

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



ITEM: 19.2
(ID # 26339)

MEETING DATE:
Tuesday, December 03, 2024

FROM : TLMA-TRANSPORTATION

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:
Public Hearing for the Adoption of Resolution. 2024-206, Authorizing the Resolution of Necessity for the Pauba Road Widening Project in the unincorporated area of Temecula; District 3. [\$19,600 Total Cost - Local Funds 100%] (4/5 Vote Required)

RECOMMENDED MOTION: That the Board of Supervisors:

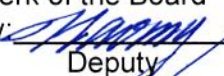
1. **Find** that nothing further is required pursuant to the California Environmental Quality Act (CEQA) because the project was previously approved and found to be exempt pursuant to State CEQA Guidelines § 15282(g) and § 21080.13 of the California Public Resources Code;
2. **Approve** Resolution No. 2024-206, Authorizing the Resolution of Necessity for the Pauba Road Widening Project; and
3. **Allocate** the sum of \$19,600 for deposit to the State of Condemnation Fund.

ACTION:4/5 Vote Required

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Washington, Perez and Gutierrez
Nays: None
Absent: Spiegel
Date: December 3, 2024
xc: TLMA-Transp.

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	\$ 19,600	\$ 0	\$ 19,600	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Gas Tax/SB-1. There are no General Funds used in this project.			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, by approximately 1.1 miles in length. The road will be widened from 22 feet to 28 feet resulting in two (2) 12-foot lanes with a paved shoulder width of 2 feet, a 4-foot graded shoulder on the south, and an 8-foot graded shoulder on the north to accommodate equestrian use. The project will include the following: reconstructing the roadway installing 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 for the proposed improvements.

As documented in the Notice of Exemption, the Transportation Department conducted a review of the proposed project and determined that the Project, including the acquisition of the permanent rights, is categorically exempt from the provisions of CEQA, under the General Rule Exemption, pursuant to CEQA Guidelines §15051(a). Because the Project is being carried out by the County, the County shall be the CEQA Lead Agency.

The Transportation Department has presented a written offer to the property owner as required by Government Code § 7262.2. The amount of the offer is consistent with current property values in the unincorporated area of Temecula and is based upon a fair market value appraisal report. The Transportation Department has also offered to pay reasonable costs, not to exceed \$5,000, for an independent appraisal obtained by the property owner as required by the Code of Civil Procedure § 263.025.

Negotiations are still ongoing with the property owner listed below for the property rights needed for the Project. The Transportation Department will continue to conduct good faith negotiations with the property owner in an effort to reach a mutually agreed-upon settlement.

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

Assessor's Parcel Number	Parcel No.	Owners
965-250-018	0063-026	Rancho California, a Partnership, composed of Temecula Investment Company, Temecula Properties, Inc. Kaiser Rancho California, Inc.

The Notice of Intention Resolution No. 2024-141, approved October 22, 2024 as Minute Order Item 3.38, set a public hearing on December 3, 2024 for the proposed adoption of Resolution 2024-206, adoption of Resolution of Necessity (R.O.N.). The R.O.N. hearing on December 3, 2024 is needed to permit the Pauba Road Widening Project to be completed.

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 § 25350.5, Streets and Highway Code § 760, and Code of Civil Procedure §§ 1240.010,

1240.020, 1240.030, 1240.040, 1240.110, 1240.120, 1240.130, 1240.240, 1240.310, 1240.320, 1240.350, 1240.410, 1240.140, 1240.510, and 1240.610.

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.

Additional Fiscal Information

The following summarizes the funding necessary for the deposits to the State of Condemnation Fund for the property 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
Litigation Guarantee	\$463
Independent appraisal obtained by the 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 Gas Tax/SB-1 Funds. 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.

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

ATTACHMENTS:

Resolution No. 2024-206

Legals and Plat

Aerial Map



Jason Farin, Principal Management Analyst 11/25/2024

1 Board of Supervisors

County of Riverside

2 **Resolution No. 2024-206**

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

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

11 **WHEREAS**, the Subject Property, is listed in table below:

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

12
13
14
15
16
17
18 **WHEREAS**, the proposed project described herein is to widen Pauba Road from
19 Via del Monte Road easterly to Calle Contento, approximately 1.1 miles in length (the
20 "Project"). The road will be widened from 22 feet to 28 feet resulting in two (2) paved 12-
21 foot lanes, each with a paved shoulder width of 2 feet, having a 4-foot graded shoulder
22 on the south and an 8-foot graded shoulder on the north, to accommodate equestrian
23 use. The Project will include the following: reconstruct the roadway installing hot mix
24 asphalt over class 2 base, and construct drainage improvements. Additional work
25 includes grading shoulders, adjusting manholes to grade, adjusting water valve covers,
26 new striping, pavement markings, raised pavement markers and other associated work
27 as required. The Project will require permanent rights and temporary construction
28 easements for the proposed improvements:

FORM APPROVED COUNTY COUNSEL

BY: BRUCE G. FORDON 11-20-24 DATE

1 **WHEREAS**, the Project will greatly improve traffic conditions, reduce delays, and
2 provide increased capacity and congestion relief, particularly during peak hour traffic.
3 The Project is expected to have minimum impact on the surrounding environment and
4 the community;

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

7 **WHEREAS**, the interest in the Subject Property that is the subject of this
8 Resolution is identified below;

9

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

10
11
12

13 **WHEREAS**, the statutes that authorize the County of Riverside to acquire the
14 Subject Property Interests by eminent domain include Article 1, § 19 of the California
15 Constitution; Government Code section 25350.5; section 760 of the Streets and
16 Highways Code; and sections 1240.010, 1240.020, 1240.030, 1240.040, 1240.110,
17 1240.120, 1240.130, 1240.140, 1240.240, 1240.310, 1240.320, 1240.350, 1240.410,
18 1240.510, and 1240.610 of the Code of Civil Procedure.

19 Now, therefore, **BE IT RESOLVED AND ORDERED** as follows by the Board of
20 Supervisors ("Board") of Riverside County, State of California, not less than four/fifths of
21 all members concurring, in regular session assembled on December 3, 2024, that the
22 Board finds and determines each of the following:

23 1. Notice of Board's Intention to Adopt this Resolution of Necessity was duly
24 given as required by section 1245.235 of the Code of Civil Procedure and, on the date
25 and at the time and place fixed for hearing, this Board did hear and consider all of the
26 evidence presented.

27 2. That the public interest and necessity require the Project;

28

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

3 4. That the Subject Property Interests are necessary for the Project;

4 5. That the offers required by section 7267.2 of the Government Code have
5 been made to the owners of record of the Subject Properties;

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

12 7. As documented in the Notice of Exemption, the Riverside County
13 Transportation Department (Transportation Department) conducted a review of the
14 proposed Project and determined that the Project, including the acquisition of the
15 permanent and temporary rights, is categorically exempt from the provisions of CEQA,
16 under the General Rule Exemption, pursuant to CEQA Guidelines section 15051(a);

17 8. That acquisition of the Subject Property Interest will promote the interests
18 of the County of Riverside.

19 BE IT FURTHER RESOLVED AND ORDERED that the County Counsel of the
20 County of Riverside is hereby authorized and empowered:

21 1. To acquire the Subject Property Interest by condemnation in accordance with
22 the Constitution and laws relating to eminent domain.

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

25 3. To make application to the Court for an order to deposit the probable
26 amount of compensation out of proper funds under the control of the County into the
27 Condemnation Deposits Fund with the Office of the State Treasurer and to make
28 application to the Court and for an order permitting the County to take prejudgment

1 possession and use the Subject Property Interest for the purpose of construction the
2 Project.

3 4. To compromise and settle such proceedings if such settlement can be
4 reached and in that event, to take all necessary actions to complete the acquisition,
5 including stipulations as to judgment and other matters and the causing of all payments
6 to be made.

7 5. To correct any errors or to make or agree to nonmaterial changes in the legal
8 description of the real property that are deemed necessary for the conduct of the
9 condemnation action, or other proceedings or transactions required to acquire the Subject
10 Property interest.

11
12
13
14 ROLL CALL:

15 Ayes: Jeffries, Washington, Perez, and Gutierrez

16 Nays: None

17 Absent: Spiegel
18

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

21 KIMBERLY A. RECTOR, Clerk of said Board

22 By:  _____
23 Deputy
24
25
26
27
28

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

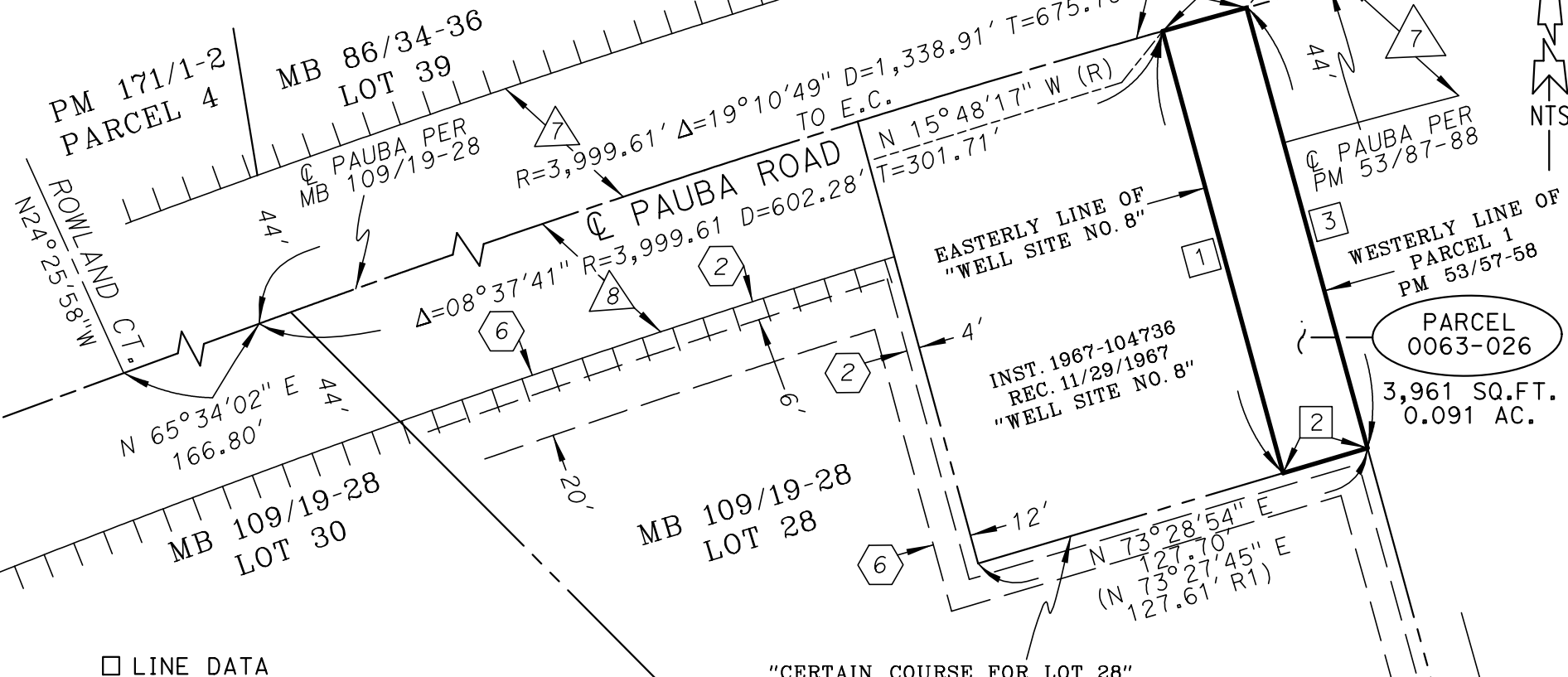
DATED:



EXHIBIT "B"

0063-026

NORTHERLY LINE OF
"WELL SITE NO. 8"



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

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'
Δ=00°23'34"
D=27.41'
T=13.71'

"CERTAIN COURSE FOR LOT 28"

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	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

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	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 2 OF 2	



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
WO No.: C9-0063
SCALE: NTS
PREPARED BY: K.L.G.
DATE: DECEMBER, 2022
SHEET 1 OF 2

COUNTY OF RIVERSIDE TRANSPORTATION DEPARTMENT, SURVEY DIVISION
PROJECT: PAUBA ROAD WIDENING
THIS PLAT IS AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE PRECEDING DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DESCRIPTION.
APPROVED BY: AERIAL EXHIBIT



NOT FOR RECORDATION