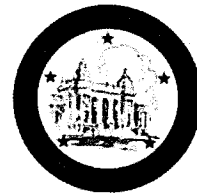


**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM: 3.15  
(ID # 11370)

**MEETING DATE:**

Tuesday, February 11, 2020

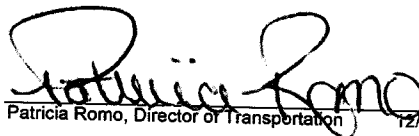
**FROM:** ECONOMIC DEVELOPMENT AGENCY (EDA) AND TLMA-Transportation:

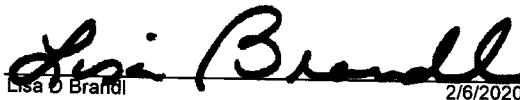
**SUBJECT:** ECONOMIC DEVELOPMENT AGENCY (EDA) AND TRANSPORTATION AND LAND MANAGEMENT AGENCY (TLMA) - TRANSPORTATION DEPARTMENT: Resolution No. 2020-001, Notice of Intention to Adopt a Resolution of Necessity for the North Indian Canyon Drive Widening Project in the Palm Springs and Desert Hot Springs area, CEQA Exempt; District 5; [Total Cost - \$0] - (Clerk to Send Notice to Property Owners) (Set a public hearing on March 10, 2020)

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

1. Approve Resolution No. 2020-001, Notice of Intention to Adopt a Resolution of Necessity for the North Indian Canyon Drive Widening Project;
2. Set a public hearing on March 10, 2020, for the Adoption of Resolution No. 2020-002, for the North Indian Canyon Drive Widening Project;
3. Direct the Clerk of the Board to send out the required notice to the property owners as required per Section 1245.235 of the Code of Civil Procedure.

**ACTION: 4/5 Vote Required, Set for Hearing**

  
Patricia Romo, Director of Transportation 12/31/2019


  
Lisa O Brandl 2/6/2020

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Jeffries, seconded by Supervisor Spiegel and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and is set for hearing on Tuesday, March 10, 2020 at 9:30 a.m. or as soon as possible thereafter.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt  
Nays: None  
Absent: None  
Date: February 11, 2020  
xc: EDA, Transp., COB

Kecia R. Harper  
Clerk of the Board  
By:   
Deputy

**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:</b>	2019/20

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

**BACKGROUND:**

**Summary**

The County of Riverside, in coordination with the cities of Palm Springs and Desert Hot Springs and the Coachella Valley Association of Governments (CVAG) is proposing to widen and resurface North Indian Canyon Drive between 20<sup>th</sup> Avenue and Dillon Road to four lanes, widen the shoulders and install a new traffic signal at the intersection of North Indian Canyon Drive and Dillon Road. See Exhibit A for Vicinity Map.

North Indian Canyon Drive is a major north/south roadway that provides connectivity to Interstate 10 and State Route 62 in the cities and communities near Palm Springs and Desert Hot Springs. The proposed North Indian Canyon Drive Road Widening Project will greatly improve traffic conditions, reduce delays and accommodate future growth in the region.

On January 9, 2018, the Board approved M.O. 3.32 and adopted the Final Initial Study with Mitigated Negative Declaration and approved the North Indian Canyon Drive Road Widening Project. The County has determined that the proposed Project will not have a significant effect on the environment.

The project was split into two phases in order to construct the widening as soon as possible. North Indian Canyon Drive widening between 20<sup>th</sup> Avenue and 18<sup>th</sup> Avenue was Phase one and construction has been complete. Phase two is the installation of a new signal and intersection improvements at North Indian Canyon Drive and construction of this phase is expected to begin in late 2020.

The Economic Development Agency-Real Estate Division (EDA-RE) has presented written offers to the property owners as required by Government Code section 7267.2. The amount of the offers is consistent with current property values in the Palm Springs and Desert Hot Springs area and is based upon fair market value appraisal reports. EDA-RE has also offered to pay the reasonable costs, not-to-exceed \$5,000, for independent appraisals obtained by the property owners as required by Code of Civil Procedure section 1263.025.

Settlement has been reached with the following property owners and in the escrow process.

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

However, staff recommends including these properties due to any unforeseen delays to close escrow and obtaining possession of the needed portion of the property.

Assessor's Parcel Number (portion)	Parcel Nos.	Owner(s)
666-110-018 666-110-021	0089-004A	Michael Dacolias, an unmarried man

Negotiations are still ongoing with the property owners listed below for the property rights needed for the Project. RCTD and EDA-RE will continue to conduct in good faith its negotiations with the property owners to reach a mutually-agreed upon settlement.

Assessor's Parcel Number (portion)	Parcel No.	Owner(s)
666-240-001	0089-009A	Hung Viet Vu and Amy Tran, husband and wife as joint tenants as to an undivided 62.50% interest and Lee Nguyen and Huong Mai Nguyen, husband and wife as joint tenants, as to an undivided 37.50% interest as tenants in common.

The Subject Notice of Intention would set a public hearing on March 10, 2020, for the proposed adoption of Resolution No. 2020-002 of the North Indian Canyon Drive Widening Project. The scheduling of a Resolution of Necessity hearing on March 10, 2020 is needed in order to permit the North Indian Canyon Drive Widening Project to move forward.

The County is authorized to acquire property by eminent domain under Article 1, Section 19 of the California Constitution and pursuant to various statutes including Government Code Section 25350.5, Streets and Highway Code Section 760 and Code of Civil Procedure section 1240.010, 1240.020, 1240.030, 1240.040, 1240.110, 1240.120, 1240.130, 1240.240, 1240.310, 240.320, 1240.350, 1240.410, 12450.510, and 1240.610.

**Impact on Residents and Businesses**

The proposed North Indian Canyon Drive Road Widening Project will greatly improve traffic conditions, reduce delay, and accommodate future growth in the region.

**Additional Fiscal Information**

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

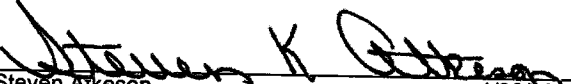
Right of Way Acquisition and Temporary Construction Access (Deposits to the State Condemnation Fund)	\$49,500
Litigation Guarantees	\$2,250
EDA-RE Real Property Staff Time (Condemnation process)	\$10,000
<b>Total Estimated Costs</b>	<b>\$61,750</b>

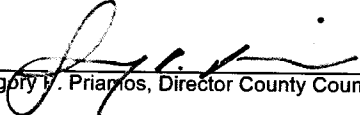
**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

All costs associated with the deposits of these properties are fully funded by CVAG in Transportation Department's budget for FY 2019/20. No net County costs will be incurred as a result of this transaction. These charges are estimates only and only actual amounts will be charged to the project.

**Attachments:**

- Exhibit A - Vicinity Map
- Resolution No. 2020-001 (with legals and plats)

  
Steven Atkeson 1/30/2020

  
Gregory V. Priamos, Director County Counsel 1/6/2020

2 **Resolution No. 2020-001**

3 **Notice of Intention to Adopt a Resolution of Necessity for the North Indian**  
4 **Canyon Drive Widening Project in the Palm Springs and Desert Hot Springs area**

5  
6 **WHEREAS**, the portion of real properties that are the subject of this Notice  
7 (collectively the "Subject Properties") are located in the communities of Palm Springs  
8 and Desert Hot Springs, County of Riverside, State of California, are legally described  
9 and pictorially depicted on the documents attached hereto as Exhibit "A" and Exhibit  
10 "B" (and incorporated herein by this reference), are referenced as Parcel Nos. 0089-  
11 004A, 0089-008A and 0089-009A and are portions of larger real properties in all cases;

12 **WHEREAS**, the Subject Properties, and the corresponding Assessor's Parcel  
13 Number(s) of which they are a part, are listed below in Table One;

14

15 TABLE ONE	
16 Assessor's Parcel Number(s)	Parcel Nos.
17 (portion)	
18 666-110-018	0089-004A
666-110-021	
19 666-201-005	0089-008A
20 666-240-001	0089-009A

21 **WHEREAS**, the County in coordination with the Cities of Palm Springs and  
22 Desert Hot Springs and the Coachella Valley Association of Governments is proposing  
23 to widen and resurface North Indian Canyon Drive between 20<sup>th</sup> Avenue and Dillon  
24 Road to four lanes, widen the shoulders and install new traffic signals (the "Project");

25 **WHEREAS**, the Project will greatly improve traffic conditions, reduce delays and  
26 accommodate future growth in the region;

27  
28 02.11.2020 3.15

FORM APPROVED BY COUNTY COUNSEL  
BY: GREGORY GU  
DATE: 02/11/2020



1 Now, therefore, **BE IT RESOLVED AND ORDERED** as follows by the Board of  
2 Supervisors of Riverside County, State of California, in regular session assembled on  
3 February 11, 2020.

4 1. YOU ARE HEREBY NOTIFIED that this Board (at its public hearing on  
5 March 10, 2020, at 9:00 a.m. in the meeting room of the Board of Supervisors located  
6 on the 1<sup>st</sup> floor of the County Administrative Center, 4080 Lemon Street, Riverside,  
7 California) may decide to adopt a Resolution of Necessity that would authorize the  
8 County of Riverside to acquire the Subject Property Interests by eminent domain (and  
9 that would find and determine each of the following matters):

10 (a) That the public interest and necessity require the Project;

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

13 (c) That the Subject Property Interests are necessary for the Project;

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

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

22 2. If (within 15 days from the mailing of this Notice) you file a written request  
23 to appear at the public hearing and be heard on the matters described above in 1(a),  
24 1(b), 1(c), 1(d), 1(e), (or any one or more of them), you will have a right to appear at  
25 that meeting and be heard on those matters.

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

28

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

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

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

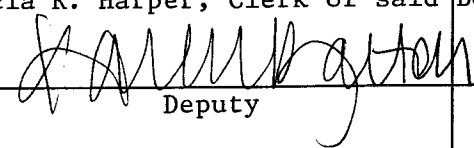
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12  
13 MT:ar/121019/463TR/20.917

14  
15 ROLL CALL:

16 Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt  
17 Nays: None  
18 Absent: None

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

21 Kecia R. Harper, Clerk of said Board

22 By   
23 Deputy



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EXHIBIT "A"  
LEGAL DESCRIPTION  
0089-004A

BEING A PORTION OF PARCEL 1 AND PARCEL 3 AS DESCRIBED BY GRANT DEED RECORDED MAY 08, 2014, AS DOCUMENT NUMBER 2014-0169254, OFFICIAL RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN THE SOUTH ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 4 EAST SAN BERNARDINO MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING AT THE EAST ONE-QUARTER CORNER OF SAID SECTION 10, BEING THE INTERSECTION OF THE CENTERLINE OF NORTH INDIAN CANYON DRIVE, (40.00 FOOT WESTERLY HALF-WIDTH) AS DESCRIBED BY OFFICIAL RECORD BOOK 91, PAGE 333, RECORDED OCTOBER 25, 1932, SAID OFFICIAL RECORDS, AND DILLON ROAD (55.00 FOOT NORTHERLY HALF-WIDTH) AS DESCRIBED BY INSTRUMENT NO. 70656, RECORDED JUNE 9, 1964, SAID OFFICIAL RECORDS;**

THENCE NORTH 00°53'10" EAST ALONG SAID CENTERLINE OF NORTH INDIAN CANYON DRIVE, A DISTANCE OF 314.13 FEET TO THE POINT OF INTERSECTION WITH THE NORTH LINE OF SAID SOUTH ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 10;

THENCE NORTH 89°51'50" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 40.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID NORTH INDIAN CANYON DRIVE, BEING THE TRUE POINT OF BEGINNING;

THENCE SOUTH 00°53'10" WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 259.22 FEET TO THE POINT OF INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID DILLON ROAD;

THENCE SOUTH 89°59'28" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 291.36 FEET TO THE POINT OF INTERSECTION WITH THE EAST LINE OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 10, SAID POINT OF INTERSECTION ALSO BEING AN ANGLE POINT IN SAID NORTHERLY RIGHT-OF-WAY LINE;

THENCE SOUTH 00°48'13" WEST ALONG SAID EAST LINE, A DISTANCE OF 15.00 FEET TO AN ANGLE POINT IN THE NORTHERLY RIGHT-OF-WAY LINE OF SAID DILLON ROAD (40.00 FOOT NORTHERLY HALF-WIDTH) AS DESCRIBED BY INSTRUMENT NO. 8234, RECORDED FEBRUARY 4, 1958, SAID OFFICIAL RECORDS;

EXHIBIT "A"  
LEGAL DESCRIPTION  
0089-004A

THENCE SOUTH 89°59'28" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE (40.00 FOOT NORTHERLY HALF-WIDTH), A DISTANCE OF 331.34 FEET TO A POINT ON THE WEST LINE OF SAID SOUTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 10;

THENCE NORTH 00°43'18" EAST ALONG SAID WEST LINE, A DISTANCE OF 20.00 FEET TO A POINT ON A LINE PARALLEL WITH AND DISTANT 60.00 FEET NORTHERLY OF, AS MEASURED AT RIGHT ANGLES TO SAID CENTERLINE OF DILLON ROAD;

THENCE NORTH 89°59'28" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 589.65 FEET;

THENCE NORTH 43°35'43" EAST, A DISTANCE OF 34.03 FEET TO A POINT ON A LINE PARALLEL WITH AND DISTANT 50.00 FEET WESTERLY OF, AS MEASURED AT RIGHT ANGLES TO SAID CENTERLINE OF NORTH INDIAN CANYON DRIVE;

THENCE NORTH 00°53'10" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 229.60 FEET TO A POINT ON SAID NORTH LINE OF THE SOUTH ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 10;

THENCE SOUTH 89°51'50" EAST ALONG SAID NORTH LINE, A DISTANCE OF 10.00 FEET TO THE TRUE POINT OF BEGINNING;

PARCEL CONTAINS 10,911 SQUARE FEET, OR 0.250 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 1.000026580 TO OBTAIN GROUND DISTANCE.

EXHIBIT "B" ATTACHED HERETO AND MADE A PART THEREOF, BY THIS REFERENCE.

PREPARED UNDER MY SUPERVISION:

  
DAVID L. McMILLAN, P.L.S. 8488

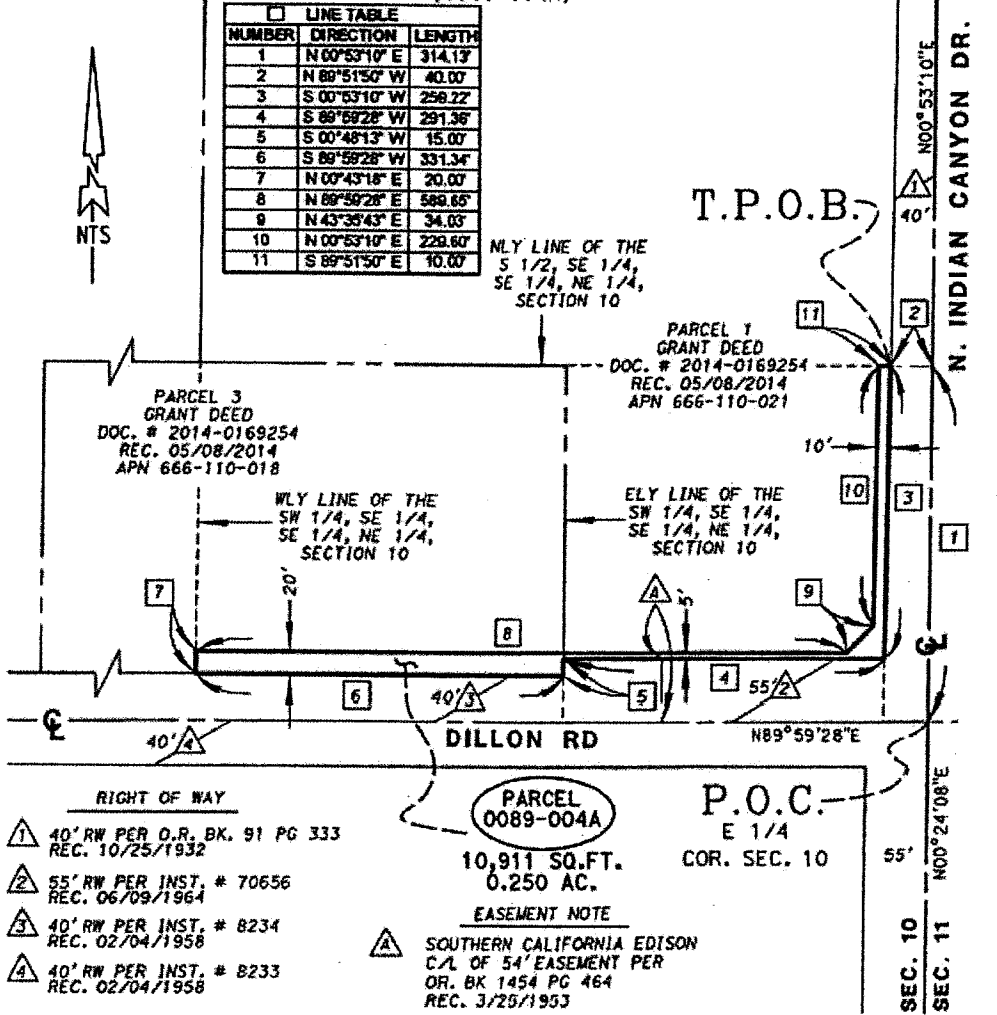
1-30-2019  
DATED:



# EXHIBIT "B"

(0089-004A)

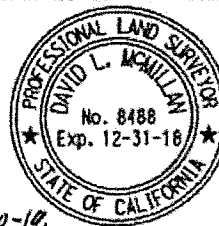
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2	N 89°51'50" W	40.00
3	S 00°53'10" W	258.22
4	S 89°59'28" W	291.36
5	S 00°48'13" W	15.00
6	S 89°59'28" W	331.34
7	N 00°43'18" E	20.00
8	N 89°59'28" E	589.65
9	N 43°33'43" E	34.03
10	N 00°53'10" E	229.60
11	S 89°51'50" E	10.00



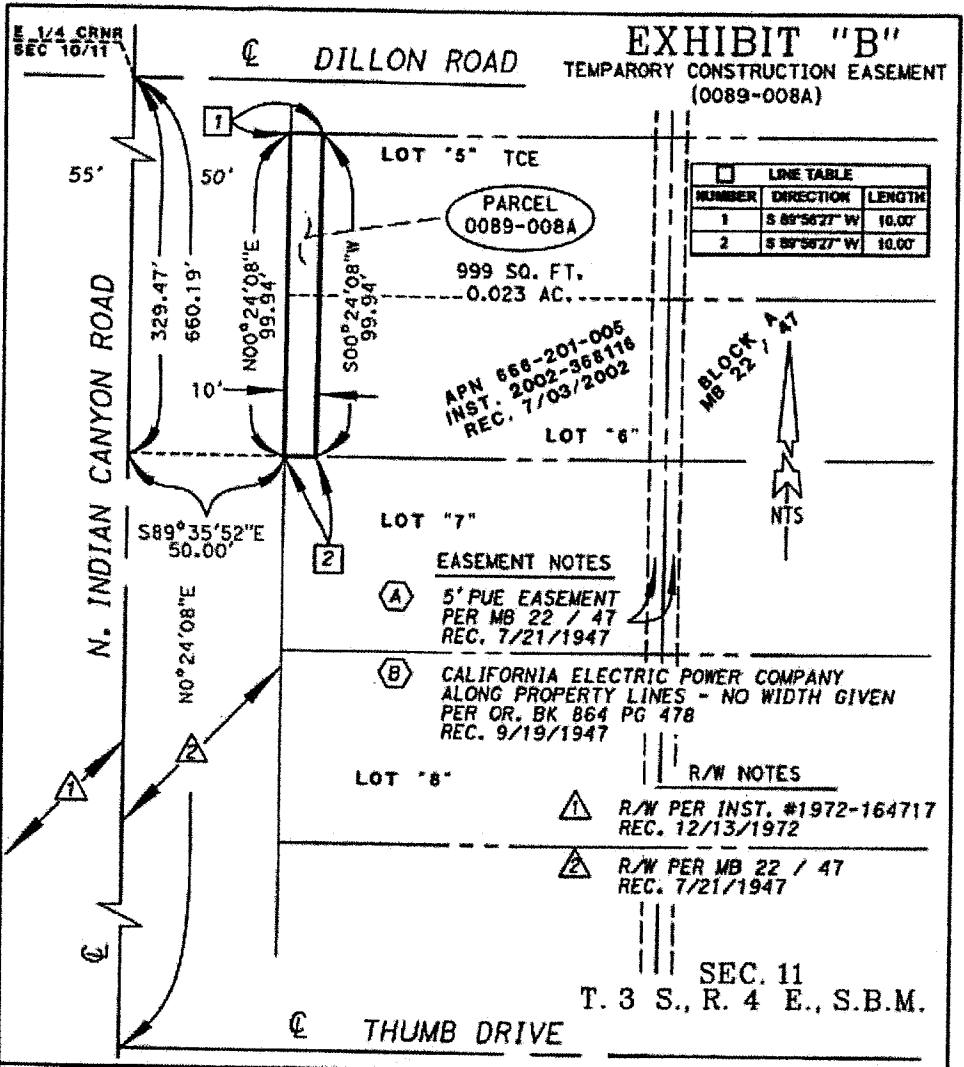
## SECTION 10, T. 3 S., R. 4 E., S.B.M.

ALL DISTANCES SHOWN ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY MULTIPLYING THE GRID DISTANCE BY A COMBINATION FACTOR OF 1.000026580

PCL No.: 0089-004A	COUNTY OF RIVERSIDE TRANSPORTATION DEPARTMENT, SURVEY DIVISION
WO No.: C6-0089	PROJECT: NORTH INDIAN CANYON DRIVE WIDENING
SCALE: NTS	THIS PLAT IS AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE PRECEDING DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DESCRIPTION.
PREPARED BY: HF / DK	APPROVED BY:
DATE: JANUARY, 2018	DATE: 1-30-18
SHEET 1 OF 1	




**Parcel No. 0089-008A**



ALL DISTANCES SHOWN ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY MULTIPLYING THE GRID DISTANCE BY A COMBINATION FACTOR OF 1.000026580

PCL No.: 0089-008A  
 WO No.: C6-0089  
 SCALE: NTS  
 PREPARED BY: DK  
 DATE: JANUARY, 2018  
 SHEET 1 OF 1

COUNTY OF RIVERSIDE TRANSPORTATION DEPARTMENT,  
 SURVEY DIVISION  
 PROJECT: NORTH INDIAN CANYON DRIVE WIDENING  
THIS PLAT IS AN AID IN LOCATING THE PARCELS DESCRIBED IN THE PRECEDING DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DESCRIPTION.  
 APPROVED BY:  DATE: 1-30-18

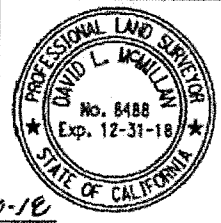


EXHIBIT "A"  
LEGAL DESCRIPTION  
0089-009A

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED BY GRANT DEED RECORDED JUNE 30, 2005 AS DOCUMENT NUMBER 2005-0521004, OFFICIAL RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN THE NORTH ONE-HALF OF THE NORTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 11, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SAN BERNARDINO MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF NORTH INDIAN CANYON DRIVE (40.00 FOOT EASTERLY HALF-WIDTH) AS DESCRIBED BY DEED BOOK 146, PAGES 26 THROUGH 29, INCLUSIVE, RECORDED NOVEMBER 8, 1933, AND THE CENTERLINE OF TEAGARDEN DRIVE (30.00 FOOT SOUTHERLY HALF-WIDTH) AS DESCRIBED BY DEED BOOK 2381, PAGE 314, RECORDED DECEMBER 15, 1958, BOTH SAID OFFICIAL RECORDS;

THENCE SOUTH  $00^{\circ}24'08''$  WEST ALONG THE NORTH - SOUTH CENTER OF SECTION LINE FOR SAID SECTION 11, BEING SAID CENTERLINE OF NORTH INDIAN CANYON DRIVE, A DISTANCE OF 29.44' FEET;

THENCE SOUTH  $89^{\circ}35'52''$  EAST, A DISTANCE OF 40.00 FEET TO THE POINT OF INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF SAID NORTH INDIAN CANYON DRIVE AND THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID TEAGARDEN DRIVE, SAID POINT OF INTERSECTION BEING THE TRUE POINT OF BEGINNING;

THENCE NORTH  $89^{\circ}35'52''$  EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 15.00 FEET;

THENCE SOUTH  $44^{\circ}59'45''$  WEST, A DISTANCE OF 14.24 FEET TO A POINT ON A LINE PARALLEL WITH AND DISTANT 45.00 FEET EASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF NORTH INDIAN CANYON DRIVE;

THENCE SOUTH  $00^{\circ}24'08''$  WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 290.21' TO THE SOUTHERLY LINE OF SAID DOCUMENT NUMBER 2005-0521004;

THENCE SOUTH  $89^{\circ}33'30''$  WEST ALONG SAID SOUTHERLY LINE, A DISTANCE OF 5.00' FEET TO A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE;

EXHIBIT "A"  
LEGAL DESCRIPTION  
0089-009A

THENCE NORTH 00°24'08" EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A  
DISTANCE OF 300.21 FEET TO THE TRUE POINT OF BEGINNING;

PARCEL CONTAINS 1,551 SQUARE FEET, OR 0.036 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 1.000026580 TO OBTAIN GROUND DISTANCE.

EXHIBIT "B" ATTACHED HERETO AND MADE A PART THEREOF BY THIS  
REFERENCE.

PREPARED UNDER MY SUPERVISION:

  
TIMOTHY F. RAYBURN, P.L.S. 8455

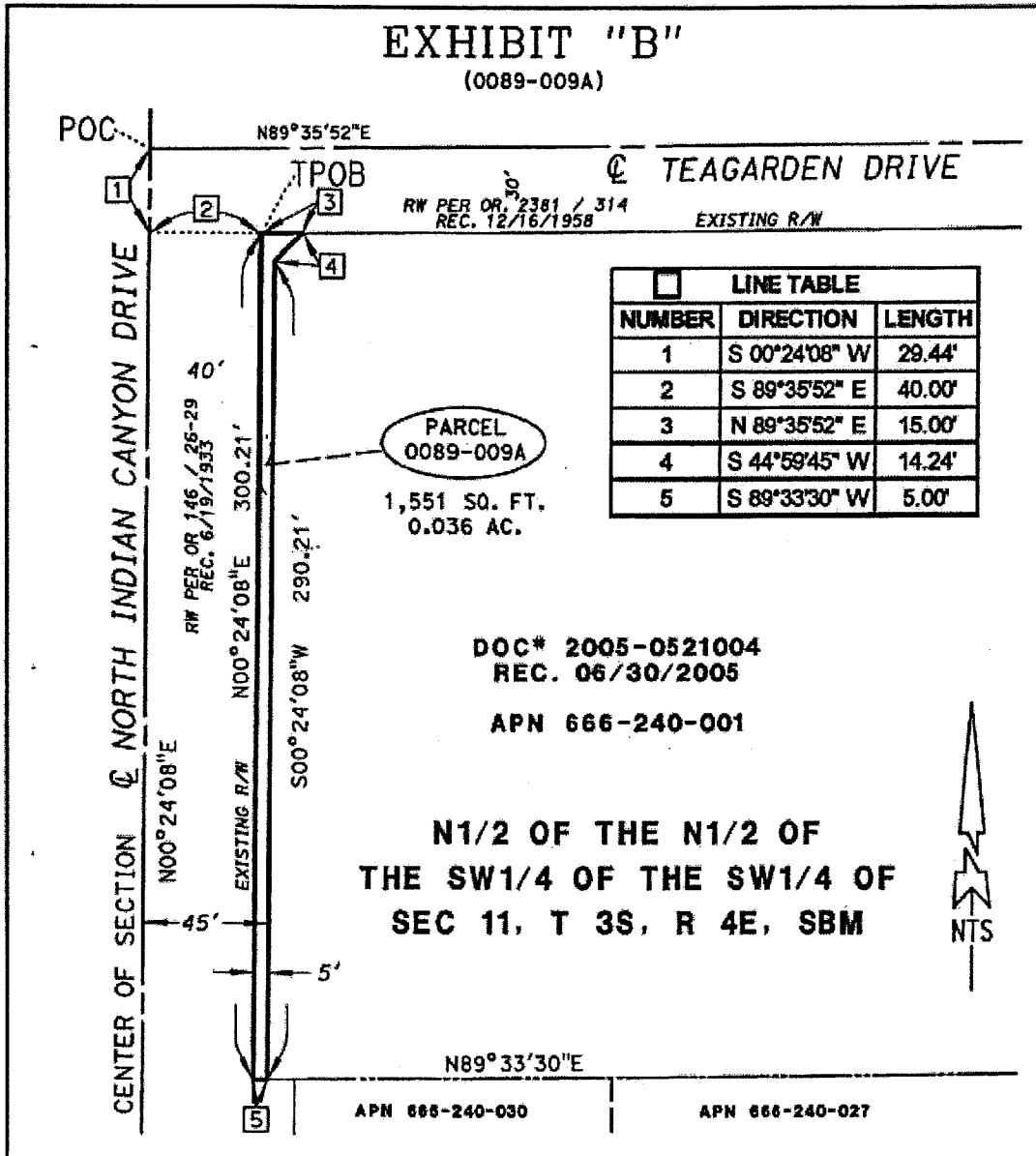
9/19/2019  
DATED:





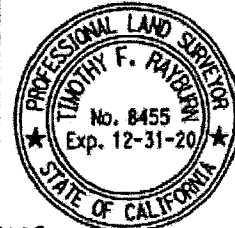
# EXHIBIT "B"

(0089-009A)



ALL DISTANCES SHOWN ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY MULTIPLYING THE GRID DISTANCE BY A COMBINATION FACTOR OF 1.000026580

PCL No.: 0089-009A	COUNTY OF RIVERSIDE TRANSPORTATION DEPARTMENT, SURVEY DIVISION
WD No.: C6-0089	PROJECT: NORTH INDIAN CANYON DRIVE WIDENING
SCALE: NTS	THIS PLAT IS AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE PRECEDING DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DESCRIPTION.
PREPARED BY: JAL	
DATE: SEPTEMBER, 2019	
SHEET 1 OF 1	APPROVED BY: <i>Jonathan F. Ray</i> DATE: 9/10/2019





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 R. HARPER**  
Clerk of the Board of Supervisors

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

February 11, 2020

Hung Viet Vu and Amy Tran  
Lee Nguyen and Huong Mai Nguyen  
14108 Locust Street  
Westminster, CA 92683

Re: Resolution No. 2020-001, Notice of Intention to Adopt a Resolution of Necessity for the North Indian Canyon Drive Road Widening Project in the Palm Springs and Desert Hot Springs Area Parcel No. 0089-009A

Dear Property Owners:

The County of Riverside, in coordination with the Cities of Palm Springs and Desert Hot Springs and the Coachella Valley Association of Governments (CVAG) is proposing to widen and resurface North Indian Canyon Drive between 20<sup>th</sup> Avenue and Dillon Road to four lanes (Project). The proposed project includes widening the road shoulders and the installation of a new traffic signal at the intersection of North Indian Canyon Drive and Dillon Road.

North Indian Canyon Drive is a major north/south roadway that provides connectivity to Interstate 10 and State Route 62 in the cities and communities near Palm Springs and Desert Hot Springs. The proposed North Indian Canyon Drive Road Widening Project will greatly improve traffic conditions, reduce delays and accommodate future growth in the region.

As you aware, it has been determined the Project may require the acquisition of a permanent easement for road purposes in the above-referenced real property. This letter is sent as you are named as the property owners listed on the County's assessment rolls.

As required by the California Eminent Domain Law, an amended written offer to acquire the needed property interest as well as the Summary Basis of Valuation Statement were submitted to you on September 20, 2019. As of the date of this letter, no significant progress has been made toward reaching a mutually acceptable agreement to acquire the property as identified as Parcel No. 0089-009A (permanent easement). Since time is of the essence, Riverside County Transportation Department (RCTD) and the Economic Development Agency (EDA)-Real Estate Division staff will recommend to the County Board of Supervisors that it consider the adoption of a Resolution of Necessity to acquire the permanent easement interest in the property through an eminent domain proceeding.

The County Board of Supervisors will hold a public hearing to decide whether or not to adopt a Resolution of Necessity to acquire the permanent easement interest in the real property through eminent domain proceedings. Enclosed please find the Notice of Public Hearing which is scheduled for March 10, 2020. You will be given an opportunity to appear before the Board and be heard on the necessity of acquiring the property by condemnation. The law provides that if you intend to appear and be heard, you must give

the County notice fifteen (15) days prior to the hearing date or you waive your right to appear and be heard. However, it is the County's practice that anyone may appear on the day of the hearing, fill out a speaker's card and be heard on the matter.

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:

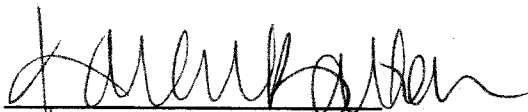
Ms. Kecia R. Harper  
Clerk to the Board of Supervisors  
County Administrative Center  
PO Box 1147  
4080 Lemon Street, 1<sup>st</sup> Floor  
Riverside, California 92502-1147

RCTD and EDA-Real Estate will continue to conduct in good faith its negotiations with you in an effort to reach a mutually agreeable right-of-way acquisition agreement. Stephi Villanueva of EDA-Real Estate staff is available to meet with you to continue discussions of the acquisition of right-of-way needed for the Project on a mutually acceptable basis.

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 email at [svillanueva@rivco.org](mailto:svillanueva@rivco.org).

Thank you.

Sincerely,



Karen Barton, Deputy Clerk of the Board to:  
KECIA R. HARPER  
Clerk of the Board

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REQUEST TO APPEAR AND BE HEARD ON THE MATTERS REFERRED TO IN RESOLUTION NO. 2020-001 NOTICE OF INTENTION TO ADOPT A RESOLUTION OF NECESSITY FOR THE NORTH INDIAN CANYON DRIVE WIDENING PROJECT IN THE PALM SPRINGS AND DESERT HOT SPRINGS AREA

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

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

\_\_\_\_\_

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

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

\_\_\_\_\_

(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 R. HARPER**  
Clerk of the Board of Supervisors

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

February 11, 2020

Hung Viet Vu and Amy Tran  
Lee Nguyen and Huong Mai Nguyen  
5402 W. Lucky Way  
Santa Ana, California 92704

Re: Resolution No. 2020-001, Notice of Intention to Adopt a Resolution of Necessity for the North Indian Canyon Drive Road Widening Project in the Palm Springs and Desert Hot Springs Area Parcel No. 0089-009A

Dear Property Owners:

The County of Riverside, in coordination with the Cities of Palm Springs and Desert Hot Springs and the Coachella Valley Association of Governments (CVAG) is proposing to widen and resurface North Indian Canyon Drive between 20<sup>th</sup> Avenue and Dillon Road to four lanes (Project). The proposed project includes widening the road shoulders and the installation of a new traffic signal at the intersection of North Indian Canyon Drive and Dillon Road.

North Indian Canyon Drive is a major north/south roadway that provides connectivity to Interstate 10 and State Route 62 in the cities and communities near Palm Springs and Desert Hot Springs. The proposed North Indian Canyon Drive Road Widening Project will greatly improve traffic conditions, reduce delays and accommodate future growth in the region.

As you aware, it has been determined the Project may require the acquisition of a permanent easement for road purposes in the above-referenced real property. This letter is sent as you are named as the property owners listed on the County's assessment rolls.

As required by the California Eminent Domain Law, an amended written offer to acquire the needed property interest as well as the Summary Basis of Valuation Statement were submitted to you on September 20, 2019. As of the date of this letter, no significant progress has been made toward reaching a mutually acceptable agreement to acquire the property as identified as Parcel No. 0089-009A (permanent easement). Since time is of the essence, Riverside County Transportation Department (RCTD) and the Economic Development Agency (EDA)-Real Estate Division staff will recommend to the County Board of Supervisors that it consider the adoption of a Resolution of Necessity to acquire the permanent easement interest in the property through an eminent domain proceeding.

The County Board of Supervisors will hold a public hearing to decide whether or not to adopt a Resolution of Necessity to acquire the permanent easement interest in the real property through eminent domain proceedings. Enclosed please find the Notice of Public Hearing which is scheduled for March 10, 2020. You will be given an opportunity to appear before the Board and be heard on the necessity of acquiring the property by condemnation. The law provides that if you intend to appear and be heard, you must give the County notice fifteen (15) days prior to the hearing date or you waive your right to appear and be

heard. However, it is the County's practice that anyone may appear on the day of the hearing, fill out a speaker's card and be heard on the matter.

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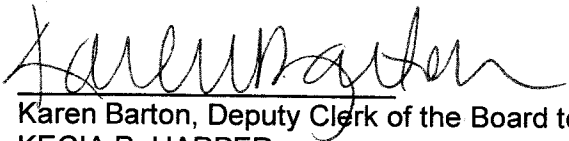
Ms. Kecia R. Harper  
Clerk to the Board of Supervisors  
County Administrative Center  
PO Box 1147  
4080 Lemon Street, 1<sup>st</sup> Floor  
Riverside, California 92502-1147

RCTD and EDA-Real Estate will continue to conduct in good faith its negotiations with you in an effort to reach a mutually agreeable right-of-way acquisition agreement. Stephi Villanueva of EDA-Real Estate staff is available to meet with you to continue discussions of the acquisition of right-of-way needed for the Project on a mutually acceptable basis.

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 email at [svillanueva@rivco.org](mailto:svillanueva@rivco.org).

Thank you.

Sincerely,



Karen Barton, Deputy Clerk of the Board to:  
KECIA R. HARPER  
Clerk of the Board

---

REQUEST TO APPEAR AND BE HEARD ON THE MATTERS REFERRED TO IN RESOLUTION NO. 2020-001 NOTICE OF INTENTION TO ADOPT A RESOLUTION OF NECESSITY FOR THE NORTH INDIAN CANYON DRIVE WIDENING PROJECT IN THE PALM SPRINGS AND DESERT HOT SPRINGS AREA

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

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

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

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

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(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 R. HARPER**  
Clerk of the Board of Supervisors

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

February 11, 2020

Michael Dacolias  
PO BOX 291  
Desert Hot Springs, CA 92240

18600 Ford Ave  
Desert Hot Springs, CA 92241

Re: Resolution No. 2020-001, Notice of Intention to Adopt a Resolution of Necessity for the North Indian Canyon Drive Road Widening Project in the Palm Springs and Desert Hot Springs Area Parcel No. 0089-004A

Dear Property Owner:

The County of Riverside, in coordination with the Cities of Palm Springs and Desert Hot Springs and the Coachella Valley Association of Governments (CVAG) is proposing to widen and resurface North Indian Canyon Drive between 20<sup>th</sup> Avenue and Dillon Road to four lanes (Project). The proposed project includes widening the road shoulders and the installation of a new traffic signal at the intersection of North Indian Canyon Drive and Dillon Road.

North Indian Canyon Drive is a major north/south roadway that provides connectivity to Interstate 10 and State Route 62 in the cities and communities near Palm Springs and Desert Hot Springs. The proposed North Indian Canyon Drive Road Widening Project will greatly improve traffic conditions, reduce delays and accommodate future growth in the region.

As you aware, it has been determined the Project may require the acquisition of a permanent easement for road purposes (Parcel No. 0089-004A) in the above-referenced real property. This letter is sent as you are named as the property owners listed on the County's assessment rolls.

Although the County has reached settlement, this letter is sent to you a) due to any potential unforeseen delays in the escrow process and/or b) documents are in the approval process.

Since time is of the essence, RCTD and the Economic Development Agency-Real Estate Division staff will recommend to the County Board of Supervisors that it consider the adoption of a Resolution of Necessity to acquire the permanent easement interest in the property through an eminent domain proceeding. EDA-Real Estate will continue to work with you in good faith in an effort to close the escrow. If escrow is closed during the notification period and the public hearing, the County will not deem it necessary to continue with legal proceedings.



The County Board of Supervisors will hold a public hearing to decide whether or not to adopt a Resolution of Necessity to acquire the permanent easement interest in the real property through eminent domain proceedings. Enclosed please find the Notice of Public Hearing which is scheduled for March 10, 2020. You will be given an opportunity to appear before the Board and be heard on the necessity of acquiring the property by condemnation. The law provides that if you intend to appear and be heard, you must give the County notice fifteen (15) days prior to the hearing date or you waive your right to appear and be heard. However, it is the County's practice that anyone may appear on the day of the hearing, fill out a speaker's card and be heard on the matter.

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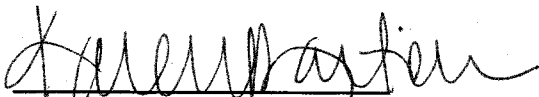
Ms. Kecia R. Harper  
Clerk to the Board of Supervisors  
County Administrative Center  
PO Box 1147  
4080 Lemon Street, 1<sup>st</sup> Floor  
Riverside, California 92502-1147

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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 email at [svillanueva@rivco.org](mailto:svillanueva@rivco.org).

Thank you.

Sincerely,



Karen Barton, Deputy Clerk of the Board to:  
KECIA R. HARPER  
Clerk of the Board

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REQUEST TO APPEAR AND BE HEARD ON THE MATTERS REFERRED TO IN RESOLUTION NO.  
2020-001 NOTICE OF INTENTION TO ADOPT A RESOLUTION OF NECESSITY FOR THE NORTH  
INDIAN CANYON DRIVE WIDENING PROJECT IN THE PALM SPRINGS AND DESERT HOT SPRINGS  
AREA

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

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

\_\_\_\_\_

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

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

---

(Signature)

**DECLARATION OF MAILING OF**

**RESOLUTION NO. 2020-001, NOTICE OF INTENTION TO ADOPT A RESOLUTION OF NECESSITY FOR THE NORTH INDIAN CANYON DRIVE WIDENING PROJECT IN THE PALMS SPRINGS AND DESERT HOT SPRINGS AREA, FIFTH DISTRICT**

I, KAREN BARTON, Deputy Clerk of the Board, hereby declare as follows:

That on February 13, 2020, I served by mail (1) a copy of Resolution No. 2020-001, Notice of Intention to Adopt a Resolution of Necessity for the North Indian Canyon Drive Widening Project in the Palm Springs and Desert Hot Springs area; (2) the original of the letter dated February 11, 2020 from the Clerk of the Board of Supervisors to the following property owners as mentioned below; and (3) a copy of Exhibit "A" and "B" attached to Resolution 2020-001, by depositing said copies enclosed in a sealed envelope, in the United States Postal Service mailbox at the City of Riverside, California.

Hung Viet Vu and Amy Tran  
Lee Nguyen and Huong Mai Nguyen  
14108 Locust Street  
Westminster, CA 92683  
**Article#:** 7013 0600 0001 1305 5482

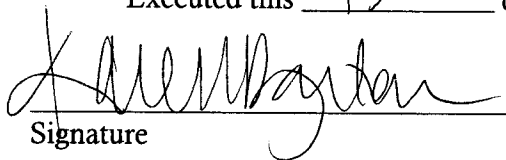
Hung Viet Vu and Amy Tran  
Lee Nguyen and Huong Mai Nguyen  
5402 W. Lucky Way  
Santa Ana, CA 92704  
**Article#:** 7013 0600 0001 1305 5451

Michael Dacolias  
18600 Ford Avenue  
Desert Hot Springs, CA 92241  
**Article#:** 7013 0600 0001 1305 5468

Michael Dacolias  
P.O. Box 291  
Desert Hot Springs, CA 92240  
**Article#:** 7013 0600 0001 1305 5475

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

Executed this 13<sup>th</sup> day of February, 2020 at Riverside County, California.

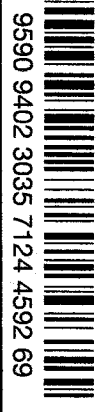
  
\_\_\_\_\_  
Signature

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

Hung Viet Vu & Army Team  
 Lee Nguyen & Hong Mi Nguyen  
 5402 W. Wely Way  
 Santa Ana, CA 92704



2. Article Number (Transfer from service label)

013 0600 0001 1305 5451

Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Agent  
 Addressee

B. Received by (Printed Name)

X

C. Date of Delivery

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

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt



USPS TRACKING



9590 9402 3035 7124 4592 69

First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

RIVERSIDE COUNTY  
BOARD OF SUPERVISORS

20

United States  
Postal Service

• Sender: Please print your name, address, and ZIP code in this box\*

9:56

CLERK OF THE BOARD  
P. O. BOX 1147  
RIVERSIDE, CA. 92502-1147

ATTN: Karen Barton



SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

Hung Viet Vu & Amy Tran  
 Lee Nguyen & Hung Mai Nguyen  
 14108 Locust Street  
 Westminster, CA 92683



2. Article Number (Transfer from service label)

7013 0500 0001 1305 5482

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

*[Handwritten Signature]*

Agent  
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

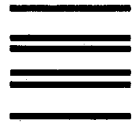
D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type

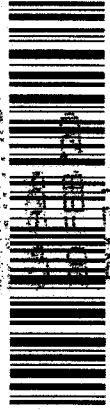
- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Registered Mail
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation
- Signature Confirmation Restricted Delivery

Domestic Return Receipt

First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10



USPS TRACKING #



9590 9402 3035 7124 4592 2J

United States  
Postal Service

RECEIVED  
CLERK

2020

• Sender: Please print your name, address, and ZIP code in this box.

RECEIVED RIVERSIDE COUNTY  
CARD OF SUPERVISORS

FEB 25 AM 11:47

CLERK OF THE BOARD  
P. O. BOX 1147  
RIVERSIDE, CA. 92502-1147

ATTENTION: Clerk of the Board