

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



ITEM  
9.2  
(ID # 3828)

**MEETING DATE:**

Tuesday, August 29, 2017

**FROM :** ECONOMIC DEVELOPMENT AGENCY (EDA) AND TRANSPORTATION  
DEPARTMENT :

**SUBJECT:** ECONOMIC DEVELOPMENT AGENCY (EDA) AND TRANSPORTATION AND  
LAND MANAGEMENT AGENCY/ TRANSPORTATION: Public Hearing on the  
Adoption of Resolution No. 2017-021, Authorizing a Resolution of Necessity for  
the portion of Assessor's Parcel Number 480-100-015 located within the Clinton  
Keith Road Extension Project, Western Riverside County, California, District 3,  
[\$316,500]; CFD 07-02 Clinton Keith Road-100% (Clerk to file Notice of  
Determination) (3.7 of 06/13/2017) (4/5 Vote Required)

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Find that nothing further is required pursuant to the California Environmental Quality Act (CEQA) because all potentially significant effects have been adequately analyzed in an earlier certified Final Environmental Impact Report NO. 398, a Supplement to EIR and an Addendum to the Supplement to EIR;
2. Approve Resolution No. 2017-021, Authorizing a Resolution of Necessity for the portion of Assessor's Parcel Number 480-100-015 located within the Clinton Keith Road Extension Project, Western Riverside County, California;

**ACTION:** 4/5 Vote Required, Policy

Robert Field, Assistant County Executive Officer/EDA

3/24/2017

Patricia Romo, Director of Transportation

5/31/2017

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**MINUTES OF THE BOARD OF SUPERVISORS**

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

Ayes: Jeffries, Washington, Perez and Ashley  
Nays: None  
Absent: Tavaglione  
Date: August 29, 2017  
xc: EDA, Transp., Recorder

Kecia Harper-Ihem  
Clerk of the Board

By:   
Deputy

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

**RECOMMENDED MOTION:** That the Board of Supervisors:

3. Allocate the sum of \$310,000 for the deposit to the State Condemnation Fund;
4. Authorize reimbursement to the Economic Development Agency-Real Estate (EDA-RE) for costs not-to exceed \$6,500; and
5. Direct the Clerk of the Board to file the Notice of Determination with the County Clerk within five days of the approval of the Resolution of Necessity.

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 316,500	\$ 0	\$ 316,500	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS:</b> CFD 07-2 Clinton Keith Road-100%			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year:</b>	2017/18

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

The 3.4 mile Clinton Keith Road Extension Project is proposed to be constructed as a six-lane urban arterial between Antelope Road and State Route 79 in Western Riverside County, in accordance with County General Plan Amendment (CGPA) 409, adopted December 19, 2000. The entire width of Phase I of the project, located between Antelope Road and Whitewood Road, was completed on November 3, 2011. Phase II, located between Whitewood and Leon Road, is currently under construction and anticipated to be completed in March 2018. Phase III, located between Leon Road and State Route 79, will be anticipated to be constructed in June 2019. Phase III is highlighted in green on Exhibit A, attached hereto and made a part hereof.

A Final Environmental Impact Report No. 398 (SCH # 1995062022) was certified by the Board of Supervisors in compliance with CEQA in 2000 for the Clinton Keith Road Extension project. Supplement to Environmental Impact Report No. 398 was approved by the Board of Supervisors on February 7, 2006 (Agenda Item 3-44). Additionally, on June 2, 2015 (Agenda Item 3-28), the Board of Supervisors approved an Addendum to the SEIR.

All of the right-of-way has been acquired and escrow closed for those properties located in Phase III except for one property (APN: 480-100-015). This property was originally a part of the Resolution No. 2008-002, Notice of Intention to Adopt a Resolution of Necessity Regarding the Project to Improve Clinton Keith Road and Other Roads in Western Riverside County approved by the Board on March 18, 2008 (MO 3.21) and Resolution No. 2008-003, Authorizing Resolution of Necessity Regarding the Project to Improve Clinton Keith Road and Other Roads in Western Riverside County approved by the Board on April 22, 2008 (MO 9.6). A Final Order of Condemnation was recorded on July 6, 2011 (2011-0297668) for the property interests necessary for the project (slope easement and temporary construction easement) and settlement paid in the

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

amount of \$50,000. In addition to the settlement consideration of \$50,000, the property owner and/or tenant would continue to have access at the same location on Briggs Road, until the section of Clinton Keith Road between Leon Road and SR-79 (Phase III) is constructed. At that time, the access was planned to be realigned to reconnect to Briggs Road south of the current location.

Due to a lack of funding to proceed with the project, work was put on hold, including the acquisition of the property. Funds are now available and the county now desires to proceed with the acquisition of this last property.

The property is rectangular in shape with Los Alamos Road crossing through the property. The property north of Los Alamos is improved with a modular home on it and the portion of property to the south of Los Alamos Road contains a cell tower. Los Alamos Road to the west of the subject property, and Briggs Road to the south, is prone to flooding and access could be compromised during a rain event. Drainage improvements have been analyzed and are considered infeasible because of impacts to public safety, environmental resources, adjacent properties, and high costs. Therefore, it was determined that it was necessary to acquire the property improved with a modular home, north of Los Alamos, and not the portion improved with a cell tower, see Exhibit B attached.

As a result, the Economic Development Agency-Real Estate Division (EDA-RE) has presented a written offer to the property owner, Wendy Lesovsky, as required by Government Code Section 7267.2. The amount of the offer is consistent with current property values in the Murrieta area and is based upon a fair market value appraisal report. EDA-RE has also offered to pay the reasonable costs, not-to-exceed \$5,000, for an independent appraisal obtained by the property owner as required by Code of Civil Procedures Section 1263.025.

On June 13, 2017, the Board approved Resolution No. 2017-020, Notice of Intention to Adopt a Resolution of Necessity for the portion of Assessor's Parcel Number: 480-100-015 located within the Clinton Keith Road Extension Project. 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.

**Impact on Citizens and Businesses**

The Clinton Keith Road Extension Project will improve mobility for residents in Western Riverside County by providing a new East-West connection between Interstate 215 and State Route 79.

**SUPPLEMENTAL:**

**Additional Fiscal Information**

The following summarizes the funding necessary for the deposit to the State Condemnation Fund for the property referenced above as well as due diligence costs and staff time during the condemnation process.

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


Acquisition and Temporary Construction Access (Deposits to the State Condemnation Fund)	\$ 310,000
Litigation Guarantee	\$ 1,500
EDA-RE Real Property Staff Time (Condemnation process)	\$ 5,000
Total Estimated Costs	\$ 316,500

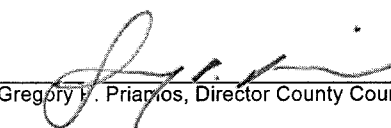
All costs associated with this property is fully funded by CFD 07-2 Clinton Keith Road in Transportation Department's budget for FY 2017/18. No net county costs will be incurred as a result of this transaction.

**ATTACHMENTS:**

- Exhibit A-Project Map
- Exhibit B-Subject Property
- Notice of Determination
- Resolution No. 2017-021 with Legal Description and Plat Map

RF:PR:JWW:VC:VY:SV:tg 220TR 18.714 13521  
Transportation Work Order No. B2-0475  
MinuteTrak #3828

  
Rekini Lawaka, Principal Management Analyst 6/29/2017

  
Gregory L. Priamos, Director County Counsel 3/24/2017

2 **Resolution No. 2017-021**

3 **Authorizing a Resolution of Necessity for the Portion of**  
4 **Assessor's Parcel Number 480-100-015 Located Within**  
5 **the Clinton Keith Road Extension Project**  
6

7 **WHEREAS**, the portion of real property that is the subject of this Notice  
8 (collectively the "Subject Property") is located in the Murrieta area, County of Riverside,  
9 State of California; bounded by Leon Road and State Route 79 identified as Phase III  
10 of the Clinton Keith Road Extension Project, is legally described and pictorially depicted  
11 on the documents attached hereto as Exhibit "A" and Exhibit "B" (and incorporated  
12 herein by this reference) and is a portion of Assessor's Parcel Number 480-100-015;

13 **WHEREAS**, the proposed project that is the subject of this Notice (the  
14 "Proposed Project") is to construct a part of the new east-west connection of Clinton  
15 Keith Road Extension Project from Antelope Road to State Route 79 in the Murrieta  
16 area;

17 **WHEREAS**, all of the right of way has been acquired and escrow closed for  
18 those properties in Phase III except for portions of Assessor's Parcel Number 480-100-  
19 015 which was originally part of the Resolution No. 2008-002, Notice of Intention to  
20 Adopt a Resolution of Necessity Regarding the Project to Improve Clinton Keith Road  
21 and Other Roads in Western Riverside County approved by the Board of Supervisors  
22 on March 18, 2008 (3.21) and Resolution No. 2008-003, Authorizing Resolution of  
23 Necessity Regarding the Project to Improve Clinton Keith Road and Other Roads in  
24 Western Riverside County approved by the Board of Supervisors on April 22, 2008  
25 (9.6).

26 **WHEREAS**, a Final Order of Condemnation was recorded on July 6, 2011  
27 (2011-0297668) for the property interests necessary for Phase III from the portion of  
28 Assessor's Parcel Number 480-100-015 and cash settlement was disbursed to the

FORM APPROVED COUNTY COUNSEL

DATE

BY: JAMES E. BROWN

1 owner of record, Ms. Wendy Lesovsky; in addition, owner was to benefit from  
2 construction of an off-site drainage facility at the low water crossing of Briggs Road as  
3 well as a realigned driveway access to reconnect to Briggs Road south of the current  
4 location;

5 **WHEREAS**, ingress/egress to the property was not considered an issue at the  
6 time, since a developer was conditioned to make drainage improvements on Briggs  
7 Road that would facilitate improved access to the property during a rain event;

8 **WHEREAS**, conditions have changed and the developer is no longer moving  
9 forward with drainage improvements on Briggs Road and as a result, ingress/egress to  
10 the property would be affected during a rain event;

11 **WHEREAS**, alternative solutions to the drainage issue were considered  
12 infeasible because of impacts to public safety, environmental resources, and adjacent  
13 properties, and high costs and, therefore, it is necessary to acquire the fee simple  
14 interest of the property improved with a tenant-occupied modular home (except for the  
15 portion improved with a cell tower);

16 **WHEREAS**, the statutes that authorize the County of Riverside to acquire the  
17 Subject Property by eminent domain include Article 1, Section 19 of the California  
18 Constitution; Section 25350.5 of the Government Code; and Sections 1240.010,  
19 1240.020, 1240.030, 1240.040, 1240.110, 1240.410, 1240.510, and 1240.610 of the  
20 Code of Civil Procedure.

21 Now, therefore, **BE IT RESOLVED AND ORDERED** by the Board of  
22 Supervisors of Riverside County, State of California, not less than four/fifths of all  
23 members concurring, in regular session assembled on July 11, 2017, that this Board  
24 finds and determines each of the following:

25 1. Notice of the Board's intention to adopt this resolution of necessity was  
26 duly given as required by Section 1245.235 of the Code of Civil Procedure and, on the  
27 date and at the time and place fixed for hearing, this Board did hear and consider all of  
28 the evidence presented.

1           2.     That the public interest and necessity require the Proposed Project;

2           3.     That the Proposed Project is planned or located in the manner that will be  
3 most compatible with the greatest public good and the least private injury;

4           4.     That the Subject Property is necessary for the Proposed Project;

5           5.     That the offer required by Section 7267.2 of the Government Code has  
6 been made to the owner of record of the Subject Property;

7           6.     That, to the extent that the Subject Property is already devoted to a public  
8 use, the use of the Proposed Project is a compatible use that will not unreasonably  
9 interfere with or impair the continuance of the public use as it presently exists or may  
10 reasonably be expected to exist in the future (California Code of Civil Procedure  
11 Section 1240.510) or the use of the Proposed Project is a more necessary public use  
12 than is the presently existing public use (California Code of Civil Procedure Section  
13 1240.610);

14          7.     That, pursuant to the California Environmental Quality Act (CEQA), no  
15 further action is required as all potentially significant effects have been analyzed in a  
16 Final Environmental Impact Report No. 398, certified for the Proposed Project by this  
17 Board in 2000; a Supplement to Environmental Impact Report No. 398, approved by  
18 this Board on February 7, 2006; and an Addendum to the Supplement to  
19 Environmental Impact Report No. 398, approved by this Board on June 2, 2015; and

20          8.     That acquisition of the Subject Property will promote the interest of the  
21 County of Riverside.

22           **BE IT FURTHER RESOLVED AND ORDERED** that the County Counsel of the  
23 County of Riverside is hereby authorized and empowered:

24           1.     To acquire (in the name of the County) the Subject Property by  
25 condemnation in accordance with the Constitution and laws relating to eminent  
26 domain.

27           2.     To prepare and prosecute in the name of the County such proceedings in  
28 the proper court having jurisdiction thereof as are necessary for such acquisition.





**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

ALL OF THE SOUTH 17.301 ACRES OF THE SOUTH PORTION OF THE COUNTY 58 ACRES OF THE FRACTIONAL SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA AS SHOWN BY OFFICIAL PLAT THEREOF, EXCEPT THAT PORTION LYING WESTERLY OF THE EASTERLY LINE OF THE WEST 1,442 FEET OF THE EAST 1,775 FEET THEREOF, AS DESCRIBED BY GRANT DEED RECORDED APRIL 15, 2005 AS DOCUMENT NUMBER 2005-0299363, OFFICIAL RECORDS OF THE RECORDER OF RIVERSIDE COUNTY;

**EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL;**

COMMENCING AT THE SOUTHERLY TERMINUS OF THAT CERTAIN COURSE ON THE CENTERLINE OF LOS ALAMOS ROAD DESCRIBED AS BEARING "NORTH 39°24'51" WEST", 188.20 FEET ON PARCEL MAP NUMBER 19797, ON FILE IN BOOK 122, PAGES 2 AND 3. OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY;

THENCE NORTH 38°54'32" WEST A DISTANCE OF 31.67 FEET ALONG SAID CENTERLINE OF LOS ALAMOS ROAD;

THENCE SOUTH 51°05'28", WEST A DISTANCE OF 30.00 FEET, TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF LOS ALAMOS ROAD(30 FOOT HALF WIDTH) AS SHOWN ON SAID PARCEL MAP NUMBER 19797, SAID POINT ALSO BEING THE **TRUE POINT OF BEGINNING**;

THENCE SOUTH 38°54'32" EAST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 31.67 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 179.99 FEET, BEING CONCENTRIC WITH AND DISTANT 30.00 FEET SOUTHWESTERLY OF, AS MEASURED RADIAL TO, SAID CENTERLINE OF LOS ALAMOS ROAD;

THENCE SOUTHEASTERLY ALONG SAID CONCENTRIC CURVE THROUGH A CENTRAL ANGLE OF 02°10'29", AN ARC DISTANCE OF 6.83 FEET;

THENCE SOUTH 51°05'28" WEST A DISTANCE OF 45.13 FEET;

THENCE NORTH 38°54'32" WEST A DISTANCE OF 60.00 FEET;

THENCE NORTH 51°05'28" EAST A DISTANCE OF 45.00 FEET TO SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF LOS ALAMOS ROAD;

THENCE SOUTH 38°54'32" EAST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 21.50 FEET TO THE **TRUE POINT OF BEGINNING**.

NET AREA: 83,269 SQUARE FEET, OR 1.912 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 1.000099880 TO OBTAIN GROUND DISTANCE.

REFERENCE IS HEREBY MADE TO RIVERSIDE COUNTY MAP NUMBER 935-TT, ON FILE IN THE OFFICE OF THE COUNTY SURVEYOR OF RIVERSIDE COUNTY, CALIFORNIA.

SEE ATTACHED EXHIBIT "B"

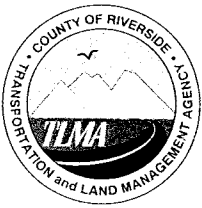
PREPARED UNDER MY SUPERVISION:

Edward D. Hunt  
EDWARD D. HUNT P.L.S. 7530

5-11-2016  
DATED:







*Juan C. Perez, P.E., T.E.  
Transportation and Land  
Management Agency Director*

**COUNTY OF RIVERSIDE**  
**TRANSPORTATION AND**  
**LAND MANAGEMENT AGENCY**



*Patricia Romo, P.E.  
Director of Transportation*

**Transportation Department**

Original Negative Declaration/Notice of  
Determination was routed to County  
Clerks for posting on.

DATE: March 7, 2017

9/30/17  
Date

kb  
Initial

TO: Mary Ann Meyer, Office of the County Clerk

FROM: Russell Williams, Environmental Division Manager

*RW*

RE: W.O. # ZB2-0472C      Task Code #Z 1530

The Riverside County Transportation Department is requesting that you post the attached Notice of Determination per County Implementing Resolution No. 2003-138. Attached you will find an authorization to bill by journal voucher in the amount of \$50.00 for your posting fee.

After posting, please return the document to Mail Stop #2136, Attention: Mary Zambon, Senior Transportation Planner. If you have any questions, please contact Mary at (951) 955-6759 or [mzambon@rivco.org](mailto:mzambon@rivco.org).

Attachment

cc: file



**NOTICE OF DETERMINATION**  
**COUNTY OF RIVERSIDE TRANSPORTATION DEPARTMENT**

Supplement to Environmental Impact Report No. 398

Addendum to Supplement to Environmental Impact Report No. 398

SCH# 1995062022

**PROJECT NAME:** Property Acquisition for the Clinton Keith Road Extension Project

**LOCATION AND DESCRIPTION:** The property being acquired (a portion of APN 480-100-015) is located in an unincorporated area of southwest Riverside County, adjacent to Los Alamos Road, along the right of way of Clinton Keith Road. Riverside County is authorized to acquire property by eminent domain pursuant to various statutes, including Government Code §25350.5.

A Final Environmental Impact Report No. 398 was certified in 2000 for the Clinton Keith Road Extension Project and a Supplement to Environmental Impact Report No. 398 was approved for the Project in 2006. An Addendum to the Supplement to the EIR No. 398 was approved in 2015. The Supplement to the EIR and the Addendum to the Supplement to the EIR addressed the property actions necessary for the project, and nothing further is required.

1. The acquisition of a portion of the property known as APN 480-100-015 will not have a significant effect on the environment.
2. An Environmental Impact Report, a Supplement to the Environmental Impact Report and an Addendum to the Supplement to the EIR were prepared and certified for the Clinton Keith Road Extension Project, pursuant to the provisions of CEQA.
3. The property acquisition was reviewed and it was determined that no new environmental documentation is required because (a) the acquisition of the property was adequately addressed in the SEIR and Addendum; (b) no new environmental effects have been identified; (c) no substantial increase in severity of the environmental effects have been identified as a result of the acquisition; (d) no considerably different mitigation measures have been identified; (e) no mitigation measures found infeasible have become feasible. The property acquisition is an implementing action in furtherance of the Project and is consistent with the characteristics evaluated in the SEIR and Addendum.
4. Nothing further is required because all potentially significant effects have been adequately addressed in the SEIR and Addendum.

The Final EIR, SEIR and Addendum may be examined, along with administrative record, at the Transportation Department, 4080 Lemon Street, 8<sup>th</sup> fl, Riverside, California 92501.



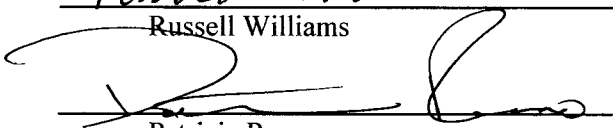
Russell Williams

Title

Environmental Div. Manager

Date

3/7/17



Patricia Romo

Title

Director of Transportation

Date

3-8-17

**HEARING BODY OR OFFICER**

XX

Board of Supervisors

Planning Commission

**PROJECT**

X

Approval

Disapproval

Date:

3/29/17

**ACTION ON**

Verifying: Kennedy Title: Board Assistant Date: 8/29/17

**For County Clerk Use**

**RIVERSIDE COUNTY CLERK & RECORDER  
AUTHORIZATION  
TO BILL  
BY JOURNAL VOUCHER**

-TO BE FILLED IN BY SUBMITTING AGENCY-

AUTHORIZATION NUMBER: W.O.#Z B2- 0472C , Task Code Z1530  
537280-20000-3130500000 ZB20472C Z1530

AMOUNT: \$50.00 for County Administration Fee. CDFW fee for Environmental Impact Report paid on 8.26.15, receipt # 15-130777, document # E-201500815.

DATE: March 7, 2017

AGENCY: Riverside County Transportation Department

THIS AUTHORIZES THE COUNTY CLERK & RECORDER TO ISSUE A VOUCHER FOR PAYMENT OF ALL FILING AND HANDLING FEES FOR THE ACCOMPANYING DOCUMENT(S).

NUMBER OF DOCUMENTS INCLUDED: One (1)

AUTHORIZED BY: Russell Williams, Environmental Division Manager

Signature: 

PRESENTED BY: Mary Zambon, Senior Transportation Planner

-TO BE FILLED IN BY COUNTY CLERK-

ACCEPTED BY: \_\_\_\_\_

DATE: \_\_\_\_\_

RECEIPT # (S) \_\_\_\_\_

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



9-7

On motion of Supervisor Jeffries, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the recommendation from Economic Development Agency (EDA) and Transportation And Land Management Agency/ Transportation regarding the Public Hearing on the Adoption of Resolution No. 2017-021, Authorizing a Resolution of Necessity for the portion of Assessor's Parcel Number 480-100-015 located within the Clinton Keith Road Extension Project, Western Riverside County, California, District 3, [\$316,500]; CFD 07-02 Clinton Keith Road-100% (Clerk to file Notice of Determination) is continued to Tuesday, August 29, 2017 at 9:00 a.m. or as soon as possible thereafter.

Roll Call:

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley  
Nays: None  
Absent: None

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on July 11, 2017 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors  
Dated: July 11, 2017  
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in  
and for the County of Riverside, State of California.

(seal)

By: [Signature] Deputy

AGENDA NO.

9-7

xc: Transp., COB



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



**ITEM**  
9.7  
(ID # 3828)

**MEETING DATE:**

Tuesday, July 11, 2017

**FROM :** ECONOMIC DEVELOPMENT AGENCY (EDA) AND TRANSPORTATION  
DEPARTMENT :

**SUBJECT:** ECONOMIC DEVELOPMENT AGENCY (EDA) AND TRANSPORTATION AND  
LAND MANAGEMENT AGENCY/ TRANSPORTATION: Public Hearing on the  
Adoption of Resolution No. 2017-021, Authorizing a Resolution of Necessity for  
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[\$316,500]; CFD 07-02 Clinton Keith Road-100% (Clerk to file Notice of  
Determination) (3.7 of 06/13/2017) (4/5 Vote Required)

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Find that nothing further is required pursuant to the California Environmental Quality Act (CEQA) because all potentially significant effects have been adequately analyzed in an earlier certified Final Environmental Impact Report NO. 398, a Supplement to EIR and an Addendum to the Supplement to EIR;
2. Approve Resolution No. 2017-021, Authorizing a Resolution of Necessity for the portion of Assessor's Parcel Number 480-100-015 located within the Clinton Keith Road Extension Project, Western Riverside County, California;
3. Allocate the sum of \$310,000 for the deposit to the State Condemnation Fund;
4. Authorize reimbursement to the Economic Development Agency-Real Estate (EDA-RE) for costs not-to exceed \$6,500; and
5. Direct the Clerk of the Board to file the Notice of Determination with the County Clerk within five days of the approval of the Resolution of Necessity.

**ACTION:** 4/5 Vote Required, Policy

Robert Field, Assistant County Executive Officer/EDA

3/24/2017

Patricia Romo, Director of Transportation

5/31/2017

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**MINUTES OF THE BOARD OF SUPERVISORS**

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

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 316,500	\$ 0	\$ 316,500	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS:</b> CFD 07-2 Clinton Keith Road-100%			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year:</b>	2017/18

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

The 3.4 mile Clinton Keith Road Extension Project is proposed to be constructed as a six-lane urban arterial between Antelope Road and State Route 79 in Western Riverside County, in accordance with County General Plan Amendment (CGPA) 409, adopted December 19, 2000. The entire width of Phase I of the project, located between Antelope Road and Whitewood Road, was completed on November 3, 2011. Phase II, located between Whitewood and Leon Road, is currently under construction and anticipated to be completed in March 2018. Phase III, located between Leon Road and State Route 79, will be anticipated to be constructed in June 2019. Phase III is highlighted in green on Exhibit A, attached hereto and made a part hereof.

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All of the right-of-way has been acquired and escrow closed for those properties located in Phase III except for one property (APN: 480-100-015). This property was originally a part of the Resolution No. 2008-002, Notice of Intention to Adopt a Resolution of Necessity Regarding the Project to Improve Clinton Keith Road and Other Roads in Western Riverside County approved by the Board on March 18, 2008 (MO 3.21) and Resolution No. 2008-003, Authorizing Resolution of Necessity Regarding the Project to Improve Clinton Keith Road and Other Roads in Western Riverside County approved by the Board on April 22, 2008 (MO 9.6). A Final Order of Condemnation was recorded on July 6, 2011 (2011-0297668) for the property interests necessary for the project (slope easement and temporary construction easement) and settlement paid in the amount of \$50,000. In addition to the settlement consideration of \$50,000, the property owner and/or tenant would continue to have access at the same location on Briggs Road, until the section of Clinton Keith Road between Leon Road and SR-79 (Phase III) is constructed. At that time, the access was planned to be realigned to reconnect to Briggs Road south of the current location.

Due to a lack of funding to proceed with the project, work was put on hold, including the acquisition of the property. Funds are now available and the county now desires to proceed with the acquisition of this last property.

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

The property is rectangular in shape with Los Alamos Road crossing through the property. The property north of Los Alamos is improved with a modular home on it and the portion of property to the south of Los Alamos Road contains a cell tower. Los Alamos Road to the west of the subject property, and Briggs Road to the south, is prone to flooding and access could be compromised during a rain event. Drainage improvements have been analyzed and are considered infeasible because of impacts to public safety, environmental resources, adjacent properties, and high costs. Therefore, it was determined that it was necessary to acquire the property improved with a modular home, north of Los Alamos, and not the portion improved with a cell tower, see Exhibit B attached.

As a result, the Economic Development Agency-Real Estate Division (EDA-RE) has presented a written offer to the property owner, Wendy Lesovsky, as required by Government Code Section 7267.2. The amount of the offer is consistent with current property values in the Murrieta area and is based upon a fair market value appraisal report. EDA-RE has also offered to pay the reasonable costs, not-to-exceed \$5,000, for an independent appraisal obtained by the property owner as required by Code of Civil Procedures Section 1263.025.

On June 13, 2017, the Board approved Resolution No. 2017-020, Notice of Intention to Adopt a Resolution of Necessity for the portion of Assessor's Parcel Number: 480-100-015 located within the Clinton Keith Road Extension Project. 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.

**Impact on Citizens and Businesses**

The Clinton Keith Road Extension Project will improve mobility for residents in Western Riverside County by providing a new East-West connection between Interstate 215 and State Route 79.

**SUPPLEMENTAL:**

**Additional Fiscal Information**

The following summarizes the funding necessary for the deposit to the State Condemnation Fund for the property referenced above as well as due diligence costs and staff time during the condemnation process.

Acquisition and Temporary Construction Access (Deposits to the State Condemnation Fund)	\$ 310,000
Litigation Guarantee	\$ 1,500
EDA-RE Real Property Staff Time (Condemnation process)	\$ 5,000
Total Estimated Costs	\$ 316,500

All costs associated with this property is fully funded by CFD 07-2 Clinton Keith Road in Transportation Department's budget for FY 2017/18. No net county costs will be incurred as a

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

result of this transaction.

**ATTACHMENTS:**

Exhibit A-Project Map

Exhibit B-Subject Property

Notice of Determination

Resolution No. 2017-021 with Legal Description and Plat Map

RF:PR:JWW:VC:VY:SV:tg 220TR 18.714 13521

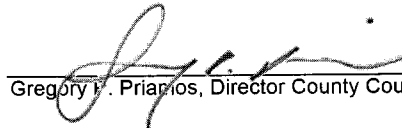
Transportation Work Order No. B2-0475

MinuteTrak #3828



Nehini Masika, Principal Management Analyst

6/29/2017



Gregory V. Priamos, Director County Counsel

3/24/2017

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



ITEM  
3.7  
(ID # 3827)

**MEETING DATE:**

Tuesday, June 13, 2017

**FROM :** ECONOMIC DEVELOPMENT AGENCY (EDA) AND TRANSPORTATION  
DEPARTMENT :

**SUBJECT:** ECONOMIC DEVELOPMENT AGENCY (EDA) AND TRANSPORTATION  
DEPARTMENT: Resolution No. 2017-020, Notice of Intention to Adopt a  
Resolution of Necessity for the portion of Assessor's Parcel Number: 480-100-  
015 within the Clinton Keith Road Extension Project, Western Riverside County,  
California, District 3, [\$0] (Clerk to notice property owner)

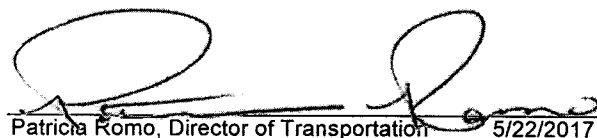
**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve Resolution No. 2017-020, Notice of Intention to Adopt a Resolution of Necessity for the portion of Assessor's Parcel Number 480-100-015 located within the Clinton Keith Road Extension Project, Western Riverside County, California;
2. Set a public hearing on July 11, 2017, for Resolution No. 2017-021, Authorizing Resolution of Necessity for the portion of Assessor's Parcel Number 480-100-015 located within the Clinton Keith Road Extension Project, Western Riverside County, California; and
3. Direct the Clerk of the Board to send out the required notice to the property owner as required per Section 1245.235 of the Code of Civil Procedure.

**ACTION:** Policy

  
Robert Field, Assistant County Executive Officer/EDA

3/24/2017

  
Patricia Romo, Director of Transportation

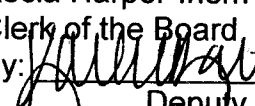
5/22/2017

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Perez, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended, and is set for public hearing Tuesday, July 11, 2017, at 9:00 a.m. or as soon as possible thereafter.

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley  
Nays: None  
Absent: None  
Date: June 13, 2017  
xc: EDA, COB

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

3.7  
7/11/17  
a.7

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

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS: N/A</b>			<b>Budget Adjustment: No</b>	
			<b>For Fiscal Year: 2016/17</b>	

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

The 3.4 mile Clinton Keith Road Extension Project is proposed to be constructed as a six-lane urban arterial between Antelope Road and State Route 79 in Western Riverside County, in accordance with County General Plan Amendment (CGPA) 409, adopted December 19, 2000. The entire width of Phase I of the project, located between Antelope Road and Whitewood Road, was completed on November 3, 2011. Phase II, located between Whitewood and Leon Road, is currently under construction and anticipated to be completed in March 2018. Construction of Phase III, located between Leon Road and State Route 79, is anticipated to begin in 2019. Phase III is highlighted in green on Exhibit A, attached hereto and made a part hereof.

A Final Environmental Impact Report No. 398 (SCH # 1995062022) was certified by the Board of Supervisors in compliance with CEQA in 2000 for the Clinton Keith Road Extension project. Supplement to Environmental Impact Report No. 398 was approved by the Board of Supervisors on February 7, 2006 (Agenda Item 3-44). Additionally, on June 2, 2015 (Agenda Item 3-28), the Board of Supervisors approved an Addendum to the SEIR.

All of the right-of-way has been acquired and escrow closed for those properties located in Phase III except for one property (APN: 480-100-015). This property was originally a part of the Resolution No. 2008-002, Notice of Intention to Adopt a Resolution of Necessity Regarding the Project to Improve Clinton Keith Road and Other Roads in Western Riverside County approved by the Board on March 18, 2008 (MO 3.21) and Resolution No. 2008-003, Authorizing Resolution of Necessity Regarding the Project to Improve Clinton Keith Road and Other Roads in Western Riverside County approved by the Board on April 22, 2008 (MO 9.6). A Final Order of Condemnation was recorded on July 6, 2011 (2011-0297668) for the property interests necessary for the project (slope easement and temporary construction easement) and settlement paid in the amount of \$50,000. In addition to the settlement consideration of \$50,000, it was agreed that the property owner and/or tenant would continue to have access at the same location on Briggs Road, until the section of Clinton Keith Road between Leon Road and SR-79 (Phase III) was constructed. The access was planned to be realigned to reconnect to Briggs Road south of the current location once construction was complete.

Due to a lack of funding to proceed with this phase of the project, work was put on hold, including

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

the acquisition of the property. Funds are now available and the county now desires to proceed with the acquisition of this last property.

The property is rectangular in shape with Los Alamos Road crossing through the property. The property north of Los Alamos is improved with a modular home on it and the portion of property to the south of Los Alamos Road contains a cell tower. Los Alamos Road to the west of the subject property, and Briggs Road to the south, is prone to flooding and access could be compromised during a rain event. Drainage improvements have been analyzed and are considered infeasible because of impacts to public safety, environmental resources, adjacent properties, and high costs. Therefore, it was determined that it was necessary to acquire the property improved with a modular home, north of Los Alamos Road, and not the portion improved with a cell tower, see Exhibit B attached.

As a result, the Economic Development Agency-Real Estate Division (EDA-RE) has presented a written offer to the property owner, Wendy Lesovsky, as required by Government Code Section 7267.2. The amount of the offer is consistent with current property values in the Murrieta area and is based upon a fair market value appraisal report. EDA-RE has also offered to pay the reasonable costs, not-to-exceed \$5,000, for an independent appraisal obtained by the property owner as required by Code of Civil Procedures Section 1263.025.

The Notice of Intention would schedule a hearing on July 11, 2017, for the proposed Resolution No. 2017-021, Authorizing Resolution of Necessity Regarding the portion of Assessor's Parcel Number 480-100-015, located within the Clinton Keith Road Extension Project, Western Riverside County, California. The scheduling of a Resolution of Necessity hearing on July 11, 2017 is needed in order to permit Phase III of the Clinton Keith Road Extension 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.

**Impact on Citizens and Businesses**

The Clinton Keith Extension Project will improve mobility for residents in Western Riverside County by providing a new East-West connection between Interstate 215 and State Route 79.

**SUPPLEMENTAL:**

**Additional Fiscal Information**

All costs associated with this property is fully funded by CFD 07-2 Clinton Keith Road Fund in the Transportation Department's budget for FY 2017/18 and these costs will be included in a separate Form 11. No net county costs will be incurred as a result of this transaction.

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

**ATTACHMENTS:**

Exhibit A-Project Map

Exhibit B-Subject Property

Resolution No. 2017-020 with Legal Description and Plat Map

RF:PR:JVW:VC:VY:SV:tg 220TR 18.604 13520

Transportation Work Order No. B2-0475

MinuteTrak #3827

  
Rohini Dasika, Principal Management Analyst 6/5/2017

  
Gregory V. Priarios, Director County Counsel 3/24/2017



DECLARATION OF MAILING OF  
RESOLUTION NO. 2017-020, NOTICE OF INTENTION TO ADOPT A RESOLUTION OF  
NECESSITY FOR THE PORTION OF ASSESSOR'S PARCEL NUMBER 480-100-015 LOCATED  
WITHIN THE CLINTON KEITH ROAD EXTENSION PROJECT

I, CECILIA GIL, (Name) BOARD ASSISTANT, (Title) hereby declares as follows:

That on July 19, 2017, I served by mail (1) a copy of Resolution No. 2017-020, Notice of Intention to Adopt a Resolution of Necessity for the Portion of Assessor's Parcel Number 480-100-015 located within the Clinton Keith Road Extension Project and (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 July 19, 2017 from the Clerk of the Board of Supervisors to: Ms. Wendy Lesovsky, a copy of which is attached hereto as Exhibit "A" by depositing said copies enclosed in a sealed envelope, postage prepaid, in the United States Postal Service mailbox at the City of Riverside, California, addressed as follows:

Wendy Lesovsky  
35975 Briggs Road  
Murrieta, CA 92563

Article # 7008 1830 0000 3848 1520

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

Executed this 19th day of July, 2017 at Riverside County, California.

Cecilia Gil  
Signature



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

**KECIA HARPER-IHEM**  
Clerk of the Board of Supervisors

**KIMBERLY A. RECTOR**  
Assistant Clerk of the Board

July 19, 2017

Wendy Lesovsky  
35975 Briggs Road  
Murrieta, CA 92563

Re: Resolution No. 2017-020, Notice of Intention to Adopt a Resolution of Necessity for the portion of Assessor's Parcel Number 480-100-015 located within the Clinton Keith Road Extension Project

Dear Ms. Lesovsky:

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; 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 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 is 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 Property;
- (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, pursuant to the California Environmental Quality Act (CEQA), no further action is required as all potentially significant effects have been analyzed in a Final Environmental Impact Report No. 398, certified for the Proposed Project by this Board in 2000; a Supplement to Environmental Impact Report No. 398, approved by this Board on February 7, 2006; and an Addendum to the Supplement to the Environmental Impact Report No. 398, approved by this Board on June 2, 2015; and
- (G) That acquisition of the Subject Property will promote the interest 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 29, 2017 at 9:00 a.m.** or as soon as possible thereafter, in the meeting room of the Board of Supervisors located on the 1<sup>st</sup> 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. 2017-020, Notice of Intention to Adopt a Resolution of Necessity for the portion of Assessor's Parcel Number 480-100-015 located within the Clinton Keith Road Extension Project, 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:

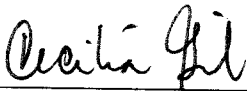
Ms. Kecia Harper-Ihem  
Clerk to the Board of Supervisors  
County Administrative Center  
PO Box 1147  
4080 Lemon Street, 1<sup>st</sup> Floor  
Riverside, California 92502-1147

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-Real Estate Division at (951) 955-9277 or by e-mail at [svillanueva@rivco.org](mailto:svillanueva@rivco.org). Thank you.

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Lisa Wagner at (951) 955-1063, 72 hours prior to the hearing.

Sincerely,



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

REQUEST TO APPEAR AND BE HEARD ON THE MATTERS REFERRED TO IN RESOLUTION  
NO. 2017-020, NOTICE OF INTENTION TO ADOPT A RESOLUTION OF NECESSITY FOR THE  
PORTION OF ASSESSOR'S PARCEL NUMBER 480-100-015 LOCATED WITHIN THE CLINTON  
KEITH ROAD EXTENSION PROJECT

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

TELEPHONE NO.: (\_\_\_\_\_) \_\_\_\_\_

DATED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

2 **Resolution No. 2017-020**

3 **Notice of Intention to Adopt a Resolution of Necessity for the Portion of**  
4 **Assessor's Parcel Number 480-100-015 located within the Clinton Keith Road**  
5 **Extension Project**  
6

7 **WHEREAS**, the portion of real property that is the subject of this Notice  
8 (collectively the "Subject Property") is located in the Murrieta area, County of Riverside,  
9 State of California; is bounded by Leon Road and State Route 79 identified as Phase III  
10 of the Clinton Keith Road Extension Project; is legally described and pictorially depicted  
11 on the documents attached hereto as Exhibit "A" and Exhibit "B" (and incorporated  
12 herein by this reference) and is a portion of Assessor's Parcel Number 480-100-015;

13 **WHEREAS**, the proposed project that is the subject of this Notice (the  
14 "Proposed Project") is to construct a part of the new east-west connection of Clinton  
15 Keith Road Extension Project from Antelope Road to State Route 79 in the Murrieta  
16 area;

17 **WHEREAS**, all of the right of way has been acquired and escrow closed for  
18 those properties in Phase III except for portions of Assessor's Parcel Number 480-100-  
19 015 which was originally part of the Resolution No. 2008-002, Notice of Intention to  
20 Adopt a Resolution of Necessity Regarding the Project to Improve Clinton Keith Road  
21 and Other Roads in Western Riverside County approved by the Board of Supervisors  
22 on March 18, 2008 (3.21) and Resolution No. 2008-003, Authorizing Resolution of  
23 Necessity Regarding the Project to Improve Clinton Keith Road and Other Roads in  
24 Western Riverside County approved by the Board of Supervisors on April 22, 2008  
25 (9.6).

26 **WHEREAS**, a Final Order of Condemnation was recorded on July 6, 2011  
27 (2011-0297668) for the property interests necessary for Phase III from the portion of  
28 Assessor's Parcel Number 480-100-015 and cash settlement was disbursed to the

1 owner of record, Ms. Wendy Lesovsky; in addition, owner was to benefit from  
2 construction of an off-site drainage facility at the low water crossing of Briggs Road as  
3 well as a realigned driveway access to reconnect to Briggs Road south of the current  
4 location;

5 **WHEREAS**, ingress/egress to the property was not considered an issue at the  
6 time, since a developer was conditioned to make drainage improvements on Briggs  
7 Road that would facilitate improved access to the property during a rain event;

8 **WHEREAS**, conditions have changed and the developer is no longer moving  
9 forward with drainage improvements on Briggs Road and as a result, ingress/egress to  
10 the property would be affected during a rain event;

11 **WHEREAS**, alternative solutions to the drainage issue were considered  
12 infeasible because of impacts to public safety, environmental resources and adjacent  
13 properties, and high costs and, therefore, it is necessary to acquire the fee simple  
14 interest of the property improved with a tenant-occupied modular home (except for the  
15 portion improved with a cell tower);

16 **WHEREAS**, the statutes that authorize the County of Riverside to acquire the  
17 Subject Property by eminent domain include Article 1, Section 19 of the California  
18 Constitution; Section 25350.5 of the Government Code; and Sections 1240.010,  
19 1240.020, 1240.030, 1240.040, 1240.110, 1240.410, 1240.510, and 1240.610 of the  
20 Code of Civil Procedure.

21 Now, therefore, **BE IT RESOLVED AND ORDERED** as follows by the Board of  
22 Supervisors of Riverside County, State of California, in regular session assembled on  
23 June 13, 2017.

24 1. YOU ARE HEREBY NOTIFIED that this Board (at its public meeting on  
25 July 11, 2017, at 9:00 a.m. or thereafter at the meeting room of the Board of  
26 Supervisors located on the 1<sup>st</sup> floor of the County Administrative Center, 4080 Lemon  
27 Street, Riverside, California) may decide to adopt a Resolution of Necessity that would  
28

1 authorize the County of Riverside to acquire the Subject Property by eminent domain  
2 (and that would find and determine each of the following matters):

3 (a) That the public interest and necessity require the Proposed  
4 Project;

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

7 (c) That the Subject Property is necessary for the Proposed Project;

8 (d) That the offer required by Section 7267.2 of the Government Code  
9 has been made to the owner of record of the Subject Property;

10 (e) That, to the extent that the Subject Property is already devoted to  
11 a public use, the use of the Proposed Project is a compatible use that will not  
12 unreasonably interfere with or impair the continuance of the public use as it presently  
13 exists or may reasonably be expected to exist in the future (California Code of Civil  
14 Procedure Section 1240.510) or the use of the Proposed Project is a more necessary  
15 public use than is the presently existing public use (California Code of Civil Procedure  
16 Section 1240.610);

17 (f) That, pursuant to the California Environmental Quality Act (CEQA),  
18 no further action is required as all potentially significant effects have been analyzed in  
19 a Final Environmental Impact Report No. 398, certified for the Proposed Project by this  
20 Board in 2000; a Supplement to Environmental Impact Report No. 398, approved by  
21 this Board on February 7, 2006; and an Addendum to the Supplement to  
22 Environmental Impact Report No. 398, approved by this Board on June 2, 2015; and

23 (g) That acquisition of the Subject Property will promote the interest of  
24 the County of Riverside.

25 2. If (within 15 days from the mailing of this Notice) you file a written request  
26 to appear at the public meeting and be heard on the matters described above in 1(a),  
27 1(b), 1(c), 1(d), 1(e), 1(f), 1(g), (or any one or more of them), you will have a right to  
28 appear at that meeting and be heard on those matters.





**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

ALL OF THE SOUTH 17.301 ACRES OF THE SOUTH PORTION OF THE COUNTY 58 ACRES OF THE FRACTIONAL SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA AS SHOWN BY OFFICIAL PLAT THEREOF, EXCEPT THAT PORTION LYING WESTERLY OF THE EASTERLY LINE OF THE WEST 1,442 FEET OF THE EAST 1,775 FEET THEREOF, AS DESCRIBED BY GRANT DEED RECORDED APRIL 15, 2005 AS DOCUMENT NUMBER 2005-0299363, OFFICIAL RECORDS OF THE RECORDER OF RIVERSIDE COUNTY;

**EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL;**

COMMENCING AT THE SOUTHERLY TERMINUS OF THAT CERTAIN COURSE ON THE CENTERLINE OF LOS ALAMOS ROAD DESCRIBED AS BEARING "NORTH 39°24'51" WEST", 188.20 FEET ON PARCEL MAP NUMBER 19797, ON FILE IN BOOK 122, PAGES 2 AND 3. OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY;

THENCE NORTH 38°54'32" WEST A DISTANCE OF 31.67 FEET ALONG SAID CENTERLINE OF LOS ALAMOS ROAD;

THENCE SOUTH 51°05'28", WEST A DISTANCE OF 30.00 FEET, TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF LOS ALAMOS ROAD(30 FOOT HALF WIDTH) AS SHOWN ON SAID PARCEL MAP NUMBER 19797, SAID POINT ALSO BEING THE **TRUE POINT OF BEGINNING**;

THENCE SOUTH 38°54'32" EAST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 31.67 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 179.99 FEET, BEING CONCENTRIC WITH AND DISTANT 30.00 FEET SOUTHWESTERLY OF, AS MEASURED RADIAL TO, SAID CENTERLINE OF LOS ALAMOS ROAD;

THENCE SOUTHEASTERLY ALONG SAID CONCENTRIC CURVE THROUGH A CENTRAL ANGLE OF 02°10'29", AN ARC DISTANCE OF 6.83 FEET;

THENCE SOUTH 51°05'28" WEST A DISTANCE OF 45.13 FEET;

THENCE NORTH 38°54'32" WEST A DISTANCE OF 60.00 FEET;

THENCE NORTH 51°05'28" EAST A DISTANCE OF 45.00 FEET TO SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF LOS ALAMOS ROAD;

THENCE SOUTH 38°54'32" EAST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 21.50 FEET TO THE **TRUE POINT OF BEGINNING**.

NET AREA: 83,269 SQUARE FEET, OR 1.912 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 1.000099880 TO OBTAIN GROUND DISTANCE.

REFERENCE IS HEREBY MADE TO RIVERSIDE COUNTY MAP NUMBER 935-TT, ON FILE IN THE OFFICE OF THE COUNTY SURVEYOR OF RIVERSIDE COUNTY, CALIFORNIA.

SEE ATTACHED EXHIBIT "B"

PREPARED UNDER MY SUPERVISION:

Edward D. Hunt  
EDWARD D. HUNT P.L.S. 7530

5-11-2016  
DATED:

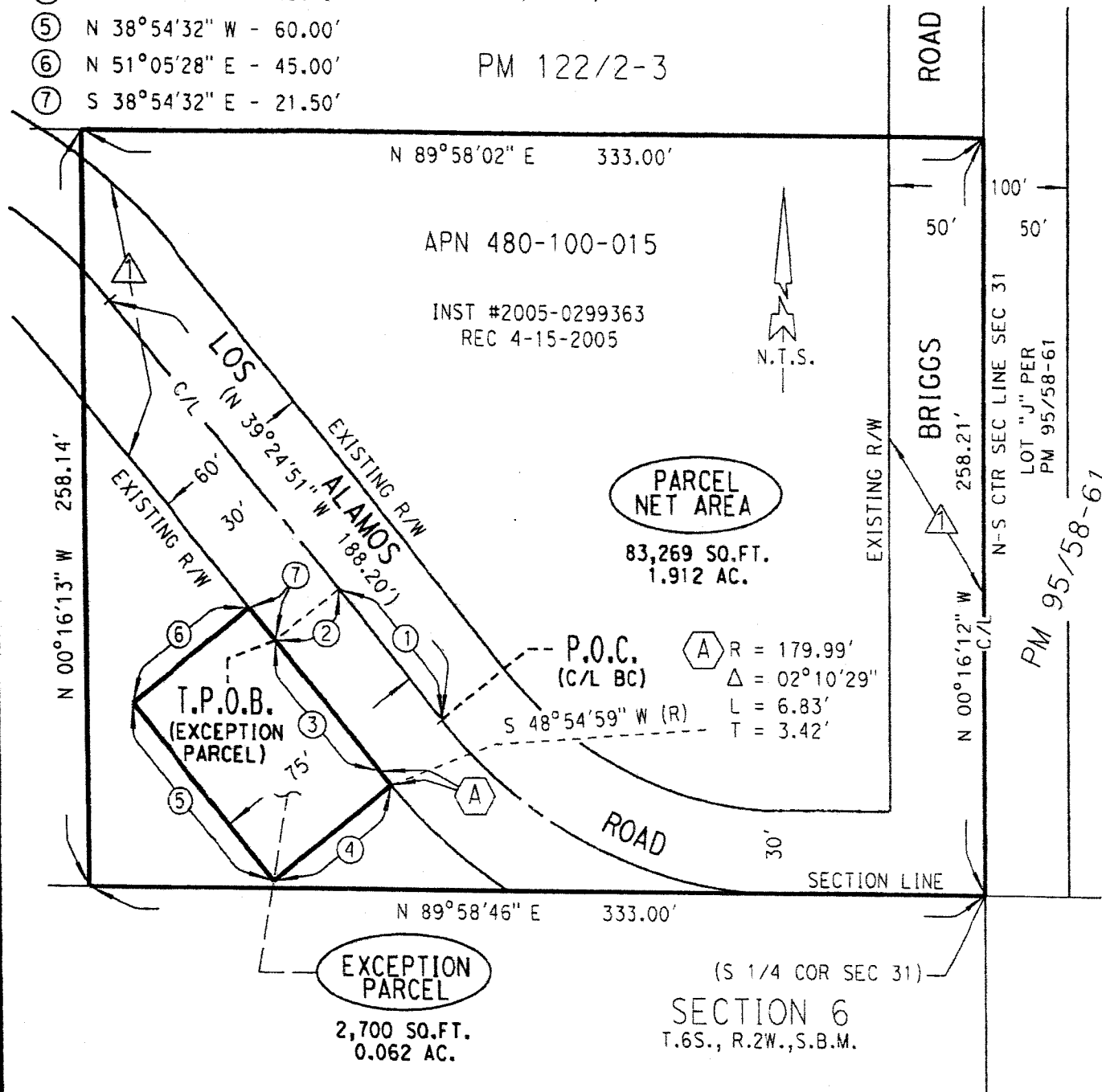


- ① N 38°54'32" W - 31.67'
- ② S 51°05'28" W - 30.00'
- ③ S 38°54'32" E - 31.67'
- ④ S 51°05'28" W - 45.13'
- ⑤ N 38°54'32" W - 60.00'
- ⑥ N 51°05'28" E - 45.00'
- ⑦ S 38°54'32" E - 21.50'

EXHIBIT "B"  
SECTION 31  
T.6S., R.2W., S.B.M.

R/W ADOPTED BY RESOLUTION  
PER S.M.B. 40, PG. 239,  
DATED 5-3-1948

PM 122/2-3



NOTE: ( ) - INDICATES DATA PER PM 122/2-3

ALL DISTANCES SHOWN HEREON ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY MULTIPLYING GRID DISTANCES BY A COMBINATION FACTOR OF 1.000099880.



COUNTY OF RIVERSIDE TRANSPORTATION DEPT., SURVEY DIV.	PAR. NO.: EXCEPTION
PROJECT: CLINTON KEITH ROAD	PREPARED BY: BC3
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: APRIL, 2016
	W.O. NO.: B2-0472
APPROVED BY: <i>Edward D. Hines</i> DATE: 5-11-2016	SHEET 1 OF 1 SHEET

DECLARATION OF MAILING OF  
RESOLUTION NO. 2017-020, NOTICE OF INTENTION TO ADOPT A RESOLUTION OF NECESSITY  
FOR THE PORTION OF ASSESSOR'S PARCEL NUMBER 480-100-015 LOCATED WITHIN THE  
CLINTON KEITH ROAD EXTENSION PROJECT

I, CECILIA GIL, (Name) Board Assistant, (Title) hereby declares  
as follows:

That on June 15, 2017, I served by mail (1) a copy of Resolution No.  
2017-020, Notice of Intention to Adopt a Resolution of Necessity for the Portion of Assessor's Parcel  
Number 480-100-015 located within the Clinton Keith Road Extension Project and (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 15, 2017 from the Clerk of the  
Board of Supervisors to: Wendy Lesovsky, a copy of which is attached hereto as Exhibit  
"A" by depositing said copies enclosed in a sealed envelope, postage prepaid, in the United States  
Postal Service mailbox at the City of Riverside, California, addressed as follows:

Wendy Lesovsky  
17364 Grand Avenue  
Lake Elsinore, CA 92530

CERTIFIED MAIL RECEIPT: 7008 1830 0000 3848 1513

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

Executed this 15th day of June, 2017 at Riverside County,  
California.

Cecilia Gil  
Signature



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

KECIA HARPER-IHEM  
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR  
Assistant Clerk of the Board

June 15, 2017

Wendy Lesovsky  
17364 Grand Avenue  
Lake Elsinore, CA 92530

Re: Resolution No. 2017-020, Notice of Intention to Adopt a Resolution of Necessity for the portion of Assessor's Parcel Number 480-100-015 located within the Clinton Keith Road Extension Project

Dear Ms. Lesovsky:

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; 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 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 is 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 Property;
- (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, pursuant to the California Environmental Quality Act (CEQA), no further action is required as all potentially significant effects have been analyzed in a Final Environmental Impact Report No. 398, certified for the Proposed Project by this Board in 2000; a Supplement to Environmental Impact Report No. 398, approved by this Board on February 7, 2006; and an Addendum to the Supplement to the Environmental Impact Report No. 398, approved by this Board on June 2, 2015; and
- (G) That acquisition of the Subject Property will promote the interest 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 **July 11, 2017 at 9:00 a.m.** or as soon as possible thereafter, in the meeting room of the Board of Supervisors located on the 1<sup>st</sup> 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. 2017-020, Notice of Intention to Adopt a Resolution of Necessity for the portion of Assessor's Parcel Number 480-100-015 located within the Clinton Keith Road Extension Project, 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, 1<sup>st</sup> 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-Real Estate Division at (951) 955-9277 or by e-mail at [svillanueva@rivco.org](mailto:svillanueva@rivco.org). Thank you.

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Lisa Wagner at (951) 955-1063, 72 hours prior to the hearing.

Sincerely,



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

REQUEST TO APPEAR AND BE HEARD ON THE MATTERS REFERRED TO IN RESOLUTION NO. 2017-020, NOTICE OF INTENTION TO ADOPT A RESOLUTION OF NECESSITY FOR THE PORTION OF ASSESSOR'S PARCEL NUMBER 480-100-015 LOCATED WITHIN THE CLINTON KEITH ROAD EXTENSION PROJECT

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

TELEPHONE NO.: (\_\_\_\_) \_\_\_\_\_

DATED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

2 **Resolution No. 2017-020**

3 **Notice of Intention to Adopt a Resolution of Necessity for the Portion of**  
4 **Assessor's Parcel Number 480-100-015 located within the Clinton Keith Road**  
5 **Extension Project**  
6

7 **WHEREAS**, the portion of real property that is the subject of this Notice  
8 (collectively the "Subject Property") is located in the Murrieta area, County of Riverside,  
9 State of California; is bounded by Leon Road and State Route 79 identified as Phase III  
10 of the Clinton Keith Road Extension Project; is legally described and pictorially depicted  
11 on the documents attached hereto as Exhibit "A" and Exhibit "B" (and incorporated  
12 herein by this reference) and is a portion of Assessor's Parcel Number 480-100-015;

13 **WHEREAS**, the proposed project that is the subject of this Notice (the  
14 "Proposed Project") is to construct a part of the new east-west connection of Clinton  
15 Keith Road Extension Project from Antelope Road to State Route 79 in the Murrieta  
16 area;

17 **WHEREAS**, all of the right of way has been acquired and escrow closed for  
18 those properties in Phase III except for portions of Assessor's Parcel Number 480-100-  
19 015 which was originally part of the Resolution No. 2008-002, Notice of Intention to  
20 Adopt a Resolution of Necessity Regarding the Project to Improve Clinton Keith Road  
21 and Other Roads in Western Riverside County approved by the Board of Supervisors  
22 on March 18, 2008 (3.21) and Resolution No. 2008-003, Authorizing Resolution of  
23 Necessity Regarding the Project to Improve Clinton Keith Road and Other Roads in  
24 Western Riverside County approved by the Board of Supervisors on April 22, 2008  
25 (9.6).

26 **WHEREAS**, a Final Order of Condemnation was recorded on July 6, 2011  
27 (2011-0297668) for the property interests necessary for Phase III from the portion of  
28 Assessor's Parcel Number 480-100-015 and cash settlement was disbursed to the



1 owner of record, Ms. Wendy Lesovsky; in addition, owner was to benefit from  
2 construction of an off-site drainage facility at the low water crossing of Briggs Road as  
3 well as a realigned driveway access to reconnect to Briggs Road south of the current  
4 location;

5 **WHEREAS**, ingress/egress to the property was not considered an issue at the  
6 time, since a developer was conditioned to make drainage improvements on Briggs  
7 Road that would facilitate improved access to the property during a rain event;

8 **WHEREAS**, conditions have changed and the developer is no longer moving  
9 forward with drainage improvements on Briggs Road and as a result, ingress/egress to  
10 the property would be affected during a rain event;

11 **WHEREAS**, alternative solutions to the drainage issue were considered  
12 infeasible because of impacts to public safety, environmental resources and adjacent  
13 properties, and high costs and, therefore, it is necessary to acquire the fee simple  
14 interest of the property improved with a tenant-occupied modular home (except for the  
15 portion improved with a cell tower);

16 **WHEREAS**, the statutes that authorize the County of Riverside to acquire the  
17 Subject Property by eminent domain include Article 1, Section 19 of the California  
18 Constitution; Section 25350.5 of the Government Code; and Sections 1240.010,  
19 1240.020, 1240.030, 1240.040, 1240.110, 1240.410, 1240.510, and 1240.610 of the  
20 Code of Civil Procedure.

21 Now, therefore, **BE IT RESOLVED AND ORDERED** as follows by the Board of  
22 Supervisors of Riverside County, State of California, in regular session assembled on  
23 June 13, 2017.

24 1. YOU ARE HEREBY NOTIFIED that this Board (at its public meeting on  
25 July 11, 2017, at 9:00 a.m. or thereafter at the meeting room of the Board of  
26 Supervisors located on the 1<sup>st</sup> floor of the County Administrative Center, 4080 Lemon  
27 Street, Riverside, California) may decide to adopt a Resolution of Necessity that would  
28

1 authorize the County of Riverside to acquire the Subject Property by eminent domain  
2 (and that would find and determine each of the following matters):

3 (a) That the public interest and necessity require the Proposed  
4 Project;

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

7 (c) That the Subject Property is necessary for the Proposed Project;

8 (d) That the offer required by Section 7267.2 of the Government Code  
9 has been made to the owner of record of the Subject Property;

10 (e) That, to the extent that the Subject Property is already devoted to  
11 a public use, the use of the Proposed Project is a compatible use that will not  
12 unreasonably interfere with or impair the continuance of the public use as it presently  
13 exists or may reasonably be expected to exist in the future (California Code of Civil  
14 Procedure Section 1240.510) or the use of the Proposed Project is a more necessary  
15 public use than is the presently existing public use (California Code of Civil Procedure  
16 Section 1240.610);

17 (f) That, pursuant to the California Environmental Quality Act (CEQA),  
18 no further action is required as all potentially significant effects have been analyzed in  
19 a Final Environmental Impact Report No. 398, certified for the Proposed Project by this  
20 Board in 2000; a Supplement to Environmental Impact Report No. 398, approved by  
21 this Board on February 7, 2006; and an Addendum to the Supplement to  
22 Environmental Impact Report No. 398, approved by this Board on June 2, 2015; and

23 (g) That acquisition of the Subject Property will promote the interest of  
24 the County of Riverside.

25 2. If (within 15 days from the mailing of this Notice) you file a written request  
26 to appear at the public meeting and be heard on the matters described above in 1(a),  
27 1(b), 1(c), 1(d), 1(e), 1(f), 1(g), (or any one or more of them), you will have a right to  
28 appear at that meeting and be heard on those matters.



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

ALL OF THE SOUTH 17.301 ACRES OF THE SOUTH PORTION OF THE COUNTY 58 ACRES OF THE FRACTIONAL SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA AS SHOWN BY OFFICIAL PLAT THEREOF, EXCEPT THAT PORTION LYING WESTERLY OF THE EASTERLY LINE OF THE WEST 1,442 FEET OF THE EAST 1,775 FEET THEREOF, AS DESCRIBED BY GRANT DEED RECORDED APRIL 15, 2005 AS DOCUMENT NUMBER 2005-0299363, OFFICIAL RECORDS OF THE RECORDER OF RIVERSIDE COUNTY;

**EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL;**

COMMENCING AT THE SOUTHERLY TERMINUS OF THAT CERTAIN COURSE ON THE CENTERLINE OF LOS ALAMOS ROAD DESCRIBED AS BEARING "NORTH 39°24'51" WEST", 188.20 FEET ON PARCEL MAP NUMBER 19797, ON FILE IN BOOK 122, PAGES 2 AND 3. OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY;

THENCE NORTH 38°54'32" WEST A DISTANCE OF 31.67 FEET ALONG SAID CENTERLINE OF LOS ALAMOS ROAD;

THENCE SOUTH 51°05'28", WEST A DISTANCE OF 30.00 FEET, TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF LOS ALAMOS ROAD(30 FOOT HALF WIDTH) AS SHOWN ON SAID PARCEL MAP NUMBER 19797, SAID POINT ALSO BEING THE **TRUE POINT OF BEGINNING**;

THENCE SOUTH 38°54'32" EAST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 31.67 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 179.99 FEET, BEING CONCENTRIC WITH AND DISTANT 30.00 FEET SOUTHWESTERLY OF, AS MEASURED RADIAL TO, SAID CENTERLINE OF LOS ALAMOS ROAD;

THENCE SOUTHEASTERLY ALONG SAID CONCENTRIC CURVE THROUGH A CENTRAL ANGLE OF 02°10'29", AN ARC DISTANCE OF 6.83 FEET;

THENCE SOUTH 51°05'28" WEST A DISTANCE OF 45.13 FEET;

THENCE NORTH 38°54'32" WEST A DISTANCE OF 60.00 FEET;

THENCE NORTH 51°05'28" EAST A DISTANCE OF 45.00 FEET TO SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF LOS ALAMOS ROAD;

THENCE SOUTH 38°54'32" EAST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 21.50 FEET TO THE **TRUE POINT OF BEGINNING**.

NET AREA: 83,269 SQUARE FEET, OR 1.912 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 1.000099880 TO OBTAIN GROUND DISTANCE.

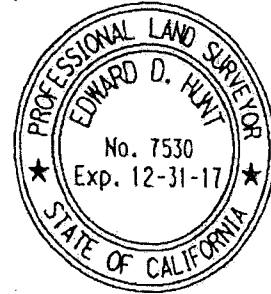
REFERENCE IS HEREBY MADE TO RIVERSIDE COUNTY MAP NUMBER 935-TT, ON FILE IN THE OFFICE OF THE COUNTY SURVEYOR OF RIVERSIDE COUNTY, CALIFORNIA.

SEE ATTACHED EXHIBIT "B"

PREPARED UNDER MY SUPERVISION:

Edward D. Hunt  
EDWARD D. HUNT P.L.S. 7530

5-11-2016  
DATED:

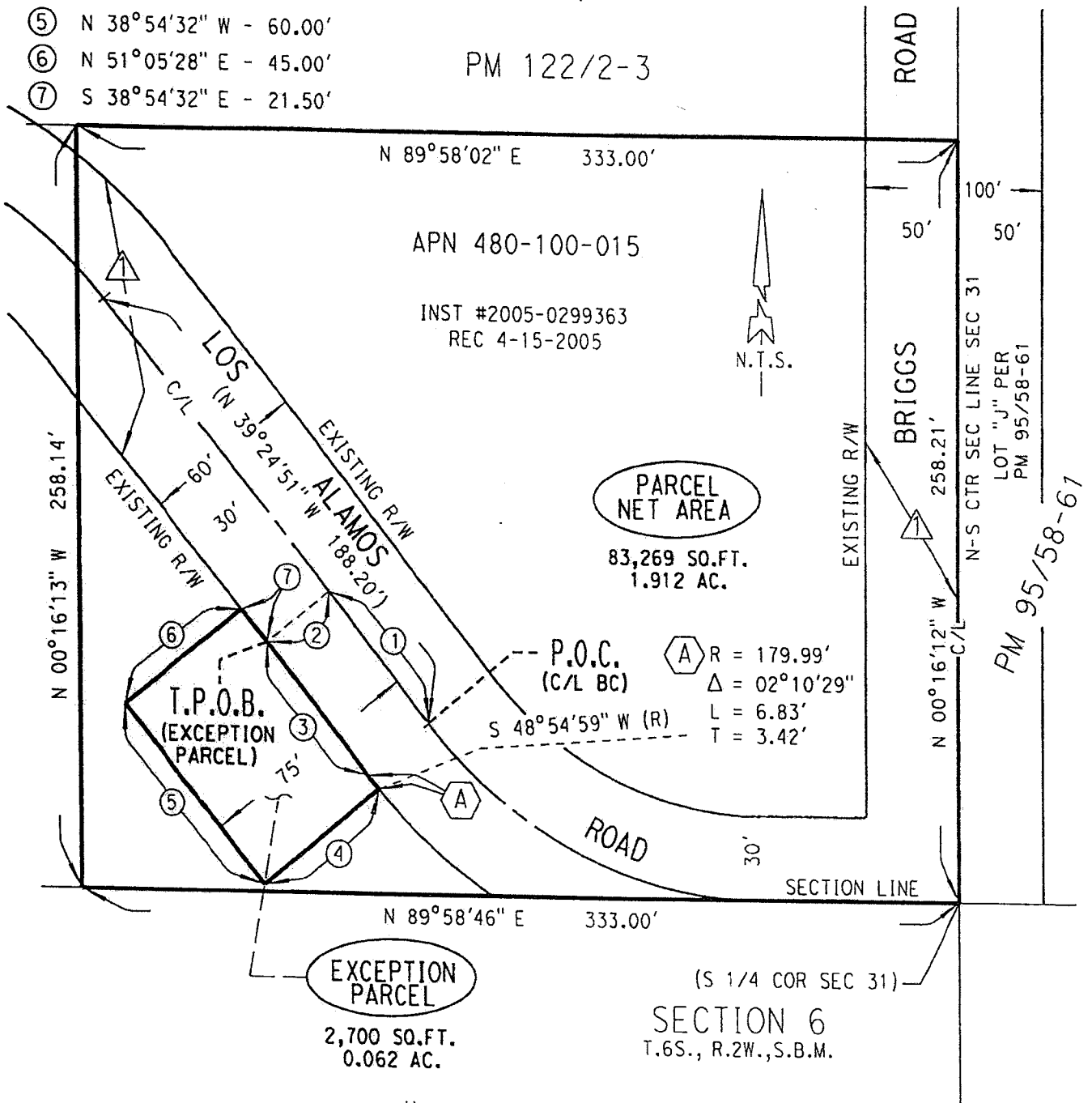


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- ⑦ S 38°54'32" E - 21.50'

EXHIBIT "B"  
SECTION 31  
T.6S., R.2W., S.B.M.

① R/W ADOPTED BY RESOLUTION  
PER S.M.B. 40, PG. 239,  
DATED 5-3-1948

PM 122/2-3



NOTE: ( ) - INDICATES DATA PER PM 122/2-3

ALL DISTANCES SHOWN HEREON ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY MULTIPLYING GRID DISTANCES BY A COMBINATION FACTOR OF 1.000099880.



COUNTY OF RIVERSIDE TRANSPORTATION DEPT., SURVEY DIV.	PAR. NO.: EXCEPTION
PROJECT: CLINTON KEITH ROAD	PREPARED BY: BC3
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: APRIL, 2016
APPROVED BY: <i>Edward D. Hunt</i> DATE: 5-11-2016	W.O. NO.: B2-0472
	SHEET 1 OF 1 SHEET



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

KECIA HARPER-IHEM  
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR  
Assistant Clerk of the Board

June 15, 2017

Wendy Lesovsky  
17364 Grand Avenue  
Lake Elsinore, CA 92530

Re: Resolution No. 2017-020, Notice of Intention to Adopt a Resolution of Necessity for the portion of Assessor's Parcel Number 480-100-015 located within the Clinton Keith Road Extension Project

Dear Ms. Lesovsky:

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; 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 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 is 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 Property;
- (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, pursuant to the California Environmental Quality Act (CEQA), no further action is required as all potentially significant effects have been analyzed in a Final Environmental Impact Report No. 398, certified for the Proposed Project by this Board in 2000; a Supplement to Environmental Impact Report No. 398, approved by this Board on February 7, 2006; and an Addendum to the Supplement to the Environmental Impact Report No. 398, approved by this Board on June 2, 2015; and
- (G) That acquisition of the Subject Property will promote the interest 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 **July 11, 2017 at 9:00 a.m.** or as soon as possible thereafter, in the meeting room of the Board of Supervisors located on the 1<sup>st</sup> floor of the County Administrative Center, 4080 Lemon Street, Riverside, California, will be asked to decide if the above conditions have been met

7/11/17  
9.7  
2017-7-130222

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. 2017-020, Notice of Intention to Adopt a Resolution of Necessity for the portion of Assessor's Parcel Number 480-100-015 located within the Clinton Keith Road Extension Project, 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.

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Clerk to the Board of Supervisors  
County Administrative Center  
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4080 Lemon Street, 1<sup>st</sup> 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-Real Estate Division at (951) 955-9277 or by e-mail at [svillanueva@rivco.org](mailto:svillanueva@rivco.org). Thank you.

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Lisa Wagner at (951) 955-1063, 72 hours prior to the hearing.

Sincerely,



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



REQUEST TO APPEAR AND BE HEARD ON THE MATTERS REFERRED TO IN RESOLUTION NO. 2017-020, NOTICE OF INTENTION TO ADOPT A RESOLUTION OF NECESSITY FOR THE PORTION OF ASSESSOR'S PARCEL NUMBER 480-100-015 LOCATED WITHIN THE CLINTON KEITH ROAD EXTENSION PROJECT

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_

TELEPHONE NO.: (\_\_\_\_\_) \_\_\_\_\_

DATED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

2 **Resolution No. 2017-020**

3 **Notice of Intention to Adopt a Resolution of Necessity for the Portion of**  
4 **Assessor's Parcel Number 480-100-015 located within the Clinton Keith Road**  
5 **Extension Project**

6  
7 **WHEREAS**, the portion of real property that is the subject of this Notice  
8 (collectively the "Subject Property") is located in the Murrieta area, County of Riverside,  
9 State of California; is bounded by Leon Road and State Route 79 identified as Phase III  
10 of the Clinton Keith Road Extension Project; is legally described and pictorially depicted  
11 on the documents attached hereto as Exhibit "A" and Exhibit "B" (and incorporated  
12 herein by this reference) and is a portion of Assessor's Parcel Number 480-100-015;

13 **WHEREAS**, the proposed project that is the subject of this Notice (the  
14 "Proposed Project") is to construct a part of the new east-west connection of Clinton  
15 Keith Road Extension Project from Antelope Road to State Route 79 in the Murrieta  
16 area;

17 **WHEREAS**, all of the right of way has been acquired and escrow closed for  
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19 015 which was originally part of the Resolution No. 2008-002, Notice of Intention to  
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12 infeasible because of impacts to public safety, environmental resources and adjacent  
13 properties, and high costs and, therefore, it is necessary to acquire the fee simple  
14 interest of the property improved with a tenant-occupied modular home (except for the  
15 portion improved with a cell tower);

16 **WHEREAS**, the statutes that authorize the County of Riverside to acquire the  
17 Subject Property by eminent domain include Article 1, Section 19 of the California  
18 Constitution; Section 25350.5 of the Government Code; and Sections 1240.010,  
19 1240.020, 1240.030, 1240.040, 1240.110, 1240.410, 1240.510, and 1240.610 of the  
20 Code of Civil Procedure.

21 Now, therefore, **BE IT RESOLVED AND ORDERED** as follows by the Board of  
22 Supervisors of Riverside County, State of California, in regular session assembled on  
23 June 13, 2017.

24 1. YOU ARE HEREBY NOTIFIED that this Board (at its public meeting on  
25 July 11, 2017, at 9:00 a.m. or thereafter at the meeting room of the Board of  
26 Supervisors located on the 1<sup>st</sup> floor of the County Administrative Center, 4080 Lemon  
27 Street, Riverside, California) may decide to adopt a Resolution of Necessity that would  
28

1 authorize the County of Riverside to acquire the Subject Property by eminent domain  
2 (and that would find and determine each of the following matters):

3 (a) That the public interest and necessity require the Proposed  
4 Project;

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

7 (c) That the Subject Property is necessary for the Proposed Project;

8 (d) That the offer required by Section 7267.2 of the Government Code  
9 has been made to the owner of record of the Subject Property;

10 (e) That, to the extent that the Subject Property is already devoted to  
11 a public use, the use of the Proposed Project is a compatible use that will not  
12 unreasonably interfere with or impair the continuance of the public use as it presently  
13 exists or may reasonably be expected to exist in the future (California Code of Civil  
14 Procedure Section 1240.510) or the use of the Proposed Project is a more necessary  
15 public use than is the presently existing public use (California Code of Civil Procedure  
16 Section 1240.610);

17 (f) That, pursuant to the California Environmental Quality Act (CEQA),  
18 no further action is required as all potentially significant effects have been analyzed in  
19 a Final Environmental Impact Report No. 398, certified for the Proposed Project by this  
20 Board in 2000; a Supplement to Environmental Impact Report No. 398, approved by  
21 this Board on February 7, 2006; and an Addendum to the Supplement to  
22 Environmental Impact Report No. 398, approved by this Board on June 2, 2015; and

23 (g) That acquisition of the Subject Property will promote the interest of  
24 the County of Riverside.

25 2. If (within 15 days from the mailing of this Notice) you file a written request  
26 to appear at the public meeting and be heard on the matters described above in 1(a),  
27 1(b), 1(c), 1(d), 1(e), 1(f), 1(g), (or any one or more of them), you will have a right to  
28 appear at that meeting and be heard on those matters.



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

ALL OF THE SOUTH 17.301 ACRES OF THE SOUTH PORTION OF THE COUNTY 58 ACRES OF THE FRACTIONAL SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA AS SHOWN BY OFFICIAL PLAT THEREOF, EXCEPT THAT PORTION LYING WESTERLY OF THE EASTERLY LINE OF THE WEST 1,442 FEET OF THE EAST 1,775 FEET THEREOF, AS DESCRIBED BY GRANT DEED RECORDED APRIL 15, 2005 AS DOCUMENT NUMBER 2005-0299363, OFFICIAL RECORDS OF THE RECORDER OF RIVERSIDE COUNTY;

**EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL;**

COMMENCING AT THE SOUTHERLY TERMINUS OF THAT CERTAIN COURSE ON THE CENTERLINE OF LOS ALAMOS ROAD DESCRIBED AS BEARING "NORTH 39°24'51" WEST", 188.20 FEET ON PARCEL MAP NUMBER 19797, ON FILE IN BOOK 122, PAGES 2 AND 3. OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY;

THENCE NORTH 38°54'32" WEST A DISTANCE OF 31.67 FEET ALONG SAID CENTERLINE OF LOS ALAMOS ROAD;

THENCE SOUTH 51°05'28", WEST A DISTANCE OF 30.00 FEET, TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF LOS ALAMOS ROAD(30 FOOT HALF WIDTH) AS SHOWN ON SAID PARCEL MAP NUMBER 19797, SAID POINT ALSO BEING THE **TRUE POINT OF BEGINNING**;

THENCE SOUTH 38°54'32" EAST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 31.67 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 179.99 FEET, BEING CONCENTRIC WITH AND DISTANT 30.00 FEET SOUTHWESTERLY OF, AS MEASURED RADIAL TO, SAID CENTERLINE OF LOS ALAMOS ROAD;

THENCE SOUTHEASTERLY ALONG SAID CONCENTRIC CURVE THROUGH A CENTRAL ANGLE OF 02°10'29", AN ARC DISTANCE OF 6.83 FEET;

THENCE SOUTH 51°05'28" WEST A DISTANCE OF 45.13 FEET;

THENCE NORTH 38°54'32" WEST A DISTANCE OF 60.00 FEET;

THENCE NORTH 51°05'28" EAST A DISTANCE OF 45.00 FEET TO SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF LOS ALAMOS ROAD;

THENCE SOUTH 38°54'32" EAST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 21.50 FEET TO THE **TRUE POINT OF BEGINNING**.

NET AREA: 83,269 SQUARE FEET, OR 1.912 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 1.000099880 TO OBTAIN GROUND DISTANCE.

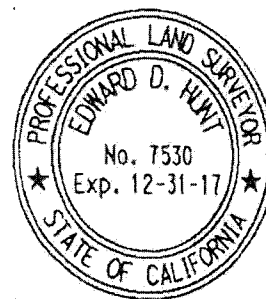
REFERENCE IS HEREBY MADE TO RIVERSIDE COUNTY MAP NUMBER 935-TT, ON FILE IN THE OFFICE OF THE COUNTY SURVEYOR OF RIVERSIDE COUNTY, CALIFORNIA.

SEE ATTACHED EXHIBIT "B"

PREPARED UNDER MY SUPERVISION:

Edward D. Hunt  
EDWARD D. HUNT P.L.S. 7530

5-11-2016  
DATED:

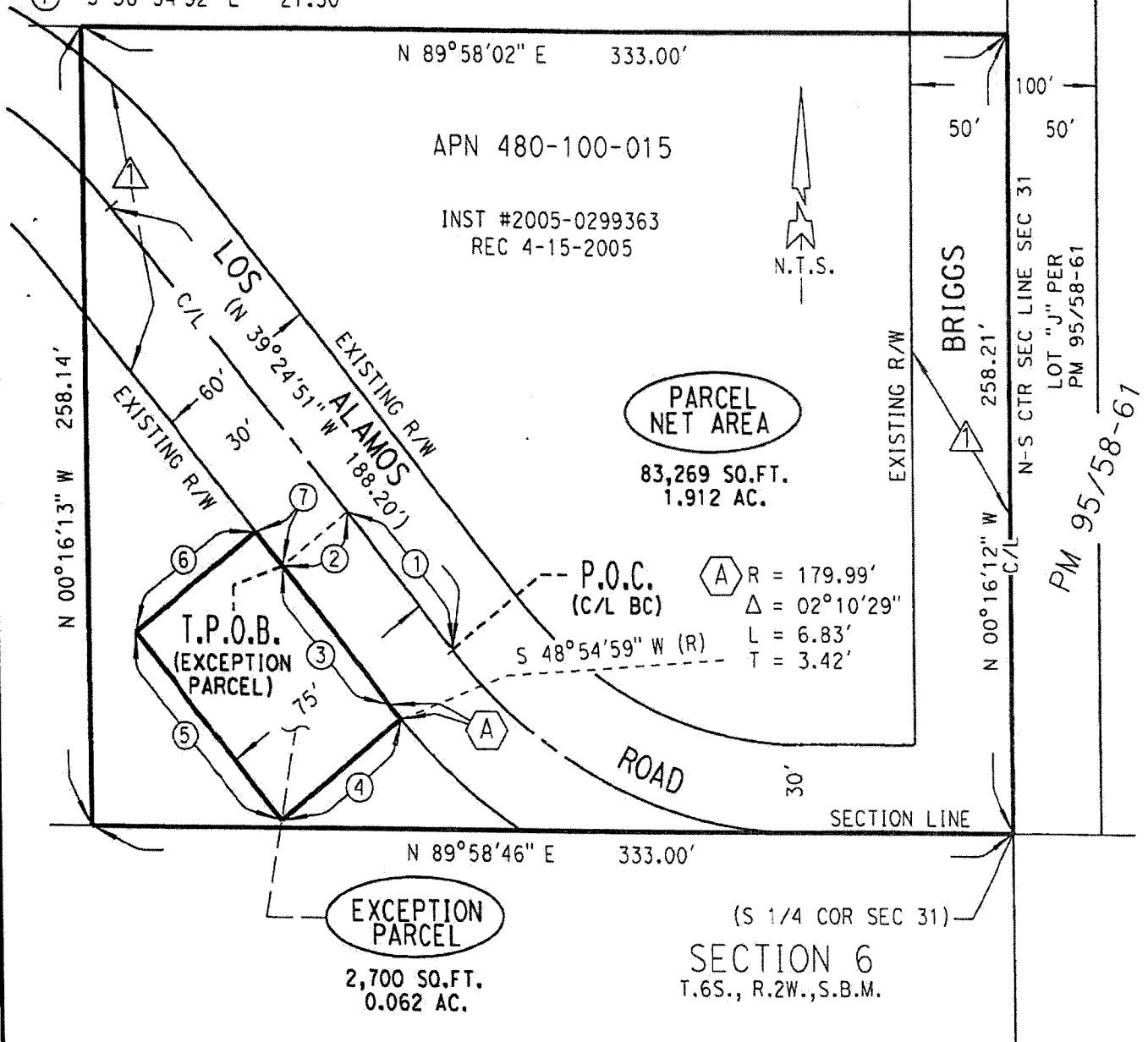


- ① N 38°54'32" W - 31.67'
- ② S 51°05'28" W - 30.00'
- ③ S 38°54'32" E - 31.67'
- ④ S 51°05'28" W - 45.13'
- ⑤ N 38°54'32" W - 60.00'
- ⑥ N 51°05'28" E - 45.00'
- ⑦ S 38°54'32" E - 21.50'

EXHIBIT "B"  
SECTION 31  
T.6S., R.2W., S.B.M.

▲ R/W ADOPTED BY RESOLUTION  
PER S.M.B. 40, PG. 239,  
DATED 5-3-1948

PM 122/2-3



NOTE: ( ) - INDICATES DATA PER PM 122/2-3

ALL DISTANCES SHOWN HEREON ARE GRID DISTANCES. GROUND DISTANCES  
MAY BE OBTAINED BY MULTIPLYING GRID DISTANCES BY A COMBINATION  
FACTOR OF 1.000099880.



COUNTY OF RIVERSIDE TRANSPORTATION DEPT., SURVEY DIV.	PAR. NO.: EXCEPTION
PROJECT: CLINTON KEITH ROAD	PREPARED BY: BC3
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: APRIL, 2016
APPROVED BY: <i>Edward D. Hunt</i> DATE: 5-11-2016	W.O. NO.: B2-0472
	SHEET 1 OF 1 SHEET



9.2 ✓

### RIVERSIDE COUNTY BOARD OF SUPERVISORS Request to Speak

Submit request to the Clerk of Board. Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

Date: 8/29/17 Agenda #: 9-2

SPEAKER'S NAME: Wendy Lesawsky  
(Print Name)

Address: 17364 Grand Ave  
(Only required if follow-up mail response is requested)

City: LE Zip: \_\_\_\_\_

Phone #: 951-741-2552 Email: WLesawsky@Yahoo.com

**I AM:**

- The Applicant  A Neighbor
- Applicant's Representative  Other Interested Party

**PLEASE INDICATE YOUR POSITION BELOW:**

- I wish to speak  I DO NOT wish to speak
- I wish to speak with a Media Presentation

I YIELD my 3 minutes to the following speaker:  
(Maximum 2 Yields per Speaker)

\_\_\_\_\_  
(Name)

**Position on Agenda Item:**

- In Favor  Neutral  Opposed

## BOARD RULES

### **Requests to Address Board on "Agenda" Items:**

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

### **Power Point Presentations/Printed Material:**

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office, 24 hours in advance of the Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please insure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

### **Individual Speaker Limits:**

**Individual speakers are limited to a maximum of three (3) minutes.** Please step up to the podium when the Chairman calls your name and begin speaking immediately. The Chairman adheres to a strict three (3) minutes per speaker. ***Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.***

### **Group/Organized Presentations:**

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the front bottom of the form.

### **Addressing the Board & Acknowledgement by Chairman:**

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in the front row to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman may result in removal from the Board Chambers by Sheriff Deputies.

**\*PLEASE TURN OFF ALL CELL PHONES AND PAGERS WHILE THE PUBLIC HEARING IS IN SESSION OR SWITCH THEM TO VIBRATE AND ANSWER CALLS AFTER LEAVING THE ROOM.**