

RESOLUTION NO. 83-040

ADOPTED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO

ON DATE OF

May 24, 1983

RESOLUTION OF NECESSITY AUTHORIZING ACQUISITION BY EMINENT DOMAIN CERTAIN PROPERTY LOCATED IN THE UPTOWN DEVELOPMENT PROJECT, PROJECT NO. 8 REDEVELOPMENT AREA

WHEREAS, the Redevelopment Plan for the Uptown Development Project, Project No. 8, was adopted by City Ordinance No. 3146, Fourth Series, on July 20, 1972, and amended by City Ordinance No. 4122, Fourth Series, on August 22, 1978, and City Ordinance No. 4400, Fourth Series, on August 5, 1980; and

WHEREAS, the real property located on the block bounded by K, L, 12th and 13th Streets in the City of Sacramento is located within the Project Area designated by said Redevelopment Plan for Project No. 8; and

WHEREAS, several of the objectives in said Redevelopment Plan for Project No. 8 are:

(a) To serve as the basis for the revitalization of the Sacramento Business District;

(b) To create additional employment opportunities for Project Area residents, particularly by Project Area business and industry;

(c) To create an economically viable commercial area;

(d) To maximize private participation and investment toward redevelopment of the Project Area; and

WHEREAS, the development of a major first-class hotel on the said block bounded by K, L, 12th and 13th Streets is essential to achieve said objectives of said Redevelopment Plan for Project No. 8, by, among other things, substantially increasing demand for the Community Center Convention facilities located adjacent to the Project Area, substantially increasing demand for entertainment, services and other businesses located in the Project Area and securing major investment in the Project Area; and

WHEREAS, the Agency has engaged in serious and substantial negotiations with various and successive owners of the

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subject parcels with the aim and purpose of causing the development of such a hotel; and

WHEREAS, such negotiations have proved futile and without effect; and

WHEREAS, the Agency already owns a long term leasehold interest in the greater portion of said parcels; and

WHEREAS, said real property is located adjacent to the Community Center, the K Street Mall, and the State Capitol and the major portion of said property is undeveloped, and there is therefore no other site in the Project Area which would be as compatible with the greatest public good and the least private injury as the subject site.

NOW, THEREFORE, BE IT RESOLVED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO, two-thirds of all members of said Agency voting in favor:

Section 1. The Redevelopment Agency intends to acquire in fee simple, by eminent domain, the properties listed below and is empowered to acquire said properties by eminent domain pursuant to Health and Safety Code Section 33391:

Real property located in the block bounded by K, L, 12th and 13th Streets in the City of Sacramento, owned by Capitol Center I, a California limited partnership, more particularly described as Assessor's Parcels Nos. 6-112-2, 6-112-3, 6-112-4, 6-112-5, 6-112-6, 6-112-7, 6-112-8, 6-112-9, 6-112-10, 6-112-11, 6-112-12, 6-112-13, 6-112-14, 6-112-15, 6-112-16, 6-112-18, 6-112-19, as more particularly described in Exhibit A attached hereto and made a part hereof.

Section 2. The public use for which the properties are to be acquired is assembly of the parcels and construction of a major first-class hotel and ancillary development.

Section 3. The Redevelopment Agency finds and determines that:


(a) The public interest and necessity require the construction of a major first-class hotel.

(b) Said hotel is planned and located in the manner that will be most compatible with the greatest public good and the least private injury.

(c) The properties to be acquired are necessary for the proposed project.

(d) The just compensation has been established and an offer has been made to the owners of record of said property based thereupon as required by Section 7267.2 of the Government Code.

Section 4. The Executive Director is authorized to institute and prosecute to conclusion an action in eminent domain to acquire said properties taking any action necessary or desirable for such purposes under the California Eminent Domain Law.


CHAIRMAN

ATTEST:

William H. Edgar
SECRETARY

EXHIBIT "A"

Said land is situated in the City of Sacramento County of Sacramento State of California and is described as follows: (APN 006-112-02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 18 and 19)

AS TO PARCEL NO. 1:

The West one-half of Lot 3, in the Block bounded by 12th and 13th and "K" and "L" Streets of the City of Sacramento, according to the official plat or map of said City.

AS TO PARCEL NO. 2:

The East one-half of Lot 2, in the Block bounded by "K" and "L" 12th and 13th Streets of the City of Sacramento, according to the map or plan thereof.

AS TO PARCEL NO. 3:

The West one-half of Lot 2, in the block bounded by "K" and "L", 12th and 13th Streets of the City of Sacramento, according to the map or plan thereof.

AS TO PARCEL NO. 4:

The East one-half of Lot 3, in the block bounded by "K" and "L", 12th and 13th Streets of the City of Sacramento, according to the map or plan thereof.

EXCEPTING the East 20 1/2 inches thereof.

AS TO PARCEL NO. 5:

The West half of Lot 4 and the East 20.5 inches of Lot 3 in the block bounded by "K" and "L", Twelfth and Thirteenth Streets of the said City of Sacramento, according to the Official map or plan of said City.

AS TO PARCEL NO. 6:

The East 40 feet of Lot 4 in the Block bounded by "K" and "L", Twelfth and Thirteenth Streets of the City of Sacramento, according to the official map or plan of said City.

Lot 5 in the Block bounded by "K" and "L", Twelfth and Thirteenth Streets of the City of Sacramento, according to the official plat or map of said City.

AS TO PARCEL NO. 7:

Lot 6, in the Block bounded by "K" and "L", Twelfth and Thirteenth Streets of the City of Sacramento, according to the official map or plan of said City.

AS TO PARCEL NO. 8:

The East one-half of Lot 7 in the Block or Square bounded by "K" and "L" and Twelfth and Thirteenth Streets of the City of Sacramento, according to the official plat thereof.

AS TO PARCEL NO. 9:

The West one-half of Lot 7 in the Block bounded by Twelfth and Thirteenth and "K" and "L" Streets of said City of Sacramento, according to the official plat thereof.

AS TO PARCEL NO. 10:

The East one-half of Lot 8, in the Block bounded by "K" and "L", Twelfth and Thirteenth Streets of the City of Sacramento, according to the official map or plan of said City of Sacramento.

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AS TO PARCEL NO. 11:

The West one-half of Lot 8 in the Block bounded by "K" and "L", Twelfth and Thirteenth Streets of the City of Sacramento, according to the official map or plan of said City of Sacramento

AS TO PARCEL NO. 12:

The East one-half of Lot 9, in the Block bounded by Twelfth and Thirteenth, "K" and "L" Streets of the City of Sacramento, according to the map or plan of said City.

AS TO PARCEL NO. 13:

The West one-half of Lot 9, in the Block bounded by Twelfth and Thirteenth, "K" and "L" Streets of the City of Sacramento, according to the official plat thereof.

All that portion of Lot 10, in the block bounded by "K" and "L", Twelfth and Thirteenth Streets of the City of Sacramento as shown on the official map of the City of Sacramento as shown on the official map of the City of Sacramento, described as follows:

Beginning at the Southeast corner of said Lot 10; thence North 18°31' East 160.98 feet along the East line of said Lot 10 to the Northeast corner of said Lot 10; thence North 71°29'30" West 80.23 feet along the North line of said Lot 10 and along the South line of an alley to the Northwest corner of said Lot 10; thence South 18°30'20" West 48.35 feet along the West line of said Lot 10 and along the East line of 12th Street to a point from which the Southwest corner of said Lot 10 bears South 18°30'20" West 112.60 feet; thence South 71°28'30" East 49.96 feet on a line parallel with the South line of said Lot 10; thence South 18°31' West 33.11 feet on a line parallel with the East line of said Lot 10; thence North 71°28'30" West 6.72 feet on a line, parallel with the South line of said Lot 10; thence South 18°31" West 79.50 feet on a line parallel with the East line of said Lot 10 and 38.00 feet Westerly therefrom measured at right angles, to a point on the South line of said Lot 10 and on the North line of "L" Street; thence South 71°28'30" East 38.00 feet along the South line of said Lot 10 and along the North line of "L" Street to the point of beginning, in accordance with a survey made by Joseph E. Spink, C.E. June, 1946.

AS TO PARCEL NO. 14:

The West 48.72 feet of the North 33.04 feet of the South 112.54 feet of Lot 10, in Block bounded by "K" and "L", 12th and 13th Streets of the City of Sacramento, according to the official map or plan thereof.

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(12b)