

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



192

FROM: Waste Management Department

SUBMITTAL DATE:
April 10, 2014

SUBJECT: Resolution No. 2014-097, Objecting to the Public Sale of Tax Defaulted Property and Offer to Purchase Certain Fee Simple Interests in Real Property located on Theodore Street in an unincorporated area of Riverside County, State of California, with Assessor's Parcel Number 422-020-003-9. District 5/District 5; [\$42,215.75]; Waste Management Enterprise Funds

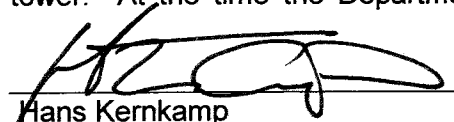
RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2014-097, Objecting to the Public Sale of Tax Defaulted Property and Offer to Purchase Certain Fee Simple Interests in Real Property located on Theodore Street in an unincorporated area of Riverside County, State of California, with Assessor's Parcel Number 422-020-003-9, ("Property"); and
2. Authorize the General Manager-Chief Engineer, or his designee, to execute all the documents necessary submit the offer to purchase the tax defaulted Property.

BACKGROUND:

Summary


The Waste Management Department ("Department") currently leases an area on land located on the west side of Theodore Street ("Leased Property") for a portable water tower. At the time the Department entered into the lease for the Leased Property, it was (continued)


 Hans Kernkamp
 General Manager-Chief Engineer

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 42,215.75	\$ 0.00	\$ 42,215.75	\$ 0.00	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	
SOURCE OF FUNDS: Waste Management Enterprise Fund				Budget Adjustment: No	
				For Fiscal Year: 13/14	

C.E.O. RECOMMENDATION:

APPROVE

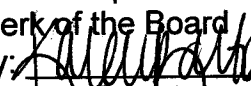
BY: 
Alex Gann

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Stone and Benoit
 Nays: None
 Absent: Ashley
 Date: April 22, 2014
 xc: Waste

Kecia Harper-Ihem
 Clerk of the Board
 By: 
 Deputy

Prev. Agn. Ref.:

District: 5/5

Agenda Number:

12-1 C

FORM APPROVED COUNTY COUNSEL
 BY: 
 SYNTHIA M. GUNZEL
 DATE: 4-10-14
 Departmental Concurrence

- A-30
- 4/5 Vote
- Positions Added
- Change Order

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Resolution No. 2014-097, Objecting to the Public Sale of Tax Defaulted Property and
Offer to Purchase Certain Fee Simple Interests in Real Property located on Theodore Street in an
unincorporated area of Riverside County, State of California, with Assessor's Parcel Number 422-
020-003-9**

DATE: April 10, 2014

PAGE: 2 of 2

BACKGROUND:

Summary (continued)

deemed to be conveniently located to serve the needs of the Department's Badlands Landfill by reducing the time required to fill water trucks which are used for spreading water for operational purposes and regulatory dust control at the Badlands Landfill. The lease is a short term, month-to-month lease so the Department is not guaranteed the ability to continue using the Lease Property for as long as the Department desires to do so. The owner of the leased property has indicated that he would prefer to have the tower moved to another location because he desires to develop his property in the future. In addition, at the current location, the tower is supplied through a temporary meter from Eastern Municipal Water District (EMWD). EMWD has informed the Department that it will need to install a permanent meter for the water tower if this arrangement is to continue. The cost for the installation of a permanent meter could be several thousand dollars and at the present location the improvements would be on property not owned by the County.

The Department has identified a vacant parcel of land with APN 422-020-003-9, currently subject to the tax sale ("Property"), located closer to the Badlands Landfill where a permanent water meter has already been installed thereon and served by EMWD (1.3 miles), as shown on the Badlands Sanitary Landfill Vicinity Map exhibit. In 2010, a house had been demolished and removed from the Property. The Department desires to purchase this Property so it can relocate the water tower and better serve the operational needs of the Badlands Landfill. The purchase price is approximately \$42,215.75 plus costs of the sale. Currently, the property value is estimated to be greater than \$100,000. This acquisition would secure a permanent location for the Department at a relatively low cost. The Department intends to bring forth in a future separate action a request for the Board to authorize the purchase and approval of a purchase and sale agreement for this Property. The Department recommends that the Board adopt Resolution No. 2014-097.

Resolution No. 2014-097 has been reviewed and approved as to form by County Counsel.

Impact on Residents and Businesses

Currently, there are five (5) houses on east side of Theodore Street between Ironwood Avenue and Highway 60 which face the water tower on the west side. Moving the water tower to the Property would improve the view for the houses and eliminate a water truck driving along Theodore Street in front of the houses to the tower and filling up with water several times per day.

SUPPLEMENTAL:

Additional Fiscal Information

Budget for the purchase of the property will be provided from Fund 40200, Department ID - 4500100000

Contract History and Price Reasonableness

The property is currently being offered for sale by the Riverside County Treasurer-Tax Collector. The purchase price was determined in keeping with Section 3698.5 (a) of the Revenue and Taxation Code, State of California.

2
3 RESOLUTION NO. 2014-097

4 A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE
5 OBJECTING TO THE PUBLIC SALE OF TAX DEFAULTED PROPERTY AND OFFER TO
6 PURCHASE CERTAIN FEE SIMPLE INTERESTS IN REAL PROPERTY LOCATED ON THEODORE
7 STREET IN AN UNINCORPORATED AREA OF RIVERSIDE COUNTY, STATE OF CALIFORNIA,
8 WITH ASSESSOR'S PARCEL NUMBER 422-020-003-9
9 FROM COUNTY OF RIVERSIDE TREASURER-TAX COLLECTOR'S OFFICE

10
11 WHEREAS, the County of Riverside Treasurer-Tax Collector's office has notified public
12 agencies of its intent to sell tax defaulted property for purposes of collecting back taxes and penalties; and

13 WHEREAS, the Riverside County Waste Management Department ("RCWMD") has
14 reviewed the proposed parcels for sale and has identified land located on Theodore Street in an
15 unincorporated area of Riverside County, State of California with Assessor's Parcel Number 422-020-003-
16 9 ("Tax Defaulted Property") as desirable for waste management operations purposes; and

17 WHEREAS, the Tax Defaulted Property consists of approximately 1.57 acres of land and the
18 cost of acquisition for the property is approximately \$42,215.75, plus the costs of the sale including the
19 non-refundable costs of the legal notice published in the Press Enterprise Newspaper; and

20 WHEREAS, RCWMD desires to purchase the Tax Defaulted Property from the County of
21 Riverside Treasurer-Tax Collector's office and has sufficient available funds to complete the purchase; and

22 WHEREAS, the acquisition of the Tax Defaulted Property will assist RCWMD in providing
23 waste management services to the residents of Riverside County;

24 NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board
25 of Supervisors of the County of Riverside ("Board"), in regular session assembled on April 22, 2014, at
26 10:30 a.m., in the meeting room of the Board of Supervisors located on the 1st floor of the County
27 Administrative Center, 4080 Lemon Street, Riverside, California, that the Board finds as follows:

- 28 1. The Board of Supervisors objects to the public sale of the Tax Defaulted Property.

FORM APPROVED COUNTY COUNSEL
BY: *Synthia M. Gunzey* DATE: *4/10/14*
SYNTHIA M. GUNZEY

1 2. The Board of Supervisors offers to purchase the Tax Defaulted Property, Assessor
2 Parcel Number 422-020-003-9 for \$42,215.75, plus all costs of the sale, including the costs of giving
3 notice.

4 3. The Board of Supervisors identifies the legal description for the Tax Defaulted
5 Property as shown on Exhibit "A" and incorporated herein by reference.


6 4. The Board of Supervisors declares that the public purpose of the purchase of the
7 property is landfill operations, including the placement of a water tower for use in construction and
8 regulatory dust control.

9 BE IT FURTHER RESOLVED THAT the RCWMD's General Manager-Chief Engineer, or
10 his designee, is hereby authorized and empowered to submit the application to purchase and to execute in
11 the name of the County of Riverside all documents necessary pertaining to the offer to purchase the Tax
12 Defaulted Property.

13
14 The foregoing Resolution No. 2014-097 was adopted by THE BOARD OF SUPERVISORS FOR THE
15 COUNTY OF RIVERSIDE on the 22nd day of April 2014, by the following vote:

16
17 ROLL CALL:
18 Ayes: Jeffries, Tavaglione, Stone and Benoit
19 Nays: None
20 Absent: Ashley

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

23 KECIA HARPER-IHEM, Clerk of said Board
24 By  _____
25 Deputy

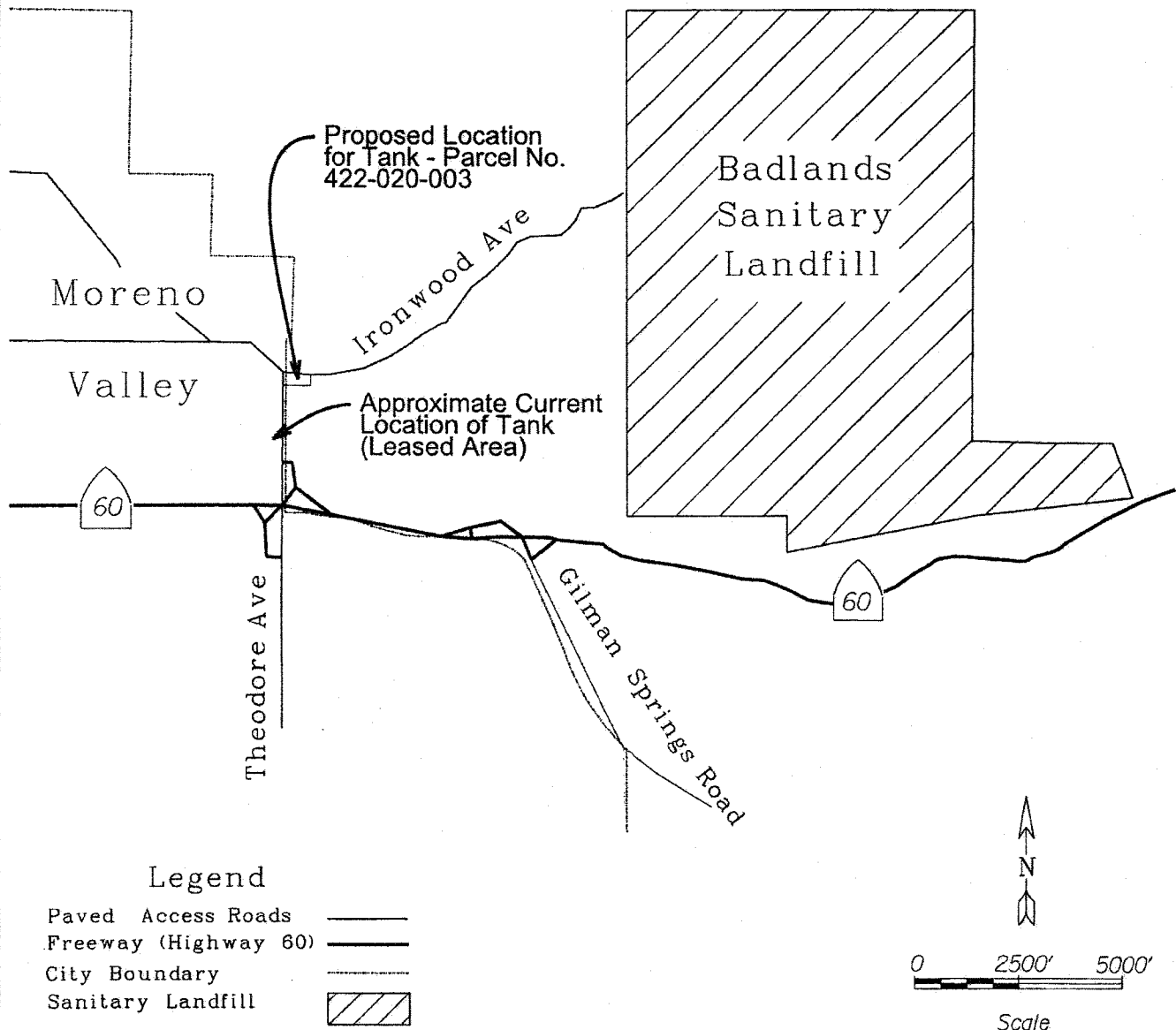
“EXHIBIT A”

THAT PORTION OF FRACTIONAL SECTION 1, TOWNSHIP 3 SOUTH, RANGE 3 WEST, AND OF FRACTIONAL SECTION 6, TOWNSHIP 3 SOUTH, RANGE 2 WEST, SAN BERNARDINO BASE AND MERIDIAN, AS SHOWN BY UNITED STATES GOVERNMENT SURVEY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION 6, AT POINT SOUTH 00° 01' EAST 411 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 6;
THENCE NORTH 64°40' EAST 426.8 FEET;
THENCE SOUTH 00° 02' EAST 352.1 FEET;
THENCE NORTH 89° 58' WEST 439.6 FEET, MORE OR LESS, TO A POINT ON THE EAST LINE OF THEODORE STREET, AS SHOWN ON LICENSED SURVEYOR'S MAP ON FILE IN BOOK 8 PAGE 42 OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;
THENCE NORTHERLY, ALONG THE EAST LINE OF THEODORE STREET, 144.4 FEET, MORE OR LESS, TO A POINT 64° 40' WEST FROM THE POINT OF BEGINNING;
THENCE NORTH 64° 40' EAST, TO THE POINT OF BEGINNING;
SAID PROPERTY IS ALSO SHOWN ON LICENSED SURVEYOR'S MAP ON FILE IN BOOK 8 PAGE 42, AND ON RECORD OF SURVEY ON FILE IN BOOK 19 PAGE 72, RESPECTIVELY, OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE COUNTY OF RIVERSIDE BY DOCUMENT RECORDED DECEMBER 8, 1965 AS INSTRUMENT NO. 137715 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

Badlands Sanitary Landfill Vicinity Map



 **Riverside County**
Waste Resources Management District

Badlands Sanitary Landfill Vicinity Map

File Directory: /sites/Badlands/14ba/projects

Date: March 3, 2014

Pen Table:

Photo Date:

Scale: 1"=2500'