

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



**ITEM: 3.38
(ID # 25719)**

MEETING DATE:
Tuesday, October 22, 2024

FROM : TLMA-TRANSPORTATION

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION: Resolution No. 2024-141, Notice of Intention to Adopt a Resolution of Necessity for the Pauba Road Widening Project in the unincorporated area of Temecula, District 3. [\$0 - Total Cost] (4/5 Vote Required, Clerk to Send Notice to Property Owner) 'CEQA Finding of Nothing Further is Required'

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve Resolution No. 2024-141 Notice of Intention to Adopt a Resolution of Necessity for the Pauba Road Widening Project in the unincorporated area in Temecula;
2. Set a public hearing on December 3, 2024, for the Public Hearing for the Adoption of Resolution No. 2024-206, Adopt Resolution of Necessity for the Pauba Road Widening Project in the unincorporated area in Temecula; and
3. Direct the Clerk of the Board to send out the required notice to the property owners as required per §1245.235 of the Code of Civil Procedure.

ACTION:4/5 Vote Required, Policy

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Gutierrez, 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 public hearing on Tuesday, December 3, 2024, at 9:30 a.m. or as soon as possible thereafter.

Ayes: Jeffries, Spiegel, Washington, Perez and Gutierrez
Nays: None
Absent: None
Date: October 22, 2024
xc: Trans., COBcf

Kimberly A. Rector
Clerk of the Board

By: 
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: NA.			Budget Adjustment: No	
			For Fiscal Year: 24/25	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The Riverside County Transportation Department (Transportation Department) proposes to widen Pauba Road from Via Del Monte Road to Calle Contento, approximately 1.1 miles in length. The road will be widened from 22 feet to 28 feet. Two paved lanes will be 12 feet with a paved shoulder width of 2 feet, a 4-foot graded shoulder to the south, and an 8-foot graded shoulder on the north to accommodate equestrian use. The project will include the following: reconstruct roadway and install hot mix asphalt over class 2 base, and drainage improvements. Additional work includes grading shoulders, adjusting manholes to grade, adjusting water valve covers, new striping, pavement markings and raised pavement markers and other associated work as required. The project will require permanent rights and temporary construction easements for proposed improvements.

Environmental Findings

The County of Riverside is the lead agency for the approval of the CEQA document for the Project. By Minute Order 3.42 dated September 10, 2024, the County of Riverside Board of Supervisors approved the Pauba Road widening project after finding that the project was Categorically exempt pursuant to the California Environmental Quality Act (CEQA) and filed a Notice of Exemption upon approval of the project. Therefore, the CEQA compliance has been completed and no further action is required.

Impact on Residents and Businesses

The proposed improvements will improve safety and traffic operations by eliminating the hazards associated with narrow roadway. The project will replace existing deteriorated pavement with new hot mix asphalt to provide the public with a smooth paved roadway that will improve the safety and efficiency of vehicular traffic.

The work is scheduled to begin in early 2025. The work will be phased to keep the road open during construction as much as possible and will take approximately four months to complete.

The Transportation Department has presented a written offer to the property owner as required by Government Code §7267.2. The amount of the offer is consistent with current property values in the Temecula area and is based upon a fair market value appraisal report. The Transportation Department has also offered to pay the reasonable costs, not to exceed \$5,000,

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
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for an independent appraisal obtained by the property owner as required by Code of Civil Procedure §1263.025.

The Subject Notice of Intention would set a public hearing on December 3, 2024, for the proposed adoption of Resolution 2024-141 of the Pauba Road Widening Project. The scheduling of a Resolution of Necessity hearing on December 3, 2024, is needed to permit the Pauba Road Widening Project to be completed.

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 (Deposit to the State Condemnation Fund)	\$19,600.00
Litigation Guarantee	\$463.00
Independent appraisal obtained by owner	\$5,000
Transportation Department Staff Time (Condemnation process)	\$10,000
Total Estimated Costs	\$35,063

All costs associated with the deposits of these properties are fully funded by "local funds", which include the Gas Tax/SB-1, Measure A/Western, Combined Improvement Funds, and Unincorporated Communities Initiative (UCI) Funds. These costs will be included in a separate Form 11 along with the Authorizing Resolution of Necessity motion. No net County costs will be incurred as a result of this transaction. These charges are estimates and only actual amounts will be charged to the Project.

ATTACHMENTS:

- Aerial Map
- Resolution No. 2024-141
- Legal and Plats


Jason Farin, Principal Management Analyst 10/16/2024


George Trindle, Chief ASST COUNTY COUNSEL 10/3/2024

2 **Resolution No. 2024-141**

3 **Notice of Intention to Adopt a Resolution of Necessity for the Pauba Road**
4 **Widening Project in the unincorporated area of Temecula**

5
6 **WHEREAS**, the portion of real property that is subject to this Notice (collectively
7 the ("Subject Property") is located in the City of Temecula, County of Riverside, State of
8 California, is legally described on the documents attached hereto as Exhibit "A" (and
9 incorporated herein by this reference), is referenced as Parcel No. 0063-026;

10 **WHEREAS**, the Subject Property, and the corresponding Assessor's Parcel
11 Number(s) of which it is a part, are listed in table below;

Parcel Nos.	Assessor's Parcel Number(s)	Property Owner(s)
0063-026	965-250-018(portion)	Rancho California, a Partnership, composed of Temecula Investment Company, Temecula Properties, Inc., Kaiser Rancho J. Wenger

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17 **WHEREAS**, the 'Project' proposes to widen Pauba Road between Via Del Monte Road
18 northeast to Calle Contento, approximately 1.1. miles in length. The road will be widened from
19 22 feet to 28 feet. Two paved lanes will be 12 feet with a paved shoulder width of 2 feet, a 4-
20 foot graded shoulder to the south, and an 8-foot graded shoulder on the north to
21 accommodate equestrian use. The project will include the following: reconstruct roadway and
22 install hot mix asphalt over class 2 base, and drainage improvements. Additional work
23 includes grading shoulders, adjusting manholes to grade, adjusting water valve covers, new
24 striping, pavement markings and raised pavement markers and other associated work as
25 required. The project will require permanent rights and temporary construction easements for
26 the proposed improvements.

FORM APPROVED COUNTY COUNSEL
BY *B. Gordon*
BRUCE G. GORDON
DATE 10/21/24

1 **WHEREAS**, Parcel 0063-026 is a Fee Simple interest that is needed for the
2 Project;

3 **WHEREAS**, the interest in the Subject Property that is the subject of this notice is
4 identified below;

5

Project Parcel No.(s)	Fee Simple
0063-026	X

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7
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9 **WHEREAS**, the statutes that authorize the County of Riverside to acquire the
10 Subject Property Interests by eminent domain include Article 1, Section 19 of the
11 California Constitution; Government Code Section §25350.5; Section 760 of the Streets
12 and Highways Code; and Sections 1240.010, 1240.020, 1240.030, 1240.040, 1240.110,
13 1240.120, 1240.130, 1240.140, 1240.240, 1240.310, 1240.320, 1240.350, 1240.410,
14 1240.510, and 1240.610 of the Code of Civil Procedure.

15 Now, therefore, **BE IT RESOLVED AND ORDERED** as follows by the Board of
16 Supervisors of Riverside County, State of California, in regular session assembled on
17 October 22, 2024.

18 1. **YOU ARE HEREBY NOTIFIED** that this Board (at its public hearing on
19 December 3, 2024. in the meeting room of the Board of Supervisors located on the 1st
20 floor of the County Administrative Center, 4080 Lemon Street, Riverside, California) may
21 decide to adopt a Resolution of Necessity that would authorize the County of Riverside
22 to acquire the Subject Property Interests by eminent domain (and that would find and
23 determine each of the following matters):

- 24 (a) That the public interest and necessity require the Project;
- 25 (b) That the Project is planned or located in the manner that will be most
26 compatible with the greatest public good and the least private injury;
- 27 (c) That the Subject Property Interest is necessary for the Project;
- 28

1 (d) That the offers required by Government Code §Section 7267.2 of
2 the have been made to the owners of record of the Subject Property;

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

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

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

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

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

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

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3 RESOLUTION NO. 2024-141

4 NOTICE OF INTENTION TO ADOPT A RESOLUTION OF NECESSITY FOR THE PAUBA ROAD
5 WIDENING PROJECT IN THE UNINCORPORATED AREA OF TEMECULA

6
7 ROLL CALL:

8
9 Ayes: Jeffries, Washington, Spiegel, Perez, and Gutierrez

10 Nays: None

11 Absent: None

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13
14 The foregoing is certified to be a true copy of a resolution duly adopted by said Board of
15 Supervisors on the date therein set forth.

16
17 KIMBERLY A. RECTOR, Clerk of said Board

18
19 By:  _____
20 Deputy

EXHIBIT "B"

0063-026_AX



PARCEL 0063-026

3,961 SQ.FT.
0.091 AC.

□ LINE DATA

- 1 S 15°15'19" E 144.01'
(N 15°24'49" W 144.02 R2)
- 2 N 73°28'54" E 27.68
- 3 N 15°21'40" W 143.57'

○ CURVE DATA

- 4 R=3,999.61'
Δ=00°23'34"
D=27.41'
T=13.71'

ALL DISTANCES SHOWN ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY MULTIPLYING THE GRID DISTANCE BY A COMBINATION FACTOR OF 1.000097876

PCL No. 0063-026_AX

COUNTY OF RIVERSIDE TRANSPORTATION DEPARTMENT,
SURVEY DIVISION

WO No.: C9-0063

PROJECT: PAUBA ROAD 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: K.L.G.

DATE: DECEMBER, 2022

APPROVED BY: **AERIAL EXHIBIT**

SHEET 1 OF 2



NOT FOR RECORDATION

EXHIBIT "A"
LEGAL DESCRIPTION
0063-026

THAT PORTION OF RANCHO PAUBA, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, "WHICH RANCHO WAS GRANTED BY THE GOVERNMENT OF THE UNITED STATES TO LUIS VIGNES BY PATENT DATED JANUARY 19, 1860, AND RECORDED IN BOOK 1, PAGE 45 OF PATENTS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, STATE OF CALIFORNIA," DESCRIBED AS FOLLOWS;

LYING WESTERLY OF THE WESTERLY LINE OF PARCEL 1 AS SHOWN BY PARCEL MAP 10988 ON FILE IN BOOK 53 OF PARCEL MAPS, PAGES 87 AND 88, OFFICIAL RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, AND SOUTHERLY OF THE WESTERLY PROLONGATION OF THE CENTERLINE OF PAUBA ROAD, AS SHOWN THEREON; AND

LYING NORTHERLY OF THAT CERTAIN COURSE FOR LOT 28 AS SHOWN BY A MAP OF TRACT No. 12129 ON FILE IN BOOK 109 OF MAPS, PAGES 19 THROUGH 28, INCLUSIVE, SAID OFFICIAL RECORDS, SAID COURSE BEING LISTED AS "NORTH 73°27'45" EAST, 127.61 FEET", AND SOUTHERLY OF THE EASTERLY PROLONGATION OF THE CENTERLINE OF PAUBA ROAD, AS SHOWN THEREON, SAID EASTERLY PROLONGATION BEING COMMON WITH THE AFOREMENTIONED WESTERLY PROLONGATION; AND

LYING EASTERLY OF THE EASTERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS "RANCHO CALIFORNIA WATER DISTRICT WELL No. 8", HERINAFTER REFERRED TO AS WELL SITE No. 8, BY GRANT DEED RECORDED NOVEMBER 29, 1967, AS DOCUMENT NUMBER 104736, SAID OFFICIAL RECORDS, AND SOUTHERLY OF THE EASTERLY PROLONGATION OF THE NORTHERLY LINE OF SAID WELL SITE No. 8, BEING COMMON WITH THE AFOREMENTIONED COMMON CENTERLINE PROLONGATIONS.

CONTAINING 3,961 SQUARE FEET, OR 0.091 ACRES, MORE OR LESS.

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

THE BEARINGS AND DISTANCES SHOWN ON THE ATTACHED PLAT ARE BASED ON THE CALIFORNIA COORINATE SYSTEM OF 1983, ZONE VI. MULTIPLY DISTANCES SHOWN BY 1.000097876 TO OBTAIN GROUND DISTANCES.

PREPARED UNDER MY SUPERVISION:


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

5/18/2022
DATED:



EXHIBIT "B"

0063-026

NORTHERLY LINE OF
"WELL SITE NO. 8"

PM 171/1-2
PARCEL 4

MB 86/34-36
LOT 39

ROWLAND CT.
N 24° 25' 58" W

PAUBA PER
MB 109/19-28

PAUBA ROAD
R=3,999.61' Δ=19°10'49" D=1,338.91' T=675.78'
TO E.C.

N 15° 48' 17" W (R)
T=301.71'

N 15° 24' 43" W (R)

PAUBA PER
PM 53/87-88

EASTERLY LINE OF
"WELL SITE NO. 8"

WESTERLY LINE OF
PARCEL 1
PM 53/57-58

PARCEL
0063-026
3,961 SQ.FT.
0.091 AC.

INST. 1967-104736
REC. 11/29/1967
"WELL SITE NO. 8"

MB 109/19-28
LOT 28

"CERTAIN COURSE FOR LOT 28"

SEC. 35, T. 7 S., R. 2 W.

□ LINE DATA

- 1 S 15°15'19" E 144.01'
(N 15°24'49" W 144.02 R2)
- 2 N 73°28'54" E 27.68
- 3 N 15°21'40" W 143.57'

○ CURVE DATA

- 4 R=3,999.61'
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PCL No.: 0063-026	COUNTY OF RIVERSIDE TRANSPORTATION DEPARTMENT, SURVEY DIVISION
WO No.: C9-0063	PROJECT: PAUBA ROAD 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: N. LEWIS	APPROVED BY: <i>Timothy F. Rayburn</i>
DATE: MAY, 2022	DATE: 5/18/2022
SHEET 1 OF 2	



EXHIBIT "B"

SURVEYORS NOTES

| | | | | | | | | | : INDICATES RESTRICTED ACCESS

EASEMENT DATA

- ② EASEMENT FOR ELECTRICAL SUPPLY SYSTEMS & COMMUNICATION SYSTEMS IN FAVOR OF SOUTHERN CALIFORNIA EDISON, PER INST. NO. 1979-250933, REC. 11/27/1979, O.R.
- ⑥ EASEMENT FOR OVERHEAD & UNDERGROUND ELECTRICAL SUPPLY & COMMUNICATION SYSTEMS IN FAVOR OF SOUTHERN CALIFORNIA EDISON, PER INST. NO. 1972-017814, REC. 02/10/1972, O.R.

R/W DATA

- △7 EASEMENT FOR PUBLIC ROAD PURPOSES, ACCEPTED PER RESOLUTION NO. 81-401, REC. 12/01/1981 AS INST. NO 1981-0222691, O.R.
- △8 EASEMENT FOR PUBLIC ROAD AND UTILITY PURPOSES, DEDICATED PER MB 109/19-28 AND ACCEPTED PER RESOLUTION NO. 89-251, REC. 06/26/1989 AS INST. NO 1989-0211059, O.R.

REFERENCES

- (R1) : RECORD DATA FROM MB 109/19-28 RECORDED 11/21/1979
- (R2) : RECORD DATA PER INST# 1967-0104736 RECORDED 11/29/1967

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PCL No.: 0063-026	COUNTY OF RIVERSIDE TRANSPORTATION DEPARTMENT, SURVEY DIVISION
WO No.: C9-0063	PROJECT: PAUBA ROAD WIDENING
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PREPARED BY: N. LEWIS	APPROVED BY: <i>Timothy F. Rayburn</i> DATE: 5/18/2022
DATE: MAY, 2022	
SHEET 2 OF 2	

