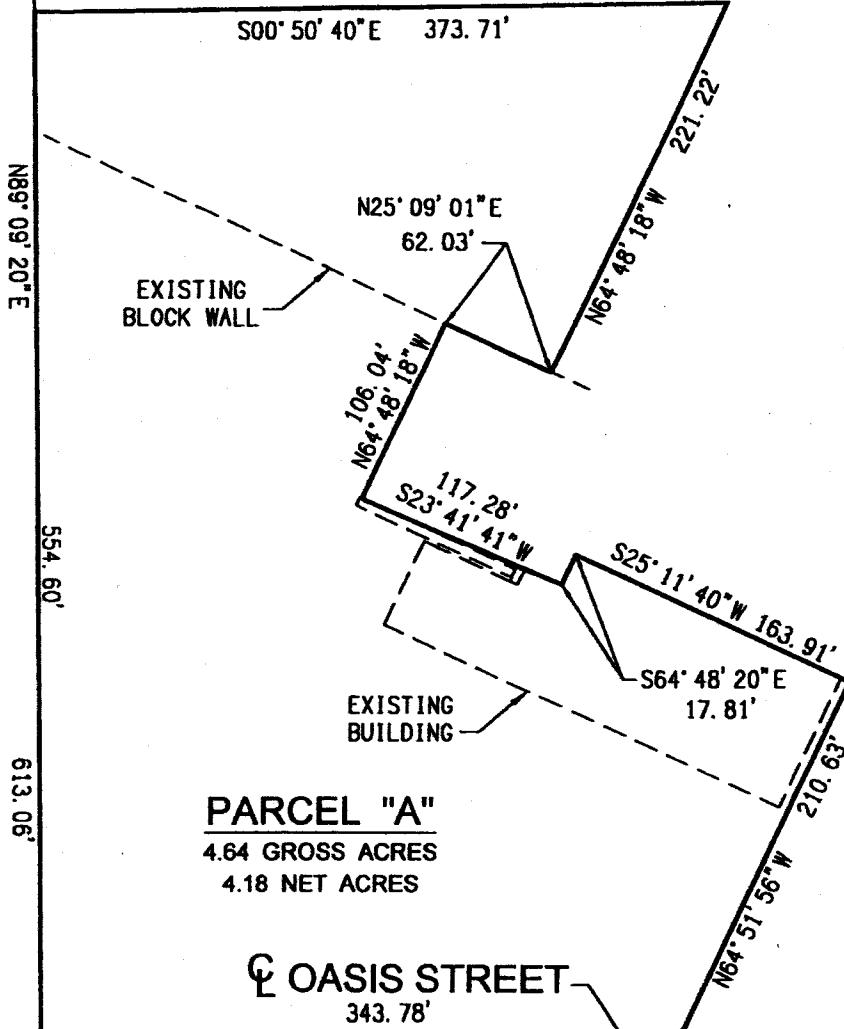
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S. E. 1/4 OF SEC. 26, T. 5 S,
R. 7 E., S. B. B. M.



VICINITY MAP
NOT TO SCALE

THE NORTH LINE OF THE S. W.
1/4 OF THE S. E. 1/4 OF SEC.
26, T. 5 S, R. 7 E., S. B. B. M.



PARCEL "A"
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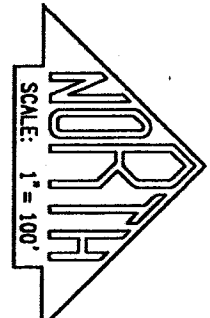
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P. O. B.

R/W PER TRACT
NO. 31473, MB
404/41-52

15.55'
28.45'

P. O. C.
N. E. CORNER OF THE
S. W. 1/4 OF THE
S. E. 1/4 OF SEC. 26





Ave 44

PABLA ST

SON ST

HOON ST

COLE CENTRE
PARKWAY

CITY MAP
TO SCALE

NORTH LINE OF THE W.

THE S. E.

25 S, R. 7 E.

87.28'

163.91'

64.48' 20'

17.81'

100'

APPROX 640
AVE 44

THE
S.

100'

1/4 OF SECTION

2
3 RESOLUTION NO. 2010-321
4 AUTHORIZATION TO LEASE AN INTEREST IN REAL PROPERTY WITH
5 THE STATE OF CALIFORNIA, JUDICIAL COUNCIL OF CALIFORNIA,
6 ADMINISTRATIVE OFFICE OF THE COURTS,
7 IN THE CITY OF INDIO, COUNTY OF RIVERSIDE, CALIFORNIA
8 AN APPROXIMATE 2 ACRE PORTION OF
9 ASSESSOR'S PARCEL NUMBER 614-150-031

10 BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of
11 the County of Riverside, California, in regular session assembled on December 7, 2010, at 9:00
12 a.m., in the meeting room of the Board of Supervisors located on the 1st floor of the County
13 Administrative Center, 4080 Lemon Street, Riverside, California, authorizes the lease of real
14 property interests to the State of California, Judicial Council of California, Administrative
15 Office of the Courts (State), the following described real property: Certain real property located
16 in the City of Indio, County of Riverside, State of California, identified by and as an
17 approximate 2 acre portion of Assessor's Parcel Number(s) 614-150-031, more particularly
18 described in Exhibit "A", attached hereto and thereby made a part hereof.

19 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Board of
20 Supervisors of the County of Riverside approves the Lease Agreement (Agreement) between
21 the County of Riverside and the State.

22 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Chairman
23 of the Board of Supervisors of the County of Riverside is authorized to execute the Agreement.

24 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Assistant
25 County Executive Officer/EDA or his designee, is authorized to execute any other documents
to complete this transaction.

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.

ROLL CALL:

Ayes: Buster, Tavaglione, Stone, Benoit, and Ashley
Nays: None
Absent: None

The foregoing is certified to be a true copy of a
resolution duly adopted by said Board of Super-
visors on the date therein set forth.

KECIA HARPER-IHEM Clerk of said Board

By _____ Deputy

FORM APPROVED COUNTY COUNSEL
BY: *Synthia M. Gunzel* 12-1-10
DATE
SYNTHIA M. GUNZEL

Exhibit "A"

