



Inland News

Appeals court says county can't sell Wildomar land yet



[Download story podcast](#)

08:40 AM PST on Thursday, November 15, 2007

By **ROCKY SALMON**
The Press-Enterprise

An appellate court upheld a ruling that prevents Riverside County from selling 80 acres of open space in Wildomar to Mt. San Jacinto Community College District without voter approval or state legislation.

Gerard Ste. Marie, a Wildomar resident, sued the county in 2004 over the county's attempts to sell longtime county-owned open space to the college district to be turned into a satellite campus. A Riverside County judge sided with Ste. Marie in June 2006 and the county appealed the decision.

On Tuesday, the 4th District Court of Appeals, Division 2 issued its ruling supporting the 2006 decision. In a 3-0 vote, the judges ordered the county to pay for Ste. Marie's legal expenses and said that just because the county did not formally dedicate the property as park land does not mean that the land can be sold without going through the state-required steps for selling public lands.

Ste. Marie said he was happy with the decision and that he was excited to see the legal system work for the residents.

"This is one of those things where I want to see the process go through the way it's supposed to," said Ste. Marie, who lives near the disputed land. "I want the residents to be given the chance here."

Mt. San Jacinto district officials planned to issue their comments today.

The county purchased a 160-acre plot in the southern tip of Wildomar in 1994. The intent was to turn the land into a regional park.

A few years after the purchase, Wildomar residents voted against new taxes that would help support a park system.

County officials turned around and put the land up for sale in 2002. Officials negotiated a deal with the Mt. San Jacinto district that would keep half the land as open space and habitat-conservation area and turn the rest into a satellite campus.

At the time, Supervisor Bob Buster said the sale would bring the county \$4.8 million that would be reinvested in existing Wildomar parks.

College officials have earmarked the land as the best available parcel for a satellite campus in southwestern Riverside County. Officials hoped the campus would serve 15,000 students, about one-third of the district's total enrollment by 2025.

The college serves the southwestern county area, San Jacinto Valley and the Pass area.

The district's overburdened Menifee Valley campus is full of portable classrooms, and space for new classrooms is shrinking.

In 2004, Ste. Marie argued that the county land could not be sold by the park district without voter approval or state permission because it was zoned for open space in the general plan.

County officials responded that the land was never actually dedicated as a park so it could be sold without voter approval.

In June 2006, Riverside County Superior Court Judge Gloria Trask ruled in Ste. Marie's favor. She said that just because there was never a board-approved resolution dedicating the park does not mean the land was not planned as a park.

The county appealed the decision to the appellate court and learned Tuesday that it had lost.

Reach Rocky Salmon at 951-375-3739 or rsalmon@PE.com
