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RESOLUTION NO. 86-042

ADOPTED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO
ON DATE OF

July 29, 1986

RESOLUTION OF NECESSITY AUTHORIZING ACQUISITION BY EMINENT DOMAIN OF CERTAIN PROPERTIES LOCATED IN OAK PARK PROJECT AREA NO. 7

WHEREAS, the Redevelopment Plan for Oak Park Project Area No. 7 was adopted by City Ordinance No. 3278, Fourth Series, on July 12, 1973, and amended by City Ordinance No. 85-022 on March 27, 1985; and

WHEREAS, the Agency adopted the Oak Park Implementation Strategy on March 27, 1985; and

WHEREAS, the Oak Park Implementation Strategy identifies target areas for commercial development assistance and developer assistance; and

WHEREAS, the real properties located at 2956 and 2978 Stockton Boulevard, 4435, 4445, and 4449 Broadway, and 2832 and 2834 35th Street are located within the Project Area designated by said Redevelopment Plan and Implementation Strategy for Project No. 7; and

WHEREAS, several of the goals in said Redevelopment Plan for Project No. 7 are:

- (a) To improve the neighborhood environment and image;
 - (b) To eliminate blighted and blighting conditions;
- and
- (c) To increase and develop economic activity in the area by attracting new businesses; and

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WHEREAS, the Agency has engaged in serious negotiations with the various owners of the subject parcels for the purpose of causing commercial development; and

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

WHEREAS, said real properties are properly zoned and situated for commercial development and are so identified in the Oak Park Implementation Strategy, and there are no other sites in the Project Area which would be as compatible with the greatest public good and the least private injury as the subject sites.

BE IT RESOLVED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO :

Section 1: That the above statements are true and correct.

Section 2: 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:

(a) Real Property located in the block bounded by Broadway, Stockton Boulevard, 44th Street, and 4th Avenue in the City of Sacramento, owned by Massoud and Rafat Aliabadi, Bahram Noury Esfandiary, and Parvanh Mojtabaei more particularly described as Assessor's Parcel Numbers: 014-163-12, 13, 14, 15, and 16, as described more particularly in Exhibit A attached hereto and made a part hereof.

(b) Real Property located in the block bounded by 34th Street, 35th Street, Broadway, and 4th Avenue in the City of Sacramento, owned by Russell A. Stone AND HEIRS OR DEVISEES OF EILEEN M. STONE, deceased, subject to the administration of the estate of said decedent, more particularly described as Assessor's Parcel Number: 010-377-07 and more particularly described in Exhibit B attached hereto and made a part hereof.

Section 3: The public use for which the properties are to be acquired is the assembly of parcels for commercial development serving the Oak Park neighborhood so that such neighborhood can have an increase in the number of new businesses in it.

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Section 4: The Redevelopment Agency finds and determines that:

(a) The public interest and necessity requires the construction of additional neighborhood commercial development;

(b) Said commercial development 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 use;

(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 5: 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 purpose under the California Eminent Domain Law.

Anne Ruedin
CHAIR

ATTEST:

William H. Elger
SECRETARY

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