



**NOTICE OF INTENTION TO ADOPT RESOLUTION OF NECESSITY
(California Code of Civil Procedure Section 1245.235)**

Re: Acquisition of Trail Right of Way Easement and Temporary Construction Easement –
Portion of Assessor Parcel Numbers 370-120-063

NOTICE IS HEREBY GIVEN that the City Council of the City of Lake Elsinore intends to hold a hearing on Tuesday, July 9, 2024 at 7:00 p.m., or as soon thereafter as the matter may be heard, at the Lake Elsinore Cultural Center, 183 North Main Street, Lake Elsinore, California 92530, to consider the adoption of a Resolution of Necessity. The adopted Resolution will authorize the City to acquire interests in and to real property by eminent domain for (1) a trail right of way easement, and (2) a temporary construction easement, for the Murrieta Creek Regional Trail Project ("Project"). The easements in and to a portion of Riverside County Assessor Parcel Number 370-120-063 are described in the legal descriptions and depictions attached to this Notice as Attachment No. 1. You are being sent this notice as your name appears on the last equalized County of Riverside assessment roll.

NOTICE IS FURTHER GIVEN that you have the right to appear and be heard before the City Council at the above scheduled hearing on the following matters and issues, and to have the City Council give consideration to your testimony prior to deciding whether or not to adopt the proposed Resolution of Necessity:

- a. Whether the public interest and necessity require the Project;
- b. Whether the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- c. Whether the property sought to be acquired is necessary for the Project; and
- d. Whether the offer required by Government Code Section 7267.2 was made to the owner of record.

The City is authorized to acquire property, or an interest in property, by eminent domain for the Project in accordance with Government Code Section 37350.5 and Code of Civil Procedure Section 1230.010 et seq.

NOTICE IS FURTHER GIVEN that you must file a written request to be heard within 15 days after this Notice was mailed. California Code of Civil Procedure section 1245.235(b)(3) provides that "failure to file a written request to appear and be heard within 15 days after the notice was mailed will result in waiver of the right to appear and be heard" on the above matters and issues which are the subject of the hearing. If you desire to be heard, you may file a written request with the City Clerk, City of Lake Elsinore, 130 S. Main Street, Lake Elsinore, California 92530 at any time prior to the hearing or, alternatively, you may submit a request to speak to the City Clerk at the hearing.

PLEASE BE AWARE THE PRICE TO BE PAID FOR THE PROPERTY, OR INTEREST IN PROPERTY, WILL NOT BE CONSIDERED BY THE CITY COUNCIL AT THIS HEARING, AND IF YOU ELECT NOT TO APPEAR AND BE HEARD, YOUR NON-APPEARANCE WILL NOT BE A WAIVER OF YOUR RIGHT TO CLAIM GREATER COMPENSATION IN A COURT OF LAW.

If the City Council elects to adopt the Resolution of Necessity, then within six months of the adoption of the Resolution, the City will commence eminent domain proceedings in Superior Court. In that proceeding, the Superior Court will determine the amount of compensation to which you are entitled.

In accordance with Code of Civil Procedure Section 1263.615, the use of the interest in property for the Project is scheduled to commence within two years of acquisition (or upon acquisition of interest in property necessary for the Project, whichever is sooner), thus the City is not offering a leaseback agreement.



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