

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



9.22

9:30 a.m. being the time set for public hearing on the recommendation from Economic Development Agency regarding Public Hearing on the Adoption of Resolution 2011-063, Resolution of Necessity Regarding the Project to Improve State Route 79 (Winchester), 3rd District.

On motion of Supervisor Buster, seconded by Supervisor Stone and duly carried by unanimous vote, IT WAS ORDERED that the above matter is taken *off calendar*.

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on August 16, 2011 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors
Dated: August 16, 2011
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

(seal)

By: *Kecia Harper-Ihem* Deputy

AGENDA NO.
9.22

xc: EDA

237A



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

FROM: Economic Development Agency / Facilities Management and Transportation Department

SUBMITTAL DATE:
June 16, 2011

SUBJECT: Resolution No. 2011-062, Notice of Intention to Adopt a Resolution of Necessity Regarding the Project to Improve State Route 79 (Winchester Road)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve Resolution No. 2011-062, Notice of Intention to Adopt a Resolution of Necessity Regarding the Project to Improve State Route 79 (Winchester Road);
2. Set a public hearing on Aug. 16, 2011 for Resolution No. 2011-063, Authorizing Resolution of Necessity Regarding the Project to Improve State Route 79 (Winchester Road); and
3. Direct the Clerk of the Board to send the required notice to the property owners as required per Section 1245.235 of the Code of Civil Procedure.

BACKGROUND: (Commences on Page 2)

Juan G. Perez, Director
Transportation Department

Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA

Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	Yes
Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
Annual Net County Cost:	\$ 0	For Fiscal Year:	2010/2012

COMPANION ITEM ON BOARD OF DIRECTORS AGENDA: No

SOURCE OF FUNDS: 35% Transportation Uniform Mitigation Fee; 65% Combined Improvement Fund	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

BY:

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Buster, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended, and is set for public hearing on Tuesday, August 16, 2011, at 9:30 a.m.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
 Nays: None
 Absent: None
 Date: June 28, 2011
 xc: EDA, Transp., COB, Property owners

Kecia Harper-Ihem
 Clerk of the Board
 By:
 Deputy

Prev. Agn. Ref.: 3.14 of 3/24/09 | District: 3 | Agenda Number: 9.22

BY: Glenn R. Beldian 04/11/11 DATE
 FROM: Approved County Counsel
 FOR: Final Concurrence
 2011

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

BACKGROUND:

Winchester Road (State Route 79) is one of the key north-south corridors in Southwest Riverside County. Due to significant regional and local growth in the vicinity of that corridor, a project to widen and otherwise improve SR-79 from Domenigoni Parkway (on the north) to Thompson Road (on the south) has been proposed and is needed. Specifically, this road improvement project would widen and transform that section of SR-79 from a two-lane road with one lane in each direction (its existing condition) into a four-lane road with two lanes in each direction that would be separated by a single two-way left-hand turn lane in the median (its proposed condition).

The project report was approved on December 28, 2010 by District 8 of the California Department of Transportation. The project report identifies the following deficiencies on SR-79 between Thompson Road and Domenigoni Parkway: (1) this portion of SR-79 does not provide adequate capacity to accommodate both local and regional travel demand with the existing demand and projected growth (residential, retail, and commercial development) in the French Valley area and to the nearby regional attraction (Diamond Valley Lake Recreational Area) through the interim planning year 2025; (2) this portion of SR-79 has a higher accident rate than the statewide average for similar facilities; (3) commercial and residential areas along SR-79 in the proposed project area have numerous direct access points on the existing route. These access points lead to frequent ingress and egress and many points of conflict between local and through-traffic; and, (4) widening improvements to the adjoining portions of SR-79 are either completed, already underway, or under study. Implementation of these improvements without improving the proposed project area would result in a bottleneck condition that would limit the capacity and operations of the overall route.

Upon completion, this project would address the relevant traffic needs in the vicinity of that corridor by enhancing inter-regional travel, relieving traffic congestion, improving traffic safety, and reducing response time for emergency service vehicles. The need to improve SR-79 has been recognized by various public authorities including the Riverside County Transportation Department, the City of Murrieta, the City of Temecula, and Cal Trans. Since SR-79 is a state highway, acquisition of the below-listed property interests has been recommended in writing by the Department of Transportation of the State of California. On March 24, 2009, the County Board of Supervisors approved Resolution No. 2009-048 (Agreement to Hear Future Resolutions of Necessity for the State Route 79 Widening Project from Thompson Road to Domenigoni Parkway).

The Initial Study with Mitigated Negative Declaration/Environmental Assessment with Finding of No Significant Impact pursuant to Division 13 of the Public Resources Code was approved on December 28, 2010 by District 8 Division of Environmental Planning for the California Department of Transportation.

The Economic Development Agency (EDA) has presented written offers to purchase to the property owners as required by Government Code Section 7267.2. The amounts of those offers are consistent with current property values in the Winchester/French Valley area (and are based upon fair market value appraisal reports). EDA has also offered to pay the reasonable costs, not to exceed \$5,000, for independent appraisals obtained by the property owners (as required by Code of Civil Procedure Section 1263.025).

(Continued)

BACKGROUND: (Continued)

Settlements have not been reached with the following property owners, although negotiations are still in progress for the necessary rights-of-way and temporary construction easements:

Parcel No.	Ownership Assessor's Parcel No(s).
21118-1 21118-4	Newport Road 103 476-010-018 and 476-010-025
21119-1 21119-4	Winchester Agave 476-010-023

The subject Notice of Intention would schedule a hearing on August 16, 2011 for proposed Resolution No. 2011-063 (Authorizing Resolution of Necessity Regarding the Project to Improve State Route 79 (Winchester Road)). The scheduling of a Resolution of Necessity hearing on August 16, 2011 is needed in order to permit the Winchester Road Project to move forward.

The County is authorized to acquire property by eminent domain pursuant to various statutes including Government Code, §25350.5.

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

FINANCIAL DATA: The following summarizes the funding necessary for the acquisition of the property referenced above:

Purchase Price:	\$96,523
Appraisal:	\$0
Preliminary Title Report:	\$0
EDA Real Property Costs:	\$20,000
Total Estimated Acquisition Costs:	\$116,523

EDA has already covered the costs for due diligence (appraisal and preliminary title reports) and will be or has been reimbursed by the Transportation Department. The remaining costs will be paid directly by the Transportation Department. All costs associated with this property acquisition are fully funded in the Transportation Department's budget for FY 2010/11. Thus, no additional net county cost will be incurred as a result of this transaction.

2
3 Resolution No. 2011-062

4 Notice of Intention to Adopt a Resolution of Necessity Regarding
5 the Project to Improve State Route 79 (Winchester Road)
6

7 **WHEREAS**, the portions of real properties that are the subjects of this Notice
8 (collectively the "Subject Properties") are located in the unincorporated County of
9 Riverside, State of California; are generally located within an area on the east side of
10 existing State Route 79 bounded by Domenigoni Parkway on the north and Thompson
11 Road on the south; are legally described and pictorially depicted on the documents
12 attached hereto as Exhibits "A" and Exhibits "B" (and incorporated herein by this
13 reference); are referred to on attached Exhibits "A" and Exhibits "B" as Parcels 21118-
14 1, 21118-4, 21119-1, and 21119-4; and are portions of larger real properties in all
15 cases;

16 **WHEREAS**, each one of the Subject Properties is listed below in Table One
17 (across from the larger real property that includes the relevant Subject Property within
18 its boundaries), and whereas each one of those larger real properties is listed below in
19 Table One by its Riverside County Assessor's Parcel Number:
20

21

TABLE ONE	
Riverside County Assessor's Parcel Numbers Of the Larger Real Properties	Subject Properties
476-010-018 and 476-010-025	Parcels 21118-1 and 21118-4
476-010-023	Parcels 21119-1 and 21119-4

22
23
24
25
26
27
28

1 **WHEREAS**, the proposed project that is the subject of this Notice (the
 2 “Proposed Project”) is one to widen and improve State Route 79 (Winchester Road),
 3 and to otherwise improve the public road system, within an area bounded by
 4 Domenigoni Parkway on the north and Thompson Road on the south (including, but
 5 not limited to, the use of the Subject Properties for public road purposes, for utility
 6 purposes, for drainage purposes, for purposes of a staging area for construction and/or
 7 other work, and for other uses incidental to the Proposed Project and required by the
 8 Proposed Project);

9 **WHEREAS**, Parcels 21118-1 and 21119-1 will each be used for public road and
 10 utility and drainage purposes, and whereas the use(s) that will be made of each one of
 11 the remaining Subject Properties is/are described in Exhibits “A” and “B”;

12 **WHEREAS**, the interests in property that are the subjects of this Notice
 13 (collectively the “Subject Property Interests”) are a fee simple ownership in Parcels
 14 21118-1 and 21119-1 and temporary easements in Parcels 21118-4 and 21119-4. Said
 15 interests in property are categorized below in Table Two:

TABLE TWO			
Subject Properties	Fee Simple Ownerships	Perpetual Easements	Temporary Construction Easements
21118-1	X		
21118-4			X
21119-1	X		
21119-4			X

26 **WHEREAS**, the statutes that authorize the County of Riverside to acquire the
 27 Subject Property Interests by eminent domain include Article 1, Section 19 of the
 28

1 California Constitution; Section 25350.5 of the Government Code; Section 760 of the
2 Streets and Highways Code; and Sections 1240.010, 1240.020, 1240.030, 1240.040,
3 1240.110, 1240.410, 1240.510, and 1240.610 of the Code of Civil Procedure.

4 Now, therefore, **BE IT RESOLVED AND ORDERED** as follows by the Board of
5 Supervisors of Riverside County, State of California, in regular session assembled on
6 June 28, 2011.

7 1. YOU ARE HEREBY NOTIFIED that this Board (at its public meeting on
8 August 16, 2011 at 9:30 a.m. in the meeting room of the Board of Supervisors located
9 on the 1st floor of the County Administrative Center, 4080 Lemon Street, Riverside,
10 California) may decide to adopt a Resolution of Necessity that would authorize the
11 County of Riverside to acquire the Subject Property Interests by eminent domain (and
12 that would find and determine each of the following matters):

13 (a) That the public interest and necessity require the Proposed
14 Project;

15 (b) That the Proposed Project is planned or located in the manner that
16 will be most compatible with the greatest public good and the least private injury;

17 (c) That the Subject Property Interests are necessary for the
18 Proposed Project;

19 (d) That the offers required by Section 7267.2 of the Government
20 Code have been made to the owners of record of the Subject Properties;

21 (e) That, to the extent that the Subject Properties are already devoted
22 to a public use, the use of the Proposed Project is a compatible use that will not
23 unreasonably interfere with or impair the continuance of the public use as it presently
24 exists or may reasonably be expected to exist in the future (California Code of Civil
25 Procedure Section 1240.510) or the use of the Proposed Project is a more necessary
26 public use than is the presently existing public use (California Code of Civil Procedure
27 Section 1240.610);

1 (f) That the Subject Property Interests are needed for state highway
2 purposes;

3 (g) That acquisition of the Subject Property Interests has been
4 recommended in writing by the Department of Transportation of the State of California;
5 and

6 (h) That acquisition of the Subject Property Interests will promote the
7 interests of the County of Riverside.

8 2. If (within 15 days from the mailing of this Notice) you file a written request
9 to appear at the public meeting and be heard on the matters described above in 1(a),
10 1(b), 1(c), 1(d), 1(e), 1(f), 1(g), 1(h) (or any one or more of them), you will have a right
11 to appear at that meeting and be heard on those matters.

12 3. All such written requests to appear and be heard must be filed with the
13 Clerk of the Riverside County Board of Supervisors.

14 4. Your written request to appear and be heard must be filed within the
15 fifteen (15) day time period. Failure to file such a timely written request will result in a
16 waiver of your right to appear and be heard.

17 5. Questions regarding the amount of compensation to be paid will not be a
18 part of the public meeting and the Board will not consider such questions in
19 determining whether a Resolution of Necessity should be adopted.

20 6. The Clerk of the Board of Supervisors shall cause a copy of this Notice to
21 be sent by first-class mail to each person whose property may be acquired by eminent
22 domain and whose name and address appears on the last equalized county
23 assessment roll (including the roll of state-assessed property).

24 ROLL CALL:

25 Ayes: Buster, Tavaglione, Stone, Benoit, and Ashley

26 Nays: None

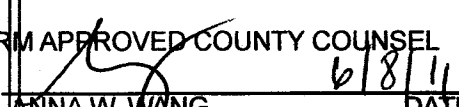
27 Absent: None

28 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-JHEM, Clerk of said Board

By:  Deputy

FORM APPROVED COUNTY COUNSEL

BY:  6/8/11
ANNA W. WANG DATE

PARCEL 21118-1

EXHIBIT "A"
LEGAL DESCRIPTION

BEING A PORTION OF PARCEL 2 OF PARCEL MAP NUMBER 11539, ON FILE IN BOOK 64, PAGE 59, OF PARCEL MAPS AND A PORTION OF PARCEL "B" OF NOTICE OF LOT LINE ADJUSTMENT NUMBER 4858 RECORDED MAY 25, 2005, AS INSTRUMENT NUMBER 418101, AS DESCRIBED IN GRANT DEED RECORDED OCTOBER 5, 2005, AS INSTRUMENT NUMBER 825211, RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN THE NORTHWEST ONE-QUARTER OF SECTION 28, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF STATE ROUTE 79, WINCHESTER ROAD (16.762 METER SOUTHEASTERLY HALF-WIDTH) AND KOON STREET, AS SHOWN ON SAID PARCEL MAP;

THENCE S 36°03'34" W ALONG THE CENTERLINE OF SAID STATE ROUTE 79, A DISTANCE OF 30.300 METERS;

THENCE S 53°56'26" E A DISTANCE OF 16.762 METERS, TO THE MOST NORTHERLY CORNER OF SAID PARCEL "B" ALSO BEING A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID STATE ROUTE 79, AS SHOWN ON PARCEL MAP NUMBER 15358, ON FILE IN BOOK 93, PAGES 40 AND 41, OF PARCEL MAPS, RECORDS OF SAID RECORDER, SAID POINT BEING THE **TRUE POINT OF BEGINNING**;

THENCE CONTINUING S 53°56'26" E ALONG THE NORTHEASTERLY LINE OF SAID PARCEL "B" A DISTANCE OF 11.277 METERS, TO A POINT 28.039 METERS SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLES, TO SAID CENTERLINE OF STATE ROUTE 79;

(COURSE "A") THENCE S 36°03'34" W PARALLEL WITH AND 28.039 METERS SOUTHEASTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 290.426 METERS;

(COURSE "B") THENCE N 53°56'26" W A DISTANCE OF 11.277 METERS TO A POINT ON SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROUTE 79;

THENCE N 36°03'34" E ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROUTE 79, A DISTANCE OF 290.426 METERS, TO THE **TRUE POINT OF BEGINNING**.

CONTAINING: 3,275.1 SQUARE METERS, 35,253 SQUARE FEET, OR 0.809 ACRES, MORE OR LESS.

THIS CONVEYANCE IS MADE FOR THE PURPOSE OF A STATE HIGHWAY AND THE GRANTOR HEREBY RELEASES AND RELINQUISHES TO THE GRANTEE ANY AND ALL ABUTTER'S RIGHTS INCLUDING ACCESS RIGHTS, APPURTENANT TO GRANTOR'S REMAINING PROPERTY IN AND TO SAID STATE HIGHWAY OVER AND ACROSS COURSES "(A)" AND "(B)", HEREINABOVE DESCRIBED.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 6. MULTIPLY DISTANCES SHOWN BY 1.000100842 TO OBTAIN GROUND DISTANCE.

REFERENCE IS HEREBY MADE TO STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION - DISTRICT 8 MAP, FILE NUMBER RW 000014 / 1 THROUGH 60, INCLUSIVE, ON FILE AS MAP NUMBER 205 / 401 THROUGH 460, INCLUSIVE, IN THE OFFICE OF THE COUNTY SURVEYOR OF RIVERSIDE COUNTY, CALIFORNIA.

08-RIV-79-KP 17.25-21118 (21118-1)

SEE ATTACHED EXHIBIT "B"

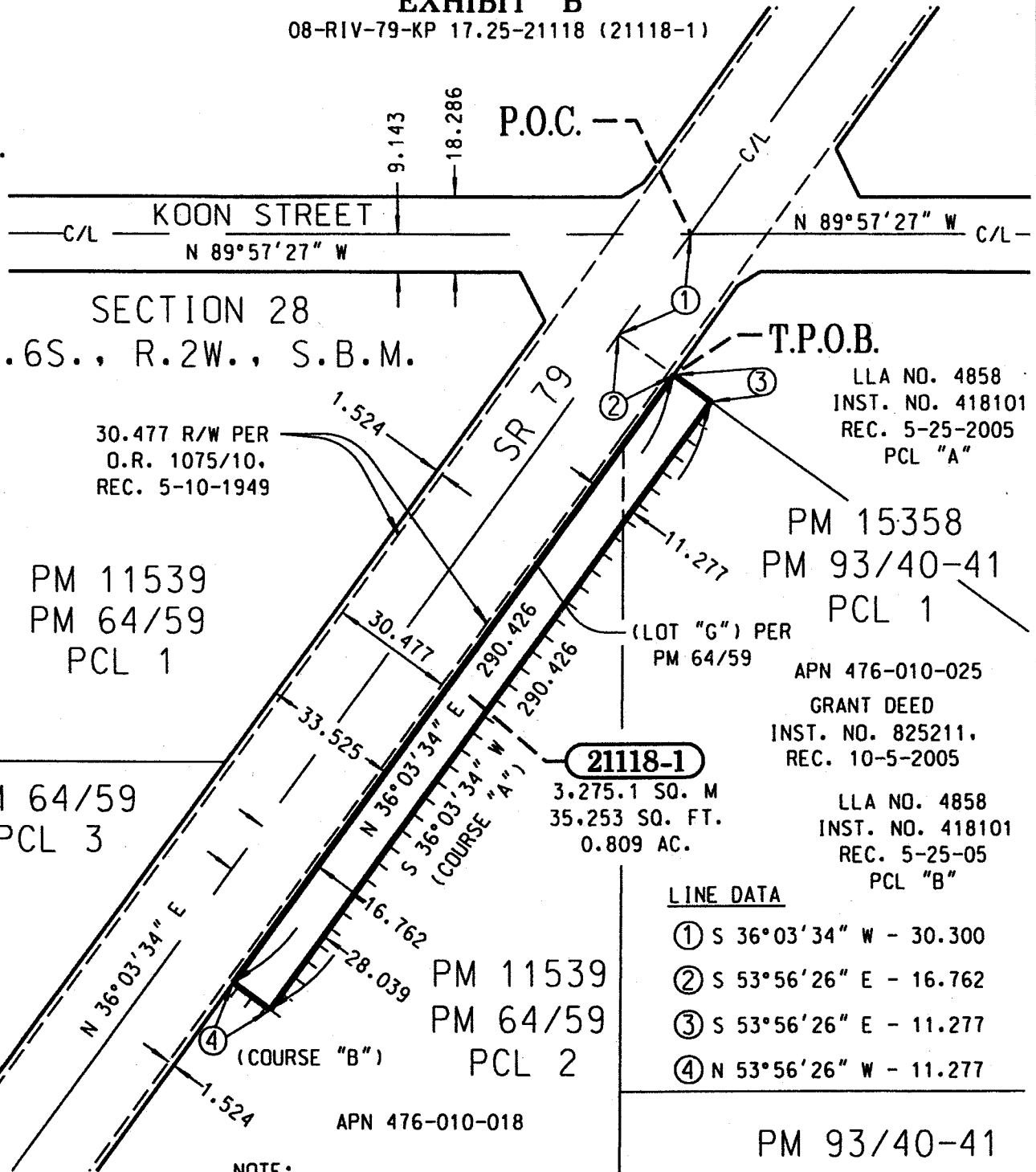
APPROVED BY: Timothy F. Rayburn

DATE: 7/01/09



EXHIBIT "B"

08-RIV-79-KP 17.25-21118 (21118-1)



LLA NO. 4858
INST. NO. 418101
REC. 5-25-2005
PCL "A"

PM 15358
PM 93/40-41
PCL 1

APN 476-010-025
GRANT DEED
INST. NO. 825211,
REC. 10-5-2005

LLA NO. 4858
INST. NO. 418101
REC. 5-25-05
PCL "B"

LINE DATA

- ① S $36^{\circ}03'34'' W$ - 30.300
- ② S $53^{\circ}56'26'' E$ - 16.762
- ③ S $53^{\circ}56'26'' E$ - 11.277
- ④ N $53^{\circ}56'26'' W$ - 11.277

PM 11539
PM 64/59
PCL 1

PM 64/59
PCL 3

PM 11539
PM 64/59
PCL 2

PM 93/40-41
PCL 3

NOTE:

||| INDICATES RESTRICTED ACCESS

ALL DISTANCES SHOWN ARE METRIC GRID DISTANCES.
GROUND DISTANCES MAY BE OBTAINED BY MULTIPLYING THE
GRID DIST. BY A COMBINATION FACTOR OF 1.000100842.



COUNTY OF RIVERSIDE TRANSPORTATION DEPT., SURVEY DIV.

PROJECT: STATE ROUTE 79

THIS PLAT IS AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE PRECEDING DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DESCRIPTION.

APPROVED BY: *Timothy F. Rayburn* DATE: 7/01/09

PAR. NO.:	21118-1
PREPARED BY:	N.J.C.
SCALE:	N.T.S.
DATE:	JULY, 2009
W.O. NO.:	B4-0527
SHEET 1 OF 1	

PARCEL 21118-4

EXHIBIT "A"
LEGAL DESCRIPTION
TEMPORARY CONSTRUCTION EASEMENT

AN EASEMENT FOR TEMPORARY CONSTRUCTION PURPOSES OVER A PORTION OF PARCEL 2 OF PARCEL MAP NUMBER 11539, ON FILE IN BOOK 64, PAGE 59, OF PARCEL MAPS, AND A PORTION OF PARCEL "B" OF NOTICE OF LOT LINE ADJUSTMENT NUMBER 4858 RECORDED MAY 25, 2005, AS INSTRUMENT NUMBER 418101, AS DESCRIBED IN GRANT DEED RECORDED OCTOBER 5, 2005, AS INSTRUMENT NUMBER 825211, RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN THE NORTHWEST ONE-QUARTER OF SECTION 28, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF STATE ROUTE 79, WINCHESTER ROAD (16.762 METER HALF-WIDTH), AND KOON STREET, AS SHOWN ON SAID PARCEL MAP;

THENCE S 36°03'34" W ALONG THE CENTERLINE OF SAID STATE ROUTE 79, A DISTANCE OF 320.726 METERS;

THENCE S 53°56'26" E A DISTANCE OF 16.762 METERS, TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID STATE ROUTE 79, SAID POINT BEING THE **TRUE POINT OF BEGINNING**;

THENCE CONTINUING S 53°56'26" E, A DISTANCE OF 11.277 METERS TO A POINT 28.039 METERS SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF STATE ROUTE 79;

THENCE N 36°03'34" E, PARALLEL WITH AND 28.039 METERS SOUTHEASTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 290.426 METERS TO THE NORTHEASERLY LINE OF SAID PARCEL "B";

THENCE S 53°52'26" E, ALONG SAID NORHTEASTERLY LINE, A DISTANCE OF 5.003 METERS TO A POINT 33.042 METERS SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF STATE ROUTE 79;

THENCE S 36°03'34" W, PARALLEL WITH AND 33.042 METERS SOUTHEASTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 295.426 METERS;

THENCE N 53°56'26" W, A DISTANCE OF 16.280 METERS TO A POINT ON SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROUTE 79;

THENCE N 36°03'34" E ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROUTE 79 A DISTANCE OF 5.000 METERS TO THE **TRUE POINT OF BEGINNING**;

CONTAINING: 1,534.4 SQUARE METERS, 16,516 SQUARE FEET, OR 0.379 ACRES MORE OR LESS.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 6. MULTIPLY DISTANCES SHOWN BY 1.000100842 TO OBTAIN GROUND DISTANCE.

REFERENCE IS HEREBY MADE TO STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION - DISTRICT 8 MAP, FILE NUMBER RW 000014 / 1 THROUGH 60, INCLUSIVE, ON FILE AS MAP NUMBER 205 / 401 THROUGH 460, INCLUSIVE, IN THE OFFICE OF THE COUNTY SURVEYOR OF RIVERSIDE COUNTY, CALIFORNIA.

08-RIV-79-KP 17.25-21118 (21118-4)

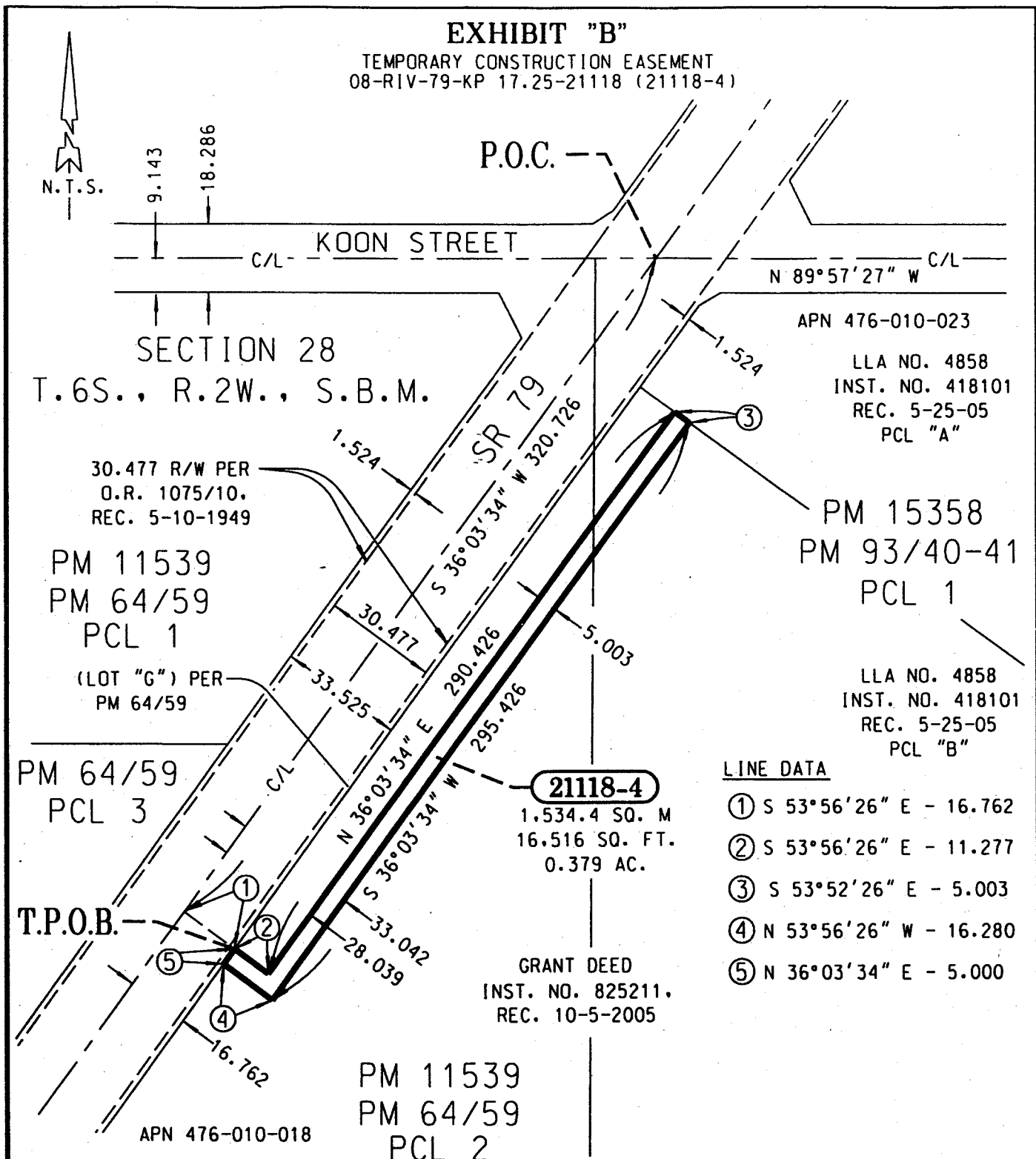
SEE ATTACHED EXHIBIT "B"

APPROVED BY: *Timothy F. Rayburn*
DATE: 2/3/2011



EXHIBIT "B"

TEMPORARY CONSTRUCTION EASEMENT
08-RIV-79-KP 17.25-21118 (21118-4)



APN 476-010-023

LLA NO. 4858
INST. NO. 418101
REC. 5-25-05
PCL "A"

PM 15358
PM 93/40-41
PCL 1

LLA NO. 4858
INST. NO. 418101
REC. 5-25-05
PCL "B"

LINE DATA

- ① S 53°56'26" E - 16.762
- ② S 53°56'26" E - 11.277
- ③ S 53°52'26" E - 5.003
- ④ N 53°56'26" W - 16.280
- ⑤ N 36°03'34" E - 5.000

21118-4

1,534.4 SQ. M
16,516 SQ. FT.
0.379 AC.

GRANT DEED
INST. NO. 825211,
REC. 10-5-2005

PM 11539
PM 64/59
PCL 2

APN 476-010-018

APN 476-010-025



ALL DISTANCES SHOWN ARE METRIC GRID DISTANCES.
GROUND DISTANCES MAY BE OBTAINED BY MULTIPLYING THE
GRID DIST. BY A COMBINATION FACTOR OF 1.000100842.

COUNTY OF RIVERSIDE TRANSPORTATION DEPT., SURVEY DIV.	PAR. NO.: 21118-4
PROJECT: STATE ROUTE 79	PREPARED BY: NJC/TFR
THIS PLAT IS AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE PRECEDING DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DESCRIPTION.	SCALE: N.T.S.
	DATE: FEBRUARY, 2011
APPROVED BY: <i>Timothy F. Rayburn</i> DATE: 2/3/2011	W.O. NO.: B4-0527
	SHEET 1 OF 1

PARCEL 21119-1

EXHIBIT "A"
LEGAL DESCRIPTION

BEING A PORTION OF PARCEL "A" OF NOTICE OF LOT LINE ADJUSTMENT NUMBER 4858 RECORDED MAY 25, 2005, AS INSTRUMENT NUMBER 418101, AND DESCRIBED IN GRANT DEED RECORDED MAY 25, 2005 AS INSTRUMENT 418102, RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN THE NORTHWEST ONE-QUARTER OF SECTION 28, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF STATE ROUTE 79, WINCHESTER ROAD (16.762 METER SOUTHEASTERLY HALF-WIDTH), AND KOON STREET (9.143 METER HALF-WIDTH), AS SHOWN ON PARCEL MAP NUMBER 15358, ON FILE IN BOOK 93, PAGES 40 AND 41, OF PARCEL MAPS, RECORDS OF SAID RECORDER;

THENCE S 36°03'34" W ALONG THE CENTERLINE OF SAID STATE ROUTE 79, A DISTANCE OF 3.361 METERS;

THENCE S 53°56'26" E, A DISTANCE OF 16.762 METERS TO AN ANGLE POINT IN THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID STATE ROUTE 79, SAID POINT BEING THE **TRUE POINT OF BEGINNING**;

THENCE N 59°03'38" E, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 6.665 METERS TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID KOON STREET;

THENCE S 89°57'16" E, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 10.722 METERS TO A POINT 28.039 METERS SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF STATE ROUTE 79;

THENCE S 36°03'34" W, PARALLEL WITH AND 28.039 METERS SOUTHEASTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 39.379 METERS TO A POINT ON THE SOUTHWESTERLY LINE OF SAID PARCEL "A";

THENCE N 53°56'26" W, ALONG SAID SOUTHWESTERLY LINE, A DISTANCE OF 11.277 METERS TO A POINT ON SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROUTE 79;

THENCE N 36°03'34" E, ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 26.939 METERS TO THE **TRUE POINT OF BEGINNING**.

CONTAINING: 392.3 SQUARE METERS, 4,223 SQUARE FEET, OR 0.097 ACRES, MORE OR LESS.

THIS CONVEYANCE IS MADE FOR THE PURPOSE OF A STATE HIGHWAY AND THE GRANTOR HEREBY RELEASES AND RELINQUISHES TO THE GRANTEE ANY AND ALL ABUTTER'S RIGHTS INCLUDING ACCESS RIGHTS, APPURTENANT TO GRANTOR'S REMAINING PROPERTY IN AND TO SAID STATE HIGHWAY.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 6. MULTIPLY DISTANCES SHOWN BY 1.000100842 TO OBTAIN GROUND DISTANCE.

REFERENCE IS HEREBY MADE TO STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION - DISTRICT 8 MAP, FILE NUMBER RW 000014 / 1 THROUGH 60, INCLUSIVE, ON FILE AS MAP NUMBER 205 / 401 THROUGH 460, INCLUSIVE, IN THE OFFICE OF THE COUNTY SURVEYOR OF RIVERSIDE COUNTY, CALIFORNIA.

08-RIV-79-KP 17.57-21119 (21119-1)

SEE ATTACHED EXHIBIT "B"

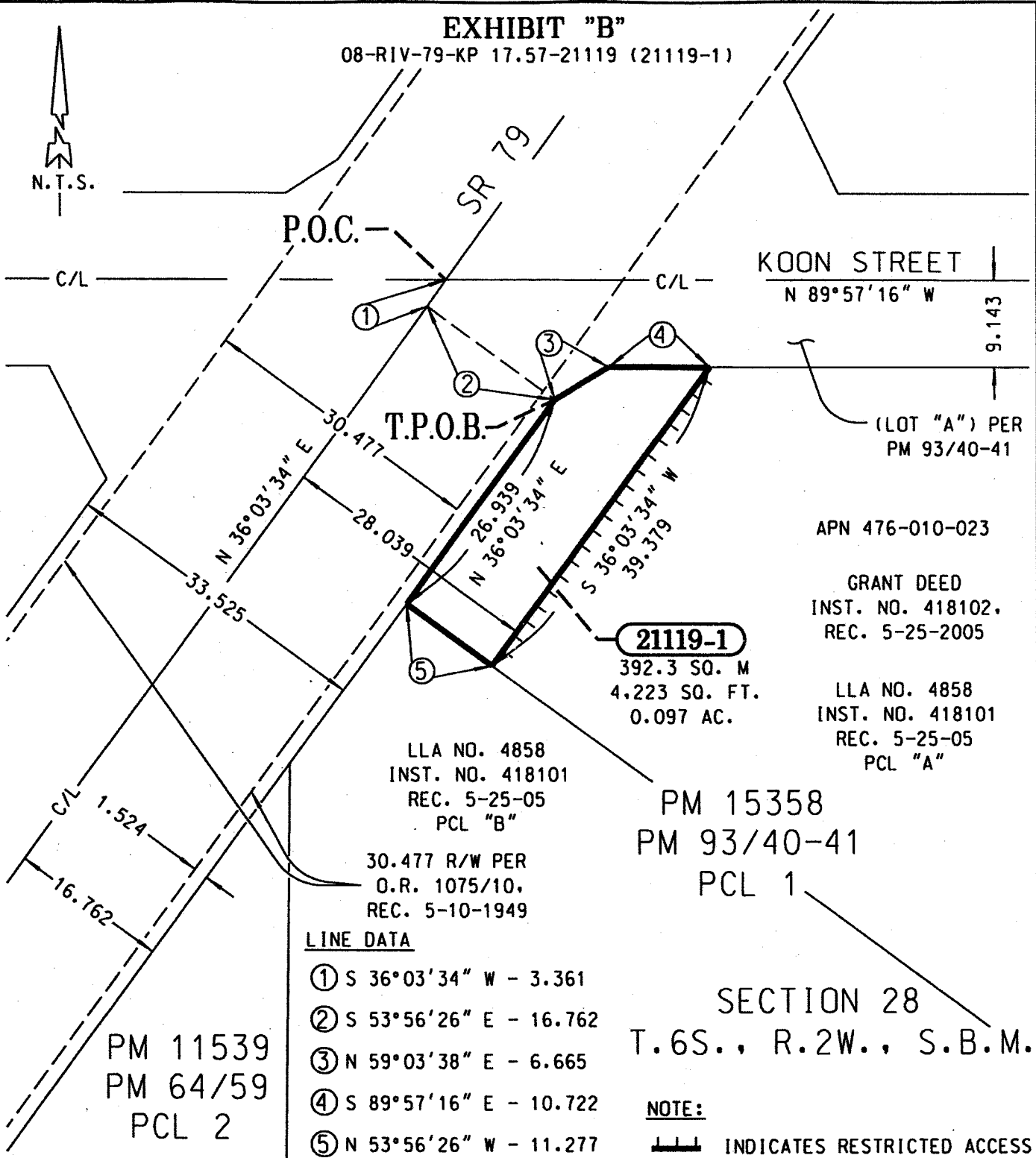
APPROVED BY: *Timothy F. Rayburn*

DATE: 7/01/09



EXHIBIT "B"

08-RIV-79-KP 17.57-21119 (21119-1)



(LOT "A") PER
PM 93/40-41

APN 476-010-023

GRANT DEED
INST. NO. 418102.
REC. 5-25-2005

21119-1
392.3 SQ. M
4,223 SQ. FT.
0.097 AC.

LLA NO. 4858
INST. NO. 418101
REC. 5-25-05
PCL "A"

LLA NO. 4858
INST. NO. 418101
REC. 5-25-05
PCL "B"

PM 15358
PM 93/40-41
PCL 1

30.477 R/W PER
O.R. 1075/10.
REC. 5-10-1949

LINE DATA

- ① S 36°03'34" W - 3.361
- ② S 53°56'26" E - 16.762
- ③ N 59°03'38" E - 6.665
- ④ S 89°57'16" E - 10.722
- ⑤ N 53°56'26" W - 11.277

SECTION 28
T.6S., R.2W., S.B.M.

NOTE:
▬▬▬ INDICATES RESTRICTED ACCESS

PM 11539
PM 64/59
PCL 2



ALL DISTANCES SHOWN ARE METRIC GRID DISTANCES.
GROUND DISTANCES MAY BE OBTAINED BY MULTIPLYING THE
GRID DIST. BY A COMBINATION FACTOR OF 1.000100842.

COUNTY OF RIVERSIDE TRANSPORTATION DEPT, SURVEY DIV.
PROJECT: **STATE ROUTE 79**
THIS PLAT IS AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE PRECEDING
DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DESCRIPTION.

PAR. NO.:	21119-1
PREPARED BY:	N.J.C.
SCALE:	N.T.S.
DATE:	JULY, 2009
W.O. NO.:	B4-0527
SHEET 1 OF 1	

APPROVED BY: *Timothy F. Rayburn* DATE: 7/01/09

PARCEL 21119-4

EXHIBIT "A"
LEGAL DESCRIPTION
TEMPORARY CONSTRUCTION EASEMENT

AN EASEMENT FOR TEMPORARY CONSTRUCTION PURPOSES OVER A PORTION OF PARCEL "A" OF NOTICE OF LOT LINE ADJUSTMENT NUMBER 4858 RECORDED MAY 25, 2005, AS INSTRUMENT NUMBER 418101, AND DESCRIBED IN GRANT DEED RECORDED MAY 25, 2005 AS INSTRUMENT 418102, RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN THE NORTHWEST ONE-QUARTER OF SECTION 28, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF STATE ROUTE 79, WINCHESTER ROAD (16.762 METER SOUTHEASTERLY HALF-WIDTH), AND KOON STREET (9.143 METER HALF-WIDTH), AS SHOWN ON PARCEL MAP NUMBER 15358, ON FILE IN BOOK 93, PAGES 40 AND 41, OF PARCEL MAPS, RECORDS OF SAID RECORDER;

THENCE S 36°03'34" W ALONG THE CENTERLINE OF SAID STATE ROUTE 79, A DISTANCE OF 30.300 METERS;

THENCE S 53°56'26" E A DISTANCE OF 28.039 METERS, TO THE **TRUE POINT OF BEGINNING**;

THENCE N 36°03'34" E, PARALLEL WITH AND 28.039 METERS SOUTHEASTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 39.379 METERS TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID KOON STREET;

THENCE S 89°57'16" E ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 6.185 METERS, TO A POINT 33.042 METERS SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF STATE ROUTE 79;

THENCE S 36°03'34" W, PARALLEL WITH AND 33.042 METERS SOUTHEASTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 43.015 METERS TO A POINT ON THE SOUTHWESTERLY LINE OF SAID PARCEL "A";

THENCE N 53°56'26" W, ALONG SAID SOUTHWESTERLY LINE, A DISTANCE OF 5.003 METERS TO THE **TRUE POINT OF BEGINNING**.

CONTAINING: 206.1 SQUARE METERS, 2,219 SQUARE FEET, OR 0.051 ACRES, MORE OR LESS.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 6. MULTIPLY DISTANCES SHOWN BY 1.000100842 TO OBTAIN GROUND DISTANCE.

REFERENCE IS HEREBY MADE TO STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION - DISTRICT 8 MAP, FILE NUMBER RW 000014 / 1 THROUGH 60, INCLUSIVE, ON FILE AS MAP NUMBER 205 / 401 THROUGH 460, INCLUSIVE, IN THE OFFICE OF THE COUNTY SURVEYOR OF RIVERSIDE COUNTY, CALIFORNIA.

08-RIV-79-KP 17.57-21119 (21119-4)

SEE ATTACHED EXHIBIT "B"

APPROVED BY: _____

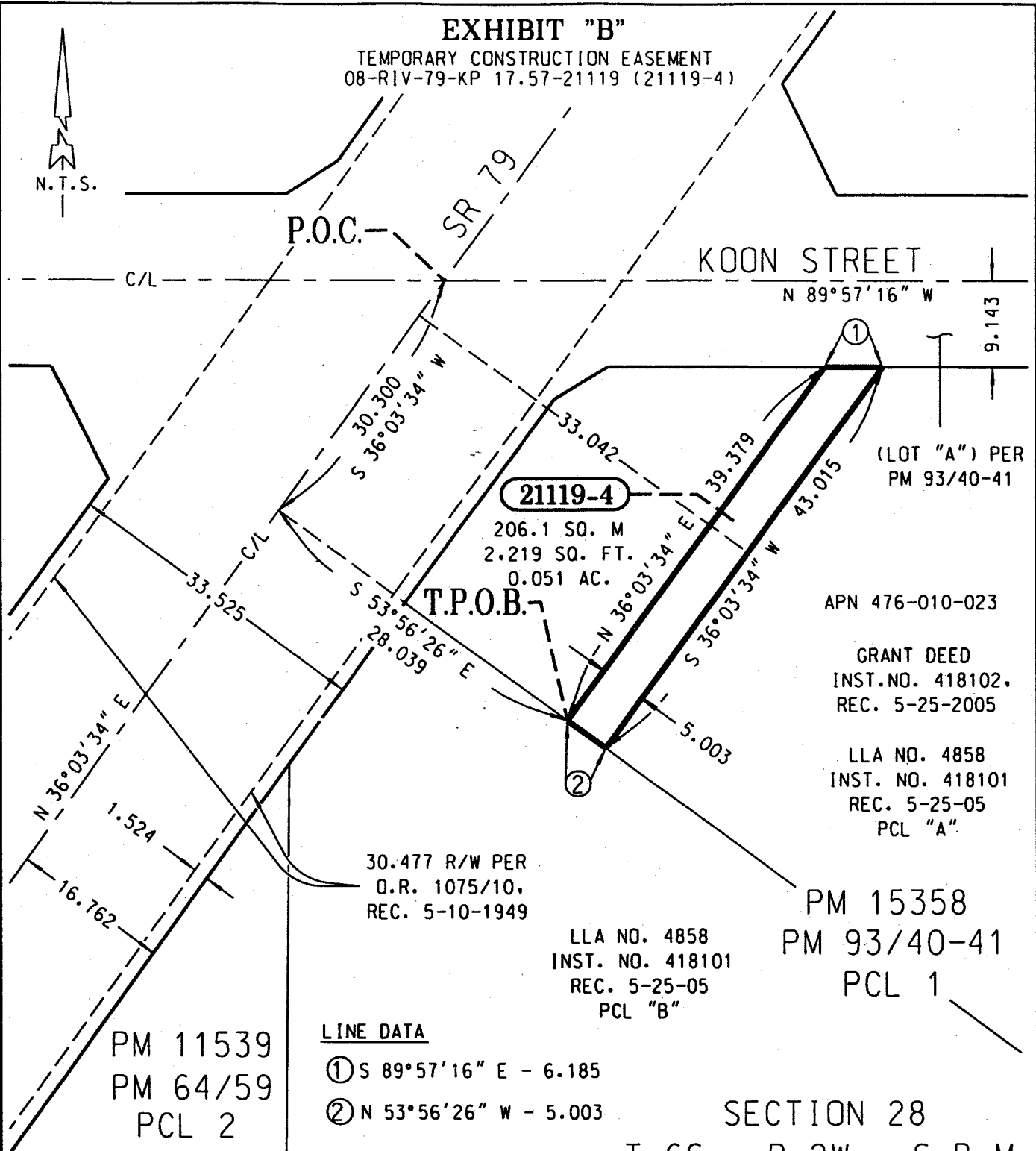
Timothy F. Rayburn

DATE: 2/3/2011



EXHIBIT "B"

TEMPORARY CONSTRUCTION EASEMENT
08-RIV-79-KP 17.57-21119 (21119-4)



21119-4

206.1 SQ. M
2,219 SQ. FT.
0.051 AC.

T.P.O.B.

(LOT "A") PER
PM 93/40-41

APN 476-010-023
GRANT DEED
INST.NO. 418102,
REC. 5-25-2005
LLA NO. 4858
INST. NO. 418101
REC. 5-25-05
PCL "A"

PM 15358
PM 93/40-41
PCL 1

30.477 R/W PER
O.R. 1075/10,
REC. 5-10-1949

LLA NO. 4858
INST. NO. 418101
REC. 5-25-05
PCL "B"

PM 11539
PM 64/59
PCL 2

LINE DATA

- ① S 89°57'16" E - 6.185
- ② N 53°56'26" W - 5.003

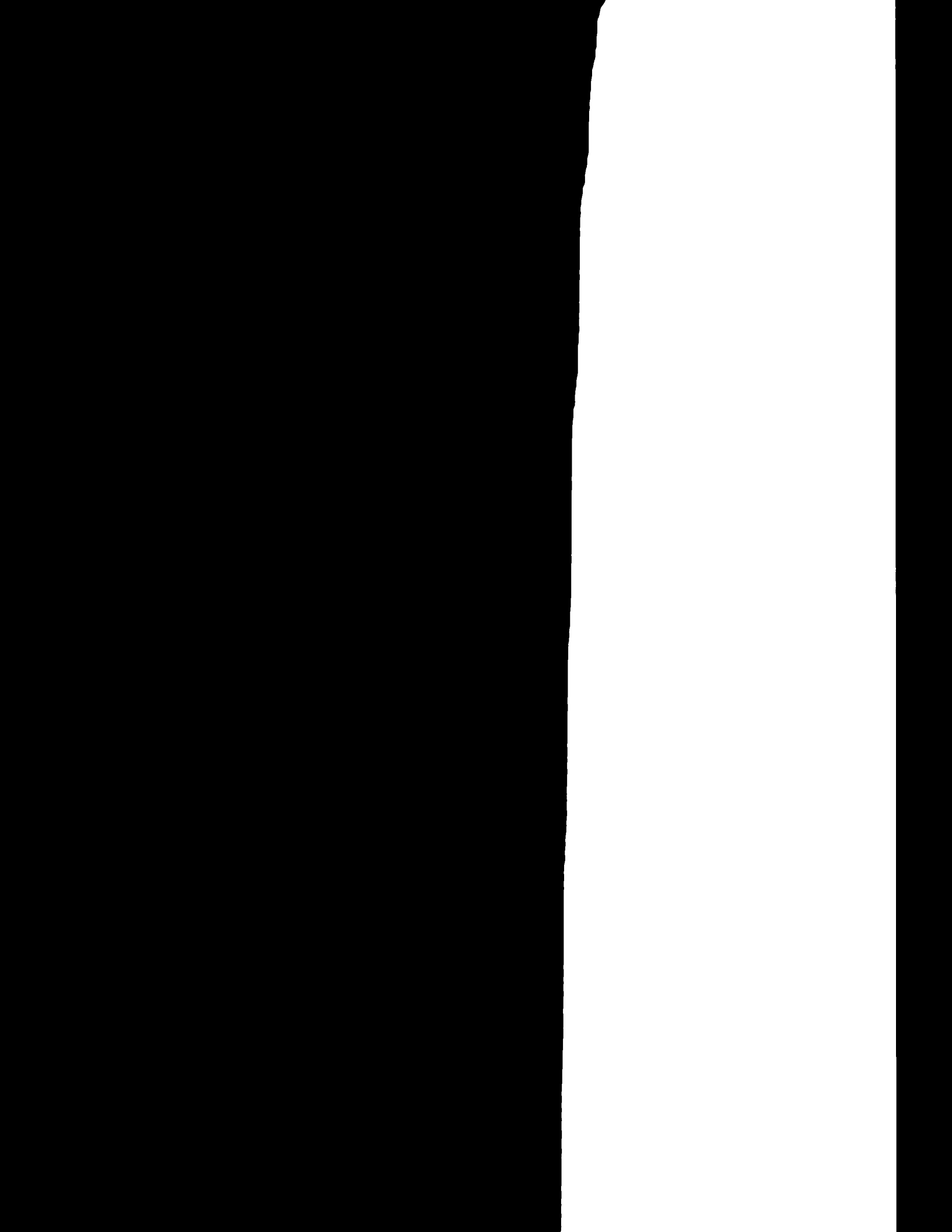
SECTION 28

T.6S., R.2W., S.B.M.

ALL DISTANCES SHOWN ARE METRIC GRID DISTANCES.
GROUND DISTANCES MAY BE OBTAINED BY MULTIPLYING THE
GRID DIST. BY A COMBINATION FACTOR OF 1.000100842.



COUNTY OF RIVERSIDE TRANSPORTATION DEPT, SURVEY DIV.	PAR. NO.: 21119-4
PROJECT: STATE ROUTE 79	PREPARED BY: NJC/TFR
THIS PLAT IS AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE PRECEDING DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DESCRIPTION.	SCALE: N.T.S.
APPROVED BY: <i>Timothy F. Rayburn</i> DATE: 2/3/2011	DATE: FEBRUARY, 2011
	W.O. NO.: B4-0527
	SHEET 1 OF 1



DECLARATION OF MAILING OF NOTICE OF INTENTION TO
ADOPT A RESOLUTION OF NECESSITY REGARDING THE PROJECT TO IMPROVE
STATE ROUTE 79 (WINCHESTER ROAD)

I, Cecilia Gil, (Name) Board Assistant to the Clerk of the Board, (Title) hereby declares as follows:

That on June 29, 2011, I served by mail (1) a copy of the Notice of Intention to Adopt a Resolution of Necessity Regarding the Project to Improve State Route 79 (Winchester Road); (2) a copy of the plat maps and legal descriptions, copies of which are on file in the Office of the Clerk of the Board of Supervisors and (3) the original of the letter dated June 29, 2011 from the Clerk of the Board of Supervisors to the following addresses, (a copy of which is attached hereto as Exhibit "A") by depositing said letters enclosed in a sealed envelope, in the United States Postal Service mailbox at the City of Riverside, California:

Newport Road 103
3951 Sierra Linda Drive
Escondido, California 92025-7653

Certified Mail #: 7010 2780 0001 1472 3382

Paul T. Johnson, Attorney at Law
Paul T. Johnson Law Group, APC
5055 Avenida Encinas, Suite 210
Carlsbad, California 92008

Certified Mail #: 7010 2780 0001 1472 3399

Winchester Agave
3951 Sierra Linda Drive
Escondido, California 92025-7653

Certified Mail #: 7010 2780 0001 1472 3405

Paul T. Johnson, Attorney at Law
Paul T. Johnson Law Group, APC
5055 Avenida Encinas, Suite 210
Carlsbad, California 92008

Certified Mail #: 7010 2780 0001 1472 3375

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 29th of June 2011, at Riverside County, California.



Cecilia Gil, Board Assistant



OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
Office: (951) 955-1060 FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board

KIMBERLY A. RECTOR
Assistant Clerk of the Board

June 29, 2011

Winchester Agave
3951 Sierra Linda Drive
Escondido, California 92025-7653

Dear Property Owner:

The law provides procedures for public agencies to acquire private property for public use. It requires that every agency which intends to condemn property notify the owners of its intention to condemn. Article 1, Section 19 of the California Constitution; Section 25350.5 of the Government Code; Section 760 of the Streets and Highways Code; and Sections 1240.010, 1240.020, 1240.030, 1240.040, 1240.110, 1240.410, 1240.510, and 1240.610 of the California Code of Civil Procedures (CCP) provides that the power of eminent domain may be exercised to acquire property for a proposed project if the following 7 conditions are established:

- (A) That the public interest and necessity require the Proposed Project;
- (B) That the Proposed Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- (C) That the Subject Property Interests are necessary for the Proposed Project;
- (D) That the offer required by Section 7267.2 of the Government Code has been made to the owner of record of the Subject Properties;
- (E) That, to the extent that the Subject Properties are already devoted to a public use, the use of the Proposed Project is a compatible use that will not unreasonably interfere with or impair the continuance of the public use as it presently exists or may reasonably be expected to exist in the future (California Code of Civil Procedure Section 1240.510) or the use of the Proposed Project is a more necessary public use than is the presently existing public use (California Code of Civil Procedure Section 1240.610);
- (F) That the Subject Property Interests are needed for road purposes; and
- (G) That acquisition of the Subject Property Interests will promote the interests of the County of Riverside.

You are hereby notified that the Board of Supervisors ("Board") of Riverside County, State of California at its public meeting to be held on **August 16, 2011 at 9:30 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, will be asked to decide if the above conditions have been met concerning your property and, if so, to adopt the Resolution of Necessity ("Resolution"). Questions regarding the amount of compensation to be paid or the value of the property to be acquired are not part of this proceeding and the Board will not consider such in determining whether a Resolution should be adopted.

The Board's adoption of the Resolution authorized the County to acquire the property by eminent domain. Within six months of the adopted Resolution, the County will prepare and file a complaint in Superior Court commencing the eminent domain proceeding. All issues related to the compensation to be awarded for the acquisition of your property will be resolved in this court proceeding. Enclosed is a copy of Resolution No. 2011-062, Notice of Intention to Adopt a Resolution of Necessity Regarding the Project to Improve State Route 79 (Winchester Road) which includes the legal description and plat map of the required property is attached to this Notice.

The law provides you an opportunity to appear before the Board and raise questions concerning only the conditions cited above. If you file a written request to appear (within 15 days from the mailing of this Notice), you are entitled to appear and object to the adoption of the Resolution.

Your written request to appear should include a statement indicating which of the conditions listed in the first paragraph above you contend have not been met. By designating which of the conditions form the basis of your challenge and explaining why you believe they have not been met, you will enable the Board to authorize a full and expeditious review of the project's effect on your property. The Transportation Department and Real Estate Division will conduct the review on behalf of the Board and ask for your participation. Based on this review, the Transportation Department and Real Estate Division will then prepare a report to be presented to the Board at the meeting at which you intend to appear.

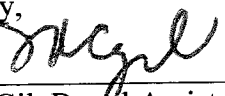
Your written request to appear must actually be on file with the Clerk of the Riverside County Board of Supervisors. Please mail or personally deliver your request to:

Ms. Kecia Harper-Ihem
Clerk to the Board of Supervisors
County Administrative Center
PO Box 1147
4080 Lemon Street, 1st Floor
Riverside, California 92502-1147

Failure to file such a timely written response will result in a waiver of your right to appear and be heard.

If you have any questions, please call Stephi Villanueva, Supervising Real Property Agent for the Economic Development Agency/Facilities Management Real Estate Division at (951) 955-9277. Thank you.

Sincerely,



Cecilia Gil, Board Assistant to
KECIA HARPER-IHEM, Clerk of the Board

cc: Paul T. Johnson, Attorney at Law
Paul T. Johnson Law Group, APC
5055 Avenida Encinas, Suite 210
Carlsbad, California 92008

2
3 Resolution No. 2011-062

4 Notice of Intention to Adopt a Resolution of Necessity Regarding
5 the Project to Improve State Route 79 (Winchester Road)
6

7 **WHEREAS**, the portions of real properties that are the subjects of this Notice
8 (collectively the "Subject Properties") are located in the unincorporated County of
9 Riverside, State of California; are generally located within an area on the east side of
10 existing State Route 79 bounded by Domenigoni Parkway on the north and Thompson
11 Road on the south; are legally described and pictorially depicted on the documents
12 attached hereto as Exhibits "A" and Exhibits "B" (and incorporated herein by this
13 reference); are referred to on attached Exhibits "A" and Exhibits "B" as Parcels 21118-
14 1, 21118-4, 21119-1, and 21119-4; and are portions of larger real properties in all
15 cases;

16 **WHEREAS**, each one of the Subject Properties is listed below in Table One
17 (across from the larger real property that includes the relevant Subject Property within
18 its boundaries), and whereas each one of those larger real properties is listed below in
19 Table One by its Riverside County Assessor's Parcel Number:
20

TABLE ONE	
Riverside County Assessor's Parcel Numbers Of the Larger Real Properties	Subject Properties
476-010-018 and 476-010-025	Parcels 21118-1 and 21118-4
476-010-023	Parcels 21119-1 and 21119-4

1 **WHEREAS**, the proposed project that is the subject of this Notice (the
2 "Proposed Project") is one to widen and improve State Route 79 (Winchester Road),
3 and to otherwise improve the public road system, within an area bounded by
4 Domenigoni Parkway on the north and Thompson Road on the south (including, but
5 not limited to, the use of the Subject Properties for public road purposes, for utility
6 purposes, for drainage purposes, for purposes of a staging area for construction and/or
7 other work, and for other uses incidental to the Proposed Project and required by the
8 Proposed Project);

9 **WHEREAS**, Parcels 21118-1 and 21119-1 will each be used for public road and
10 utility and drainage purposes, and whereas the use(s) that will be made of each one of
11 the remaining Subject Properties is/are described in Exhibits "A" and "B";

12 **WHEREAS**, the interests in property that are the subjects of this Notice
13 (collectively the "Subject Property Interests") are a fee simple ownership in Parcels
14 21118-1 and 21119-1 and temporary easements in Parcels 21118-4 and 21119-4. Said
15 interests in property are categorized below in Table Two:

TABLE TWO			
Subject Properties	Fee Simple Ownerships	Perpetual Easements	Temporary Construction Easements
21118-1	X		
21118-4			X
21119-1	X		
21119-4			X

26 **WHEREAS**, the statutes that authorize the County of Riverside to acquire the
27 Subject Property Interests by eminent domain include Article 1, Section 19 of the
28

1 California Constitution; Section 25350.5 of the Government Code; Section 760 of the
2 Streets and Highways Code; and Sections 1240.010, 1240.020, 1240.030, 1240.040,
3 1240.110, 1240.410, 1240.510, and 1240.610 of the Code of Civil Procedure.

4 Now, therefore, **BE IT RESOLVED AND ORDERED** as follows by the Board of
5 Supervisors of Riverside County, State of California, in regular session assembled on
6 June 28, 2011.

7 1. YOU ARE HEREBY NOTIFIED that this Board (at its public meeting on
8 August 16, 2011 at 9:30 a.m. in the meeting room of the Board of Supervisors located
9 on the 1st floor of the County Administrative Center, 4080 Lemon Street, Riverside,
10 California) may decide to adopt a Resolution of Necessity that would authorize the
11 County of Riverside to acquire the Subject Property Interests by eminent domain (and
12 that would find and determine each of the following matters):

13 (a) That the public interest and necessity require the Proposed
14 Project;

15 (b) That the Proposed Project is planned or located in the manner that
16 will be most compatible with the greatest public good and the least private injury;

17 (c) That the Subject Property Interests are necessary for the
18 Proposed Project;

19 (d) That the offers required by Section 7267.2 of the Government
20 Code have been made to the owners of record of the Subject Properties;

21 (e) That, to the extent that the Subject Properties are already devoted
22 to a public use, the use of the Proposed Project is a compatible use that will not
23 unreasonably interfere with or impair the continuance of the public use as it presently
24 exists or may reasonably be expected to exist in the future (California Code of Civil
25 Procedure Section 1240.510) or the use of the Proposed Project is a more necessary
26 public use than is the presently existing public use (California Code of Civil Procedure
27 Section 1240.610);
28

1 (f) That the Subject Property Interests are needed for state highway
2 purposes;

3 (g) That acquisition of the Subject Property Interests has been
4 recommended in writing by the Department of Transportation of the State of California;
5 and

6 (h) That acquisition of the Subject Property Interests will promote the
7 interests of the County of Riverside.

8 2. If (within 15 days from the mailing of this Notice) you file a written request
9 to appear at the public meeting and be heard on the matters described above in 1(a),
10 1(b), 1(c), 1(d), 1(e), 1(f), 1(g), 1(h) (or any one or more of them), you will have a right
11 to appear at that meeting and be heard on those matters.

12 3. All such written requests to appear and be heard must be filed with the
13 Clerk of the Riverside County Board of Supervisors.

14 4. Your written request to appear and be heard must be filed within the
15 fifteen (15) day time period. Failure to file such a timely written request will result in a
16 waiver of your right to appear and be heard.


17 5. Questions regarding the amount of compensation to be paid will not be a
18 part of the public meeting and the Board will not consider such questions in
19 determining whether a Resolution of Necessity should be adopted.

20 6. The Clerk of the Board of Supervisors shall cause a copy of this Notice to
21 be sent by first-class mail to each person whose property may be acquired by eminent
22 domain and whose name and address appears on the last equalized county
23 assessment roll (including the roll of state-assessed property).


24 ROLL CALL:

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

28 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.

KEGIA HARPER-IHEM Clerk of said Board
By  Deputy

FORM APPROVED COUNTY COUNSEL

BY:  ANNA W. WANG
6/8/11 DATE

PARCEL 21118-1

EXHIBIT "A"
LEGAL DESCRIPTION

BEING A PORTION OF PARCEL 2 OF PARCEL MAP NUMBER 11539, ON FILE IN BOOK 64, PAGE 59, OF PARCEL MAPS AND A PORTION OF PARCEL "B" OF NOTICE OF LOT LINE ADJUSTMENT NUMBER 4858 RECORDED MAY 25, 2005, AS INSTRUMENT NUMBER 418101, AS DESCRIBED IN GRANT DEED RECORDED OCTOBER 5, 2005, AS INSTRUMENT NUMBER 825211, RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN THE NORTHWEST ONE-QUARTER OF SECTION 28, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF STATE ROUTE 79, WINCHESTER ROAD (16.762 METER SOUTHEASTERLY HALF-WIDTH) AND KOON STREET, AS SHOWN ON SAID PARCEL MAP;

THENCE S 36°03'34" W ALONG THE CENTERLINE OF SAID STATE ROUTE 79, A DISTANCE OF 30.300 METERS;

THENCE S 53°56'26" E A DISTANCE OF 16.762 METERS, TO THE MOST NORTHERLY CORNER OF SAID PARCEL "B" ALSO BEING A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID STATE ROUTE 79, AS SHOWN ON PARCEL MAP NUMBER 15358, ON FILE IN BOOK 93, PAGES 40 AND 41, OF PARCEL MAPS, RECORDS OF SAID RECORDER, SAID POINT BEING THE **TRUE POINT OF BEGINNING**;

THENCE CONTINUING S 53°56'26" E ALONG THE NORTHEASTERLY LINE OF SAID PARCEL "B" A DISTANCE OF 11.277 METERS, TO A POINT 28.039 METERS SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLES, TO SAID CENTERLINE OF STATE ROUTE 79;

(COURSE "A") THENCE S 36°03'34" W PARALLEL WITH AND 28.039 METERS SOUTHEASTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 290.426 METERS;

(COURSE "B") THENCE N 53°56'26" W A DISTANCE OF 11.277 METERS TO A POINT ON SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROUTE 79;

THENCE N 36°03'34" E ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROUTE 79, A DISTANCE OF 290.426 METERS, TO THE **TRUE POINT OF BEGINNING**.

CONTAINING: 3,275.1 SQUARE METERS, 35,253 SQUARE FEET, OR 0.809 ACRES, MORE OR LESS.

THIS CONVEYANCE IS MADE FOR THE PURPOSE OF A STATE HIGHWAY AND THE GRANTOR HEREBY RELEASES AND RELINQUISHES TO THE GRANTEE ANY AND ALL ABUTTER'S RIGHTS INCLUDING ACCESS RIGHTS, APPURTENANT TO GRANTOR'S REMAINING PROPERTY IN AND TO SAID STATE HIGHWAY OVER AND ACROSS COURSES "(A)" AND "(B)", HEREINABOVE DESCRIBED.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 6. MULTIPLY DISTANCES SHOWN BY 1.000100842 TO OBTAIN GROUND DISTANCE.

REFERENCE IS HEREBY MADE TO STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION - DISTRICT 8 MAP, FILE NUMBER RW 000014 / 1 THROUGH 60, INCLUSIVE, ON FILE AS MAP NUMBER 205 / 401 THROUGH 460, INCLUSIVE, IN THE OFFICE OF THE COUNTY SURVEYOR OF RIVERSIDE COUNTY, CALIFORNIA.

08-RIV-79-KP 17.25-21118 (21118-1)

SEE ATTACHED EXHIBIT "B"

APPROVED BY: Timothy F. Rayburn

DATE: 7/01/09

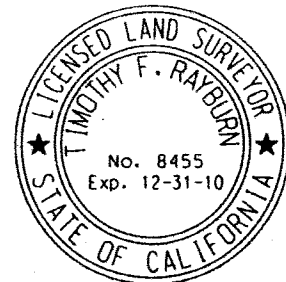
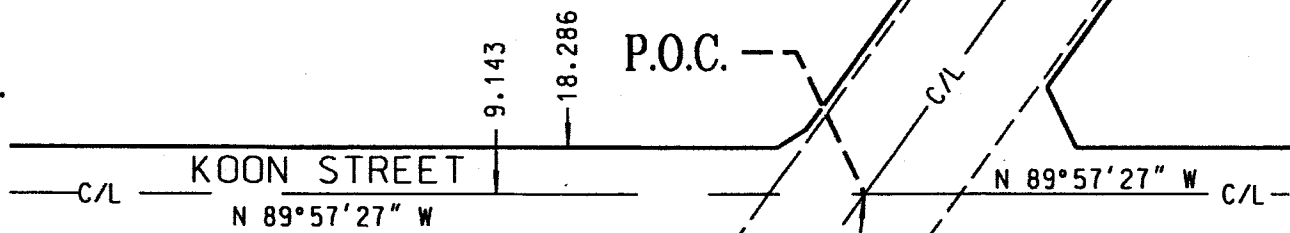
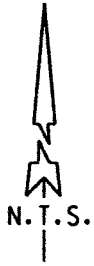


EXHIBIT "B"

08-RIV-79-KP 17.25-21118 (21118-1)



SECTION 28
T.6S., R.2W., S.B.M.

30.477 R/W PER
O.R. 1075/10,
REC. 5-10-1949

PM 11539
PM 64/59
PCL 1

PM 64/59
PCL 3

LLA NO. 4858
INST. NO. 418101
REC. 5-25-2005
PCL "A"

PM 15358
PM 93/40-41
PCL 1

APN 476-010-025
GRANT DEED
INST. NO. 825211,
REC. 10-5-2005

LLA NO. 4858
INST. NO. 418101
REC. 5-25-05
PCL "B"

21118-1
3,275.1 SQ. M
35,253 SQ. FT.
0.809 AC.

LINE DATA

- ① S 36°03'34" W - 30.300
- ② S 53°56'26" E - 16.762
- ③ S 53°56'26" E - 11.277
- ④ N 53°56'26" W - 11.277

PM 11539
PM 64/59
PCL 2

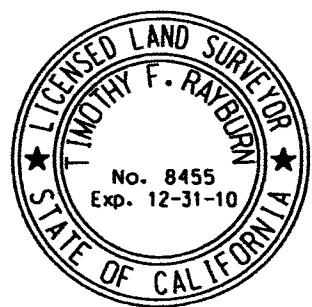
APN 476-010-018

PM 93/40-41
PCL 3

NOTE:

||| INDICATES RESTRICTED ACCESS

ALL DISTANCES SHOWN ARE METRIC GRID DISTANCES.
GROUND DISTANCES MAY BE OBTAINED BY MULTIPLYING THE
GRID DIST. BY A COMBINATION FACTOR OF 1.000100842.



COUNTY OF RIVERSIDE TRANSPORTATION DEPT., SURVEY DIV.	PAR. NO.: 21118-1
PROJECT: STATE ROUTE 79	PREPARED BY: N.J.C.
THIS PLAT IS AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE PRECEDING DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DESCRIPTION.	SCALE: N.T.S.
APPROVED BY: <i>Timothy F. Rayburn</i> DATE: 7/21/09	DATE: JULY, 2009
	W.O. NO.: B4-0527
	SHEET 1 OF 1

PARCEL 21118-4

EXHIBIT "A"
LEGAL DESCRIPTION
TEMPORARY CONSTRUCTION EASEMENT

AN EASEMENT FOR TEMPORARY CONSTRUCTION PURPOSES OVER A PORTION OF PARCEL 2 OF PARCEL MAP NUMBER 11539, ON FILE IN BOOK 64, PAGE 59, OF PARCEL MAPS, AND A PORTION OF PARCEL "B" OF NOTICE OF LOT LINE ADJUSTMENT NUMBER 4858 RECORDED MAY 25, 2005, AS INSTRUMENT NUMBER 418101, AS DESCRIBED IN GRANT DEED RECORDED OCTOBER 5, 2005, AS INSTRUMENT NUMBER 825211, RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN THE NORTHWEST ONE-QUARTER OF SECTION 28, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF STATE ROUTE 79, WINCHESTER ROAD (16.762 METER HALF-WIDTH), AND KOON STREET, AS SHOWN ON SAID PARCEL MAP;

THENCE S 36°03'34" W ALONG THE CENTERLINE OF SAID STATE ROUTE 79, A DISTANCE OF 320.726 METERS;

THENCE S 53°56'26" E A DISTANCE OF 16.762 METERS, TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID STATE ROUTE 79, SAID POINT BEING THE **TRUE POINT OF BEGINNING**;

THENCE CONTINUING S 53°56'26" E, A DISTANCE OF 11.277 METERS TO A POINT 28.039 METERS SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF STATE ROUTE 79;

THENCE N 36°03'34" E, PARALLEL WITH AND 28.039 METERS SOUTHEASTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 290.426 METERS TO THE NORTHEASERLY LINE OF SAID PARCEL "B";

THENCE S 53°52'26" E, ALONG SAID NORHTEASTERLY LINE, A DISTANCE OF 5.003 METERS TO A POINT 33.042 METERS SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF STATE ROUTE 79;

THENCE S 36°03'34" W, PARALLEL WITH AND 33.042 METERS SOUTHEASTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 295.426 METERS;

THENCE N 53°56'26" W, A DISTANCE OF 16.280 METERS TO A POINT ON SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROUTE 79;

THENCE N 36°03'34" E ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROUTE 79 A DISTANCE OF 5.000 METERS TO THE **TRUE POINT OF BEGINNING**;

CONTAINING: 1,534.4 SQUARE METERS, 16,516 SQUARE FEET, OR 0.379 ACRES MORE OR LESS.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 6. MULTIPLY DISTANCES SHOWN BY 1.000100842 TO OBTAIN GROUND DISTANCE.

REFERENCE IS HEREBY MADE TO STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION - DISTRICT 8 MAP, FILE NUMBER RW 000014 / 1 THROUGH 60, INCLUSIVE, ON FILE AS MAP NUMBER 205 / 401 THROUGH 460, INCLUSIVE, IN THE OFFICE OF THE COUNTY SURVEYOR OF RIVERSIDE COUNTY, CALIFORNIA.

08-RIV-79-KP 17.25-21118 (21118-4)

SEE ATTACHED EXHIBIT "B"

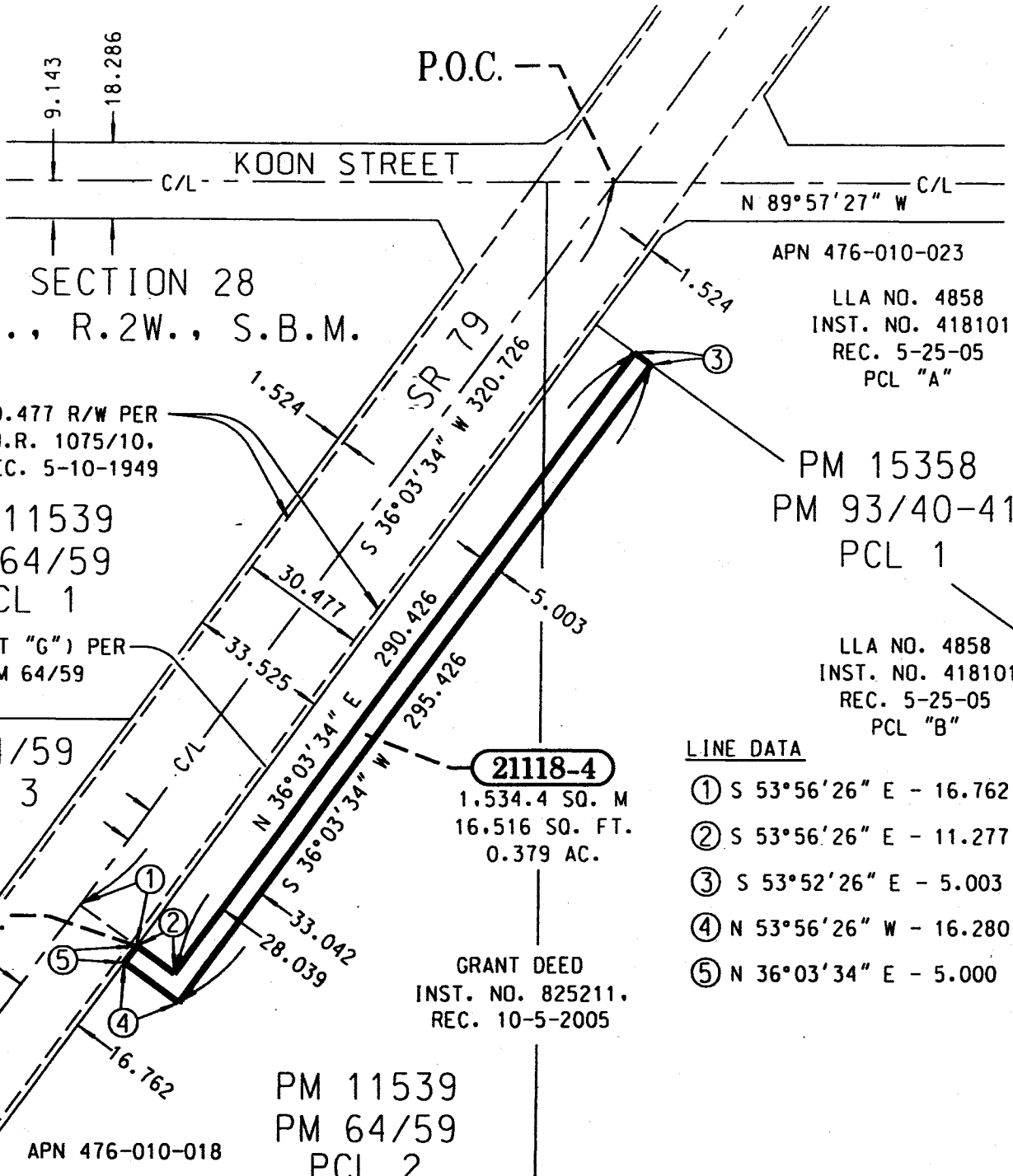
APPROVED BY: *Timothy F. Rayburn*

DATE: 2/3/2011



EXHIBIT "B"

TEMPORARY CONSTRUCTION EASEMENT
08-RIV-79-KP 17.25-21118 (21118-4)



APN 476-010-023

LLA NO. 4858
INST. NO. 418101
REC. 5-25-05
PCL "A"

PM 15358
PM 93/40-41
PCL 1

LLA NO. 4858
INST. NO. 418101
REC. 5-25-05
PCL "B"

LINE DATA

- ① S 53°56'26" E - 16.762
- ② S 53°56'26" E - 11.277
- ③ S 53°52'26" E - 5.003
- ④ N 53°56'26" W - 16.280
- ⑤ N 36°03'34" E - 5.000

21118-4

1,534.4 SQ. M
16,516 SQ. FT.
0.379 AC.

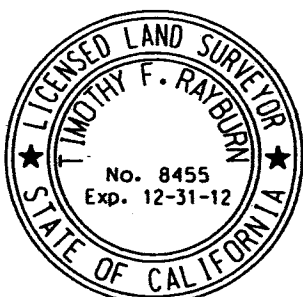
GRANT DEED
INST. NO. 825211.
REC. 10-5-2005

PM 11539
PM 64/59
PCL 2

APN 476-010-018

ALL DISTANCES SHOWN ARE METRIC GRID DISTANCES.
GROUND DISTANCES MAY BE OBTAINED BY MULTIPLYING THE
GRID DIST. BY A COMBINATION FACTOR OF 1.000100842.

APN 476-010-025



COUNTY OF RIVERSIDE TRANSPORTATION DEPT., SURVEY DIV.

PROJECT: STATE ROUTE 79

THIS PLAT IS AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE PRECEDING DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DESCRIPTION.

APPROVED BY: *Timothy F. Rayburn* DATE: 2/3/2011

PAR. NO.: 21118-4

PREPARED BY: NJC/TFR

SCALE: N.T.S.

DATE: FEBRUARY, 2011

W.O. NO.: B4-0527

SHEET 1 OF 1

PARCEL 21119-1

EXHIBIT "A"
LEGAL DESCRIPTION

BEING A PORTION OF PARCEL "A" OF NOTICE OF LOT LINE ADJUSTMENT NUMBER 4858 RECORDED MAY 25, 2005, AS INSTRUMENT NUMBER 418101, AND DESCRIBED IN GRANT DEED RECORDED MAY 25, 2005 AS INSTRUMENT 418102, RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN THE NORTHWEST ONE-QUARTER OF SECTION 28, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF STATE ROUTE 79, WINCHESTER ROAD (16.762 METER SOUTHEASTERLY HALF-WIDTH), AND KOON STREET (9.143 METER HALF-WIDTH), AS SHOWN ON PARCEL MAP NUMBER 15358, ON FILE IN BOOK 93, PAGES 40 AND 41, OF PARCEL MAPS, RECORDS OF SAID RECORDER;

THENCE S 36°03'34" W ALONG THE CENTERLINE OF SAID STATE ROUTE 79, A DISTANCE OF 3.361 METERS;

THENCE S 53°56'26" E, A DISTANCE OF 16.762 METERS TO AN ANGLE POINT IN THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID STATE ROUTE 79, SAID POINT BEING THE **TRUE POINT OF BEGINNING**;

THENCE N 59°03'38" E, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 6.665 METERS TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID KOON STREET;

THENCE S 89°57'16" E, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 10.722 METERS TO A POINT 28.039 METERS SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF STATE ROUTE 79;

THENCE S 36°03'34" W, PARALLEL WITH AND 28.039 METERS SOUTHEASTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 39.379 METERS TO A POINT ON THE SOUTHWESTERLY LINE OF SAID PARCEL "A";

THENCE N 53°56'26" W, ALONG SAID SOUTHWESTERLY LINE, A DISTANCE OF 11.277 METERS TO A POINT ON SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROUTE 79;

THENCE N 36°03'34" E, ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 26.939 METERS TO THE **TRUE POINT OF BEGINNING**.

CONTAINING: 392.3 SQUARE METERS, 4,223 SQUARE FEET, OR 0.097 ACRES, MORE OR LESS.

THIS CONVEYANCE IS MADE FOR THE PURPOSE OF A STATE HIGHWAY AND THE GRANTOR HEREBY RELEASES AND RELINQUISHES TO THE GRANTEE ANY AND ALL ABUTTER'S RIGHTS INCLUDING ACCESS RIGHTS, APPURTENANT TO GRANTOR'S REMAINING PROPERTY IN AND TO SAID STATE HIGHWAY.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 6. MULTIPLY DISTANCES SHOWN BY 1.000100842 TO OBTAIN GROUND DISTANCE.

REFERENCE IS HEREBY MADE TO STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION - DISTRICT 8 MAP, FILE NUMBER RW 000014 / 1 THROUGH 60, INCLUSIVE, ON FILE AS MAP NUMBER 205 / 401 THROUGH 460, INCLUSIVE, IN THE OFFICE OF THE COUNTY SURVEYOR OF RIVERSIDE COUNTY, CALIFORNIA.

08-RIV-79-KP 17.57-21119 (21119-1)

SEE ATTACHED EXHIBIT "B"

APPROVED BY: *Timothy F. Rayburn*

DATE: 7/01/09

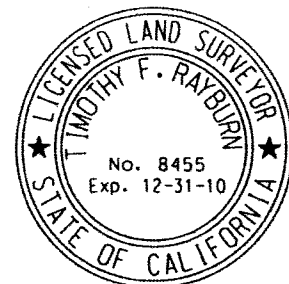
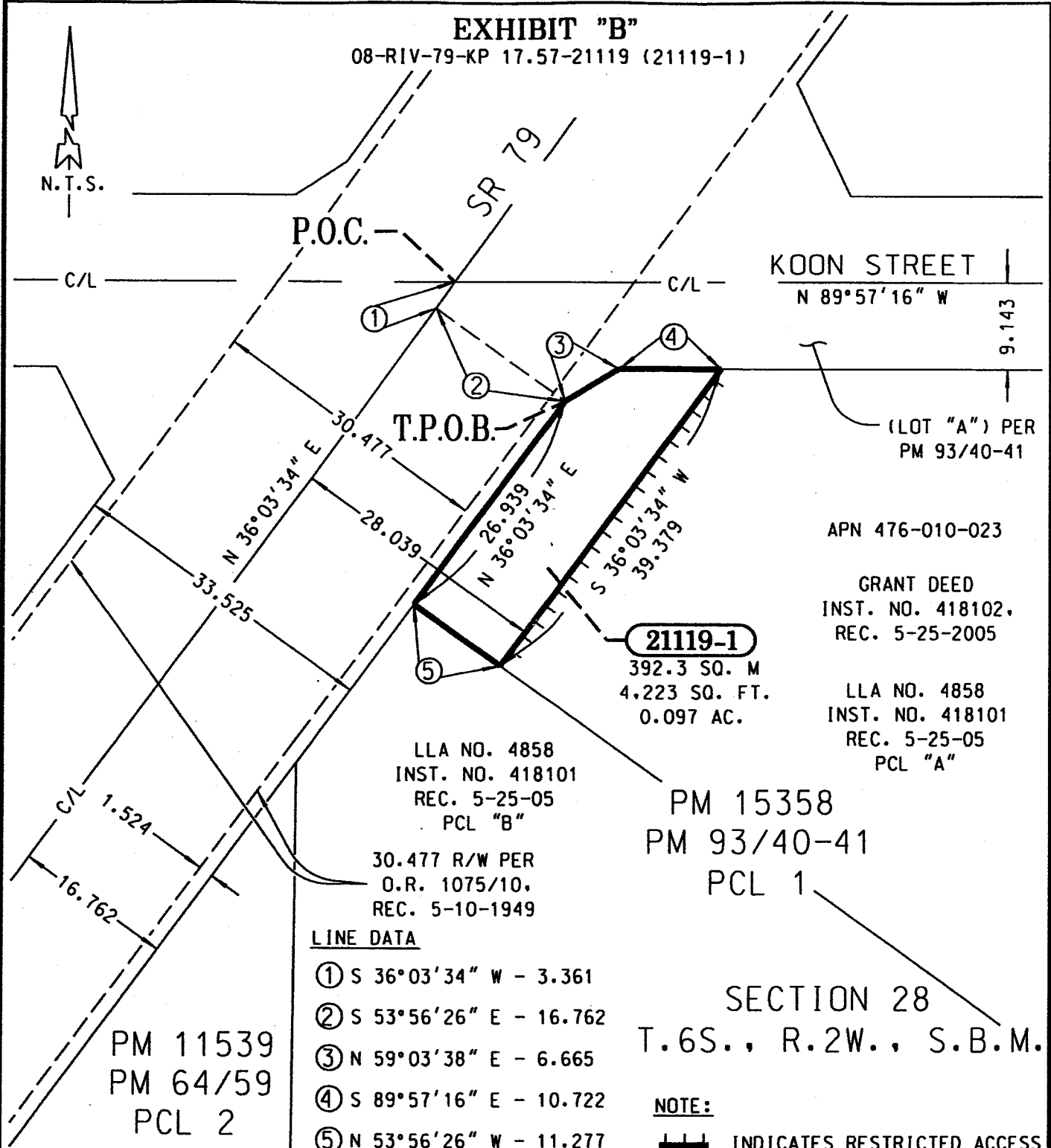
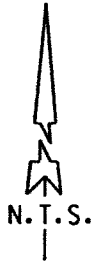


EXHIBIT "B"

08-RIV-79-KP 17.57-21119 (21119-1)



KOON STREET

N 89°57'16" W

9.143

(LOT "A") PER
PM 93/40-41

APN 476-010-023

GRANT DEED
INST. NO. 418102.
REC. 5-25-2005

LLA NO. 4858
INST. NO. 418101
REC. 5-25-05
PCL "A"

21119-1

392.3 SQ. M
4,223 SQ. FT.
0.097 AC.

LLA NO. 4858
INST. NO. 418101
REC. 5-25-05
PCL "B"

PM 15358

PM 93/40-41

PCL 1

30.477 R/W PER
O.R. 1075/10.
REC. 5-10-1949

LINE DATA

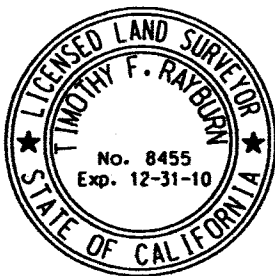
- ① S 36°03'34" W - 3.361
- ② S 53°56'26" E - 16.762
- ③ N 59°03'38" E - 6.665
- ④ S 89°57'16" E - 10.722
- ⑤ N 53°56'26" W - 11.277

NOTE:

INDICATES RESTRICTED ACCESS

SECTION 28
T.6S., R.2W., S.B.M.

PM 11539
PM 64/59
PCL 2



ALL DISTANCES SHOWN ARE METRIC GRID DISTANCES.
GROUND DISTANCES MAY BE OBTAINED BY MULTIPLYING THE
GRID DIST. BY A COMBINATION FACTOR OF 1.000100842.

COUNTY OF RIVERSIDE TRANSPORTATION DEPT., SURVEY DIV.

PROJECT: STATE ROUTE 79

THIS PLAT IS AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE PRECEDING DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DESCRIPTION.

PAR. NO.: 21119-1

PREPARED BY: N.J.C.

SCALE: N.T.S.

DATE: JULY, 2009

W.O. NO.: B4-0527

APPROVED BY: *Timothy F. Rayburn* DATE: 7/01/09

SHEET 1 OF 1

PARCEL 21119-4

EXHIBIT "A"
LEGAL DESCRIPTION
TEMPORARY CONSTRUCTION EASEMENT

AN EASEMENT FOR TEMPORARY CONSTRUCTION PURPOSES OVER A PORTION OF PARCEL "A" OF NOTICE OF LOT LINE ADJUSTMENT NUMBER 4858 RECORDED MAY 25, 2005, AS INSTRUMENT NUMBER 418101, AND DESCRIBED IN GRANT DEED RECORDED MAY 25, 2005 AS INSTRUMENT 418102, RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN THE NORTHWEST ONE-QUARTER OF SECTION 28, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF STATE ROUTE 79, WINCHESTER ROAD (16.762 METER SOUTHEASTERLY HALF-WIDTH), AND KOON STREET (9.143 METER HALF-WIDTH), AS SHOWN ON PARCEL MAP NUMBER 15358, ON FILE IN BOOK 93, PAGES 40 AND 41, OF PARCEL MAPS, RECORDS OF SAID RECORDER;

THENCE S 36°03'34" W ALONG THE CENTERLINE OF SAID STATE ROUTE 79, A DISTANCE OF 30.300 METERS;

THENCE S 53°56'26" E A DISTANCE OF 28.039 METERS, TO THE **TRUE POINT OF BEGINNING**;

THENCE N 36°03'34" E, PARALLEL WITH AND 28.039 METERS SOUTHEASTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 39.379 METERS TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID KOON STREET;

THENCE S 89°57'16" E ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 6.185 METERS, TO A POINT 33.042 METERS SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF STATE ROUTE 79;

THENCE S 36°03'34" W, PARALLEL WITH AND 33.042 METERS SOUTHEASTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 43.015 METERS TO A POINT ON THE SOUTHWESTERLY LINE OF SAID PARCEL "A";

THENCE N 53°56'26" W, ALONG SAID SOUTHWESTERLY LINE, A DISTANCE OF 5.003 METERS TO THE **TRUE POINT OF BEGINNING**.

CONTAINING: 206.1 SQUARE METERS, 2,219 SQUARE FEET, OR 0.051 ACRES, MORE OR LESS.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 6. MULTIPLY DISTANCES SHOWN BY 1.000100842 TO OBTAIN GROUND DISTANCE.

REFERENCE IS HEREBY MADE TO STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION - DISTRICT 8 MAP, FILE NUMBER RW 000014 / 1 THROUGH 60, INCLUSIVE, ON FILE AS MAP NUMBER 205 / 401 THROUGH 460, INCLUSIVE, IN THE OFFICE OF THE COUNTY SURVEYOR OF RIVERSIDE COUNTY, CALIFORNIA.

08-RIV-79-KP 17.57-21119 (21119-4)

SEE ATTACHED EXHIBIT "B"

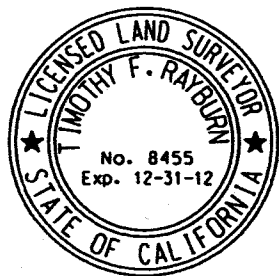
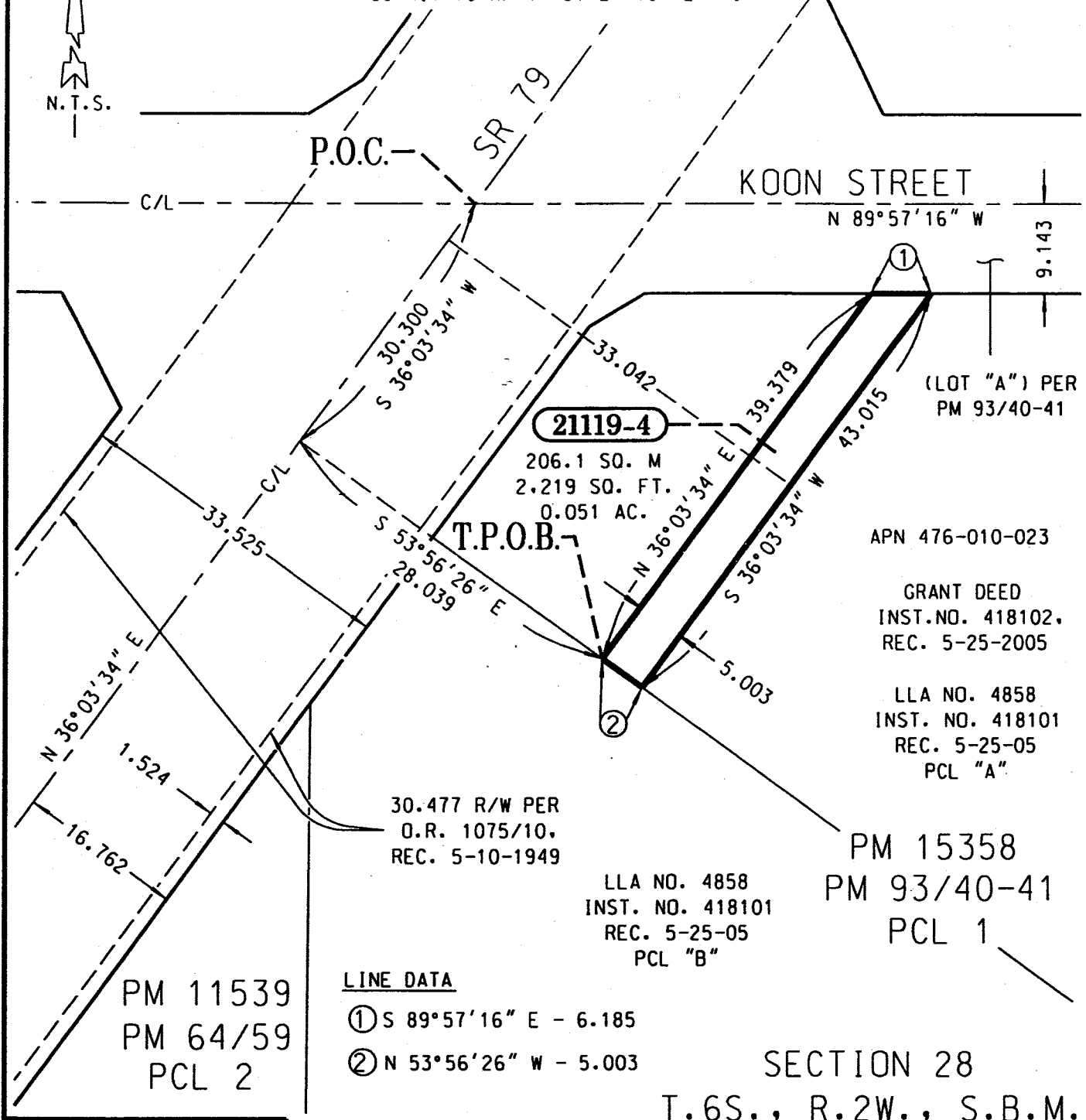
APPROVED BY: *Jonathan A. Ray*

DATE: 2/3/2011



EXHIBIT "B"

TEMPORARY CONSTRUCTION EASEMENT
08-RIV-79-KP 17.57-21119 (21119-4)



ALL DISTANCES SHOWN ARE METRIC GRID DISTANCES.
GROUND DISTANCES MAY BE OBTAINED BY MULTIPLYING THE
GRID DIST. BY A COMBINATION FACTOR OF 1.000100842.

COUNTY OF RIVERSIDE TRANSPORTATION DEPT., SURVEY DIV.
PROJECT: **STATE ROUTE 79**
THIS PLAT IS AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE PRECEDING DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DESCRIPTION.

PAR. NO.: **21119-4**
PREPARED BY: **NJC/TFR**
SCALE: **N.T.S.**
DATE: **FEBRUARY, 2011**
W.O. NO.: **84-0527**

APPROVED BY: *Timothy F. Rayburn* DATE: **2/3/2011**



June 29, 2011

Newport Road 103
3951 Sierra Linda Drive
Escondido, California 92025-7653

Dear Property Owner:

The law provides procedures for public agencies to acquire private property for public use. It requires that every agency which intends to condemn property notify the owners of its intention to condemn. Article 1, Section 19 of the California Constitution; Section 25350.5 of the Government Code; Section 760 of the Streets and Highways Code; and Sections 1240.010, 1240.020, 1240.030, 1240.040, 1240.110, 1240.410, 1240.510, and 1240.610 of the California Code of Civil Procedures (CCP) provides that the power of eminent domain may be exercised to acquire property for a proposed project if the following 7 conditions are established:

- (A) That the public interest and necessity require the Proposed Project;
- (B) That the Proposed Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- (C) That the Subject Property Interests are necessary for the Proposed Project;
- (D) That the offer required by Section 7267.2 of the Government Code has been made to the owner of record of the Subject Properties;
- (E) That, to the extent that the Subject Properties are already devoted to a public use, the use of the Proposed Project is a compatible use that will not unreasonably interfere with or impair the continuance of the public use as it presently exists or may reasonably be expected to exist in the future (California Code of Civil Procedure Section 1240.510) or the use of the Proposed Project is a more necessary public use than is the presently existing public use (California Code of Civil Procedure Section 1240.610);
- (F) That the Subject Property Interests are needed for road purposes; and
- (G) That acquisition of the Subject Property Interests will promote the interests of the County of Riverside.

You are hereby notified that the Board of Supervisors ("Board") of Riverside County, State of California at its public meeting to be held on **August 16, 2011 at 9:30 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, will be asked to decide if the above conditions have been met concerning your property and, if so, to adopt the Resolution of Necessity ("Resolution"). Questions regarding the amount of compensation to be paid or the value of the property to be acquired are not part of this proceeding and the Board will not consider such in determining whether a Resolution should be adopted.

OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
Office: (951) 955-1060 FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board

KIMBERLY A. RECTOR
Assistant Clerk of the Board

The Board's adoption of the Resolution authorized the County to acquire the property by eminent domain. Within six months of the adopted Resolution, the County will prepare and file a complaint in Superior Court commencing the eminent domain proceeding. All issues related to the compensation to be awarded for the acquisition of your property will be resolved in this court proceeding. Enclosed is a copy of Resolution No. 2011-062, Notice of Intention to Adopt a Resolution of Necessity Regarding the Project to Improve State Route 79 (Winchester Road) which includes the legal description and plat map of the required property is attached to this Notice.

The law provides you an opportunity to appear before the Board and raise questions concerning only the conditions cited above. If you file a written request to appear (within 15 days from the mailing of this Notice), you are entitled to appear and object to the adoption of the Resolution.

Your written request to appear should include a statement indicating which of the conditions listed in the first paragraph above you contend have not been met. By designating which of the conditions form the basis of your challenge and explaining why you believe they have not been met, you will enable the Board to authorize a full and expeditious review of the project's effect on your property. The Transportation Department and Real Estate Division will conduct the review on behalf of the Board and ask for your participation. Based on this review, the Transportation Department and Real Estate Division will then prepare a report to be presented to the Board at the meeting at which you intend to appear.


Your written request to appear must actually be on file with the Clerk of the Riverside County Board of Supervisors. Please mail or personally deliver your request to:

Ms. Kecia Harper-Ihem
Clerk to the Board of Supervisors
County Administrative Center
PO Box 1147
4080 Lemon Street, 1st Floor
Riverside, California 92502-1147

Failure to file such a timely written response will result in a waiver of your right to appear and be heard.

If you have any questions, please call Stephi Villanueva, Supervising Real Property Agent for the Economic Development Agency/Facilities Management Real Estate Division at (951) 955-9277. Thank you.

Sincerely,



Cecilia Gil, Board Assistant to
KECIA HARPER-IHEM, Clerk of the Board

cc: Paul T. Johnson, Attorney at Law
Paul T. Johnson Law Group, APC
5055 Avenida Encinas, Suite 210
Carlsbad, California 92008

(2)

PAUL T. JOHNSON LAW GROUP, APC
5055 AVENIDA ENCINAS, SUITE 210
CARLSBAD, CA 92008
TEL: 760-431-8988
FAX: 760-431-9049

PAUL T. JOHNSON
DESIREE K. JOHNSON
MARK E. BALE

July 12, 2011

Ms. Kecia Harper-Ihem
Clerk to the Board of Supervisors
County Administrative Center
4080 Lemon Street, 1st Floor
Riverside, California 92502-1147

VIA OVERNIGHT EXPRESS
SIGNATURE REQUIRED

Re: Winchester Agave, LLC
Resolution No. 2011-062

Dear Ms. Kecia Harper-Ihem:

This office is in receipt of your letter dated June 29, 2011, regarding Resolution No. 2011-062 (the "Resolution"). Please be advised that this office represents Winchester Agave, LLC ("Winchester Agave").

Pursuant to that letter, this office understands that a request to speak related to the Resolution must be received at the above address within fifteen (15) days of the date of your letter. As your letter was dated June 29, 2011, this means that a response must be received on or before July 14, 2011. This letter is to be delivered by overnight delivery service, signature required on July 13, 2011. Accordingly, please consider this letter the request of the following individuals to speak on behalf of Winchester Agave in connection with the hearing on the Resolution:

David A. Jacinto
Paul G. Marx
Paul T. Johnson or other representative to be named of Winchester Agave

In your letter, you state that it is requested that any speakers state with particularity the areas which would be addressed by the speakers. As identified below, this is not currently possible. A brief discussion of the status of the matter is set forth below.

More than two years ago, the County approached Winchester Agave regarding the possible acquisition of the real property that is the subject of the Resolution (the "Subject Property"). Since that time, Winchester Agave has cooperated fully with all requests from the County and has responded promptly to requests for information. It is the understanding of this office that W County have an agreement in principal related to the acquisition of the Sub. County is requiring Winchester Agave to assume more responsibility for the Property than Winchester Agave is required to do under existing California remains hopeful that it will be possible to resolve this contractual differer avoid the time, trouble and expense associated with a condemnation action fo

8-10-11
Board Meeting

2011-7-108510

Ms. Kecia Harper-Ihem
Clerk to the Board of Supervisors
July 12, 2011
Page 2

Agave has been involved in the County of Riverside for many years and has deep ties to the County. Winchester Agave desires to see the project for which the Resolution has been proposed completed in a timely manner – but not by bearing an inappropriate burden and/or liability related to the acquisition of the Subject Property.

In a further effort to resolve this matter, Winchester Agave will be participating in a conference call with the County on Thursday, July 14, 2011, at 4:00 PM. It is the sincere hope of Winchester Agave that all issues related to the status of the various agreements will be resolved at that time.

However, in the event that the matter is not resolved at that time, all speakers identified above expressly reserve their rights to address any or all areas which may be appropriate in connection with the actions of the County related to the Resolution. Winchester Agave, 103, LLC, is hopeful that the ongoing efforts to facilitate the voluntary acquisition of the Subject Property will be successful and, to that end, has undertaken all actions possible to promptly respond to any requests by the County.

Should you have any questions regarding the above, please call me at (760) 431-8988 x 1.

Very truly yours,

PAUL T. JOHNSON LAW GROUP, APC



Paul T. Johnson

cc: Paul G. Marx (via e-mail only)
David A. Jacinto (via e-mail only)
Ms. Stephi Villanueva (via e-mail only - svillanueva@rivcoeda.org)
Ms. Patricia Romo (via e-mail only - promo@rctlma.org)

PAUL T. JOHNSON LAW GROUP, APC
5055 AVENIDA ENCINAS, SUITE 210
CARLSBAD, CA 92008
TEL: 760-431-8988
FAX: 760-431-9049

PAUL T. JOHNSON
DESIREE K. JOHNSON
MARK E. BALE

July 12, 2011

Ms. Kecia Harper-Ihem
Clerk to the Board of Supervisors
County Administrative Center
4080 Lemon Street, 1st Floor
Riverside, California 92502-1147

VIA OVERNIGHT EXPRESS
SIGNATURE REQUIRED

Re: Newport Road 103, LLC
Resolution No. 2011-062

Dear Ms. Kecia Harper-Ihem:

This office is in receipt of your letter dated June 29, 2011, regarding Resolution No. 2011-062 (the "Resolution"). Please be advised that this office represents Newport Road 103, LLC ("Newport Road").

Pursuant to that letter, this office understands that a request to speak related to the Resolution must be received at the above address within fifteen (15) days of the date of your letter. As your letter was dated June 29, 2011, this means that a response must be received on or before July 14, 2011. This letter is to be delivered by overnight delivery service, signature required on July 13, 2011. Accordingly, please consider this letter the request of the following individuals to speak on behalf of Newport Road in connection with the hearing on the Resolution:

David A. Jacinto
Paul G. Marx
Paul T. Johnson or other representative to be named of Newport Road

In your letter, you state that it is requested that any speakers state with particularity the areas which would be addressed by the speakers. As identified below, this is not currently possible. A brief discussion of the status of the matter is set forth below.

More than two years ago, the County approached Newport Road regarding the possible acquisition of the real property that is the subject of the Resolution (the "Subject Property"). Since that time, Newport Road has cooperated fully with all requests from the County and has responded promptly to requests for information. It is the understanding of this office that Newport Road and the County have an agreement in principal related to the acquisition of the Subject Property, but that the County is requiring Newport Road to assume more responsibility for the condition of the Subject Property than Newport Road is required to do under existing California law. Newport Road remains hopeful that it will be possible to resolve this contractual difference of opinion in order to avoid the time, trouble and expense associated with a condemnation action for the County. Newport Road has been involved in

Ms. Kecia Harper-Ihem
Clerk to the Board of Supervisors
July 12, 2011
Page 2

the County of Riverside for many years and has deep ties to the County. Newport Road desires to see the project for which the Resolution has been proposed completed in a timely manner – but not by bearing an inappropriate burden and/or liability related to the acquisition of the Subject Property.

In a further effort to resolve this matter, Newport Road will be participating in a conference call with the County on Thursday, July 14, 2011, at 4:00 PM. It is the sincere hope of Newport Road that all issues related to the status of the various agreements will be resolved at that time.

However, in the event that the matter is not resolved at that time, all speakers identified above expressly reserve their rights to address any or all areas which may be appropriate in connection with the actions of the County related to the Resolution. Newport Road, 103, LLC, is hopeful that the ongoing efforts to facilitate the voluntary acquisition of the Subject Property will be successful and, to that end, has undertaken all actions possible to promptly respond to any requests by the County.

Should you have any questions regarding the above, please call me at (760) 431-8988 x 1.

Very truly yours,

PAUL T. JOHNSON LAW GROUP, APC



Paul T. Johnson

cc: Paul G. Marx (via e-mail only)
David A. Jacinto (via e-mail only)
Ms. Stephi Villanueva (via e-mail only - svillanueva@rivcoeda.org)
Ms. Patricia Romo (via e-mail only - promo@rctlma.org)



80284-000002-V10

Next Day Overnite -- P

Zone:330

Bill To:80284 Date: 7/12/2011
 From:Paul T. Johnson
 Paul T. Johnson Law Group, APC
 5055 Avenida Encinas
 Ste:210
 Carlsbad , CA 92008
 7604318988

Billing Reference:Marx/Winchester



SPECIAL INSTRUCTIONS: Signature Required

To:Kecia Harper-Ihem
 Clerk to Bd of Supervisors-Cty of
 Riverside
 4080 Lemon Street
 Ste:1st Fl
 Riverside , CA 92502
 9519551060

Number of Pieces: 1

OVERNITE

Signature Required

Please fold this page in half and place it in the pouch on your shipment. Only one copy is required by Norco Overnite.
 WARNING: Use only the printed label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with cancellation of your Norco Overnite account or OverniteShip Online Profile. Shipments with invalid account or credit card numbers will not be delivered.

RECEIVED PREPARED OFFICERS
 CLERK/BOARD OF SUPERVISORS
 2011 JUL 13 AM 9:34

Gil, Cecilia

From: Villanueva, Stephi <SVillanueva@rivcoeda.org>
Sent: Thursday, July 07, 2011 3:32 PM
To: Gil, Cecilia
Subject: FW: Resolution 2011-062

From: Dave Jacinto [<mailto:davejacinto@gmail.com>]
Sent: Thursday, July 07, 2011 2:00 PM
To: Villanueva, Stephi
Subject: FW: Resolution 2011-062

Stephi

Could you please forward this – it bounced back to me

Thanks
Dave

From: Dave Jacinto [<mailto:davejacinto@gmail.com>]
Sent: Thursday, July 07, 2011 11:55 AM
To: 'cob@rcbos.com'
Cc: 'Paul Marx'; 'ptj@paultjohnson.com'
Subject: Resolution 2011-062

Cecelia

Please note that this is my official request to speak against the resolution referenced above scheduled for hearing on 8-16-11. This notice is as requested in your hearing notice documentation

Dave Jacinto
owner

*owner wants
to speak
against Resolution*



LAND SOUTHERN
CALIFORNIA
REDEVELOPMENT ASSOCIATION

REDEVELOPMENT SUPPORTS

WWW.SAVI

As a cost savings measure, county facilities are closed every Friday

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Wincheater Agave
3951 Sierra Linda Dr.
Escondido, CA 92025-7653

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
William Kosmala Addressee

B. Received by (Printed Name) Date of Delivery
W. P. Kosmala

C. Is delivery address different from item 1? Yes
if YES, enter delivery address below: No

AUG 04 2001
92025

3. Service Type Certified Mail Express Mail
 Registered Mail Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number
(Transfer from service label)

7010 2780 0001 1472 3405

PS Form 3811, February 2004

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Paul T. Johnson Law Group, APC
5055 Avenida Encinas, Ste. 210
Carlebad, CA 92008

COMPLETE THIS SECTION ON DELIVERY

A. Signature  Agent Addressee

B. Received by (Printed Name) A. SMITH C. Date of Delivery 7-1-11

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes No

2. Article Number

(Transfer from service label) 7010 2780 0001 1472 3375

PS Form 3811, February 2004

Domestic Return Receipt


SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Paul T. Johnson Law Group, APC
5055 Avenida Encinas, Ste 210
Carlsbad, CA 92008

COMPLETE THIS SECTION ON DELIVERY

- A. Signature  Agent Addressee
 X
- B. Received by (Printed Name) A. Smith C. Date of Delivery 7-1-11
- D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below: Yes No

3. Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes No

2. Article Number

(Transfer from service label)

7010 2780 0001 1472 3399

PS Form 3811, February 2004

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Newport Road 103
3951 Sierra Linda Dr.
Escondido, CA 92025-7653

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

6/30

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

Certified Mail
 Registered
 Insured Mail
 Express Mail
 Return Receipt for Merchandise
 C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number

(Transfer from service label)

7010 2780 0001 1472 3382

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540