



City of Riverside Administrative Manual

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Policy Owner(s): Community and Economic
Development

Approved: 

Department


City Manager

SUBJECT:

Real Property Acquisitions

PURPOSE:

To provide guidance for acquiring real property interests.

POLICY:

The Real Property Services Division is responsible for the property acquisition and relocation activities of the City and Housing Authority including title work, negotiations with property owners and tenants, coordination of escrow activities, monitoring consultant activities, and assisting the City Attorney's Office with eminent domain actions. Real Property Services shall also be responsible for preparation, execution and submittal of Project Right of Way Certification to Caltrans for federally funded projects that require Caltrans oversight.

All property owners, businesses, and/or tenants shall be advised of their rights and the procedures which will be followed, and treated in a courteous and professional manner. Every effort shall be made to pay property owners just compensation as defined by law for the real property interest(s) to be acquired. Occupants, whether residential or business, shall be provided all eligible relocation benefits, as provided by applicable law.

PROCEDURE:

Responsibility	Action
Requesting Department	<ol style="list-style-type: none">1. Notifies the Real Property Services Division by written request of need to purchase real property or right-of-way as far in advance of the needed date as possible and provides account number of adequately budgeted funds. Project and appropriation of funds should already be approved by City Council and/or Agency and/or Authority Board.2. Avoids direct negotiation with potential sellers unless first discussing the situation with the Real Property Services Manager.3. Consults with Real Property Services for determination of the probable acquisition time, for assistance in route selection, feasibility studies, and any other alternatives.4. Submits accurate data detailing real property interests required to Real

PROCEDURE:

Responsibility	Action
	Property Services and Public Works Land Records (Survey), or private source if outside surveyor is used, as applicable.
Real Property Services	5. Obtains a preliminary title report and current vesting deed and submits to Public Works Land Records (Survey) along with data detailing real property interests required or to outside surveyor for deed preparation, as applicable.
Public Works Land Records Section	6. Prepares eminent domain ready legal description or reviews legal description from a private source and forwards to Real Property Services for use, as applicable.
Real Property Services	7. Reviews legal description and advises Public Works Land Records (Survey) Section of revisions/ corrections, if necessary.
Public Works Land Records Section	8. Submits legal description for final review to Real Property Services, as applicable.
Real Property Services	9. Works with the requesting department to secure acquisition initial environmental study, if not previously secured. 10. Contracts for a current appraisal of the desired property. 11. Upon receipt of Project Approval, issues Notice of Decision to Appraise letters to property owners. 12. Prepares "offer to purchase" package and purchase contract. 13. Negotiates for purchase and coordinates all purchase activities (The City may contract for acquisition services, in which case Item 13 and negotiations are handled by the independent contractor). 14. Coordinates relocation activities with consultants. 15. Presents the results of the negotiations to the appropriate Department, City advisory board or commission, if applicable. 16. Requests a purchase and sale agreement from the City Attorney's Office. Once the agreement is executed by the property owner, prepares Council/Housing Authority approval. 17. Obtains grantor's signature and sends executed deeds to the City Attorney's Office for approval as to form.
City Attorney's Office	18. Reviews executed deeds and agreements for approval as to form and returns approved documents to Real Property Services or requests revisions.
Real Property Services	19. Revises deed and/or agreements if necessary and resubmits to the City Attorney's Office for approval when re-signed by Property Owner. 20. In cases where settlements cannot be concluded, works with the City Attorney's Office to prepare, file and pursue the eminent domain case while continuing to negotiate with the property owner. 21. When approved, Real Property Services Manager or Community and Economic Development Director or Assistant or City Manager executes Certificate of Acceptance on the deed. 22. Opens an escrow and deposits executed documents into escrow.

PROCEDURE:

Responsibility	Action
	23. Initiates a Request for Payment to purchase the property, attaches a "Do Not Mail Request," and forwards to the requesting department budgeting the funds, for approvals and signature or obtains an accounting code when wire transfers are necessary.
Requesting Department	24. Signs Request for Payment or provides accounting code and returns to Real Property Services or forwards directly to Finance Accounting with notification to Property Services.
Real Property Services	25. If returned to Property Services, forwards Request for Payment to the Finance Department with any special instructions.
Finance Department	26. Forwards check in the amount of purchase to Property Services in accordance with Finance Department procedures or wires funds directly into an escrow account as instructed by Real Property Services.
Real Property Services	27. Deposits check into escrow. (Escrow company clears title, records deed, which is then returned to the City Clerk's Office for assignment of deed number and filing, and disburses funds.) (When a 1911 Street Improvement project is involved, the deeds and easements are held unrecorded by the Real Property Services Division until legal formation of the district is accomplished.) 28. Fills out Real Property Transaction Report and sends to requesting department, Finance, Risk Management, General Services, City Clerk, and Community and Economic Development Fiscal along with a copy of the grant deed or Final Order of Condemnation. 29. Obtains Policy of Title Insurance, where appropriate and closes out file.
Risk Manager	30. Adds property to list of insured properties and notifies insurance carrier of the addition.
Finance Manager	31. Adds property acquisition price to list of existing capital assets.
General Services Property Division	32. If fee title, adds property to Master Property File.