

RESOLUTION NO. 87-083

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

October 13, 1987

THE CENTRAL LIBRARY EXPANSION PROJECT RESOLUTION OF NECESSITY

WHEREAS, the City Council of the City of Sacramento (the "Council") adopted Ordinance No. 3146, Fourth Series, on July 20, 1972, approving the Redevelopment Plan (the "Redevelopment Plan") for the Uptown Development Project, Project No. 8 (the "Project"), and the Council approved and adopted amendments to the Redevelopment Plan by Ordinance No. 4122, Fourth Series, on August 22, 1978; and Ordinance No. 440, Fourth Series, on August 5, 1980; (collectively hereinafter referred to as the "Prior Amending Ordinances"); and

WHEREAS, the City Council of the City of Sacramento (the "Council") adopted Ordinance No. 2681, Fourth Series, on August 25, 1966, approving the Redevelopment Plan (the "Redevelopment Plan") for the Capitol Mall Riverfront Project, Project No. 4 (the "Project"), and the Council approved and adopted amendments to the Redevelopment Plan by Ordinance No. 4, Fourth Series, on May 27, 1971, and Ordinance No. 4426, Fourth Series, on September 30, 1980; (collectively hereinafter referred to as the "Prior Amending Ordinances"); and

WHEREAS, the City Council of the City of Sacramento (the "Council") adopted Ordinance No. 2208, Fourth Series, on June 16, 1960, approving the Redevelopment Plan (the "Redevelopment Plan") for the Capitol Mall Extension Project, Project No. 3 (the "Project"), and the Council approved and adopted amendments to the Redevelopment Plan by Ordinance No. 2423, Fourth Series, on November 1, 1962; Ordinance No. 2722, Fourth Series, on on May 25, 1967; and Ordinance No. 2991, Fourth Series, on on May 27, 1971; (collectively hereinafter referred to as the "Prior Amending Ordinances"); and

WHEREAS, the City Council of the City of Sacramento (the "Council") adopted Ordinance No. Capitol Mall Area Project, Project No. 2-A (the "Project"), and the Council approved and adopted amendments to the Redevelopment Plan by Ordinance No.

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1969, Fourth Series, on July 19, 1956; Ordinance No. 2088, Fourth Series, on October 2, 1956; Ordinance No. 2209, Fourth Series, on June 16, 1960; Ordinance No. 2283, Fourth Series, on April 27, 1961; Ordinance No. 2406, Fourth Series, on on September 13, 1962; Ordinance No. 2422, Fourth Series, on November 1, 1962; Ordinance No. 2736, Fourth Series, on August 10, 1967; and Ordinance No. 3312, Fourth Series, on August 30, 1973; (collectively hereinafter referred to as the "Prior Amending Ordinances"); and

WHEREAS, by City Ordinance No. 86-066, Fourth Series, adopted on June 17, 1986, the City Council of the City of Sacramento amended the Redevelopment Plan to consolidate, standardize and merge redevelopment plans for Project Areas 2-A, 3, 4 and 8 to be known as the Merged Downtown Sacramento Redevelopment Project; and

WHEREAS, the public purposes for which the properties are to be acquired are the expansion of library facilities for the public benefit, the elimination of blighted buildings, improvement of the neighborhood image, and the assembly of parcels for commercial development serving the Sacramento Downtown Area to promote new and expanded business activity in such Area; and

WHEREAS, several of the goals in said Redevelopment Plan for Project Nos. 2-A, 3, 4 and 8 are:

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

WHEREAS, the Agency has appraised the owners' property and has engaged in serious negotiations with the various owners of the subject parcels for the purchase of such parcels at not less than the amount of just compensation, for the development of the Central Library Expansion Project; 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 Merged Downtown Sacramento 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 North 60 feet of Lot 1 in the block bounded by 8th and 9th, I and J Streets in the City of Sacramento, reputed to be owned by David W. and Helen Foey, his wife, as joint tenants, as to an undivided 1/7 interest; Jack F. and Laura A. Leong, his wife, as joint tenants, as to an undivided 1/7 interest; Gust H. and Arlyne J. Marmas, his wife, as joint tenants, as to an undivided 1/7 interest; John L. and Norma W. On, his wife, as joint tenants, as to an undivided 1/7 interest; Alice C. Bender, as to an undivided 1/7 interest; Buck N. and Helen K. Yee, his wife, as joint tenants, as to an undivided 1/7 interest; Gus P. Fotinos and Lefteria Fontinos, his wife, as joint tenants, as to an undivided 1/21 interest; and Peter M. Fontinos, as to an undivided 1/21 interest; and Harry J. Fotinos, as to an undivided 1/21 interest also known as Assessor's Parcel Number 006-0036-001.
- (b) Real property located in the North 60 feet of Lot 1 in the block bounded by 8th and 9th, I and J Streets in the City of Sacramento, reputed to be owned by Hotel California Associates, a California limited partnership also known as Assessor's Parcel Number 006-0036-002.
- (c) Real property located in the North 60 feet of Lot 5 in the block bounded by 8th and 9th, I and J Streets in the City of Sacramento, reputed to be owned by S & S Investors, a California limited partnership also known as Assessor's Parcel Number 006-0036-007.

- (d) Real property located in the South one-quarter of the North one-half and the North 6 feet of the West one-half of the East one-half of the South one-half of Lot 5 in the block bounded by 8th and 9th, I and J Streets in the City of Sacramento, reputed to be owned by Kenneth Visscher also known as Assessor's Parcel Number 006-0036-008.
- (e) Real property located in the East one-half of the South one-half of Lot 5 in the block bounded by 8th and 9th, I and J Streets in the City of Sacramento, reputed to be owned by Jean C. Ramos, as her separate property, as to an undivided 1/2 interest, and Antonio Louis Ramos, as to an undivided 1/2 interest also known as Assessor's Parcel Number 006-0036-09.
- (f) Real property located in the East one-half of the West one-half of the South one-half of Lot 5 in the block bounded by 8th and 9th, I and J Streets in the City of Sacramento, reputed to be owned by Jo Anne M. and William A. Bernhard, wife and husband, as their community property also known as Assessor's Parcel Number 006-0036-010.
- (g) Real property located in the South one-half of the West one-quarter of Lot 5 in the block bounded by 8th and 9th, I and J Streets in the City of Sacramento, reputed to be owned by James J. Cordano also known as Assessor's Parcel Number 006-0036-011.
- (h) Real property located in the East one-quarter of Lot 6 in the block bounded by 8th and 9th, I and J Streets in the City of Sacramento, reputed to be owned by Delmar O. Seivers also known as Assessor's Parcel Number 006-0036-012.
- (i) Real property commencing at a point in the center line on a 12 inch brick wall from which the Southwest corner of said Lot 8 in said block bears North 70° 30' West at a distance of 200.49 feet, and the Southeast corner of Lot 5 in said block bears South 70° 30' East a distance of 120.63 feet and the Southeast corner of West one-half of said Lot 6 bears

South 70° 30' East a distance of 0.21 feet; thence along the center line of said 12 inch brick wall North 20° 03' East 79.82 feet; thence North 70° 30' West 0.17 feet to a point on the center line of an 8 inch brick wall; thence along the center line of said 8 inch brick wall North 19° 29' 50" East 50.00 feet to the North end of said 8 inch brick wall; thence North 70° 30' West 0.67 feet to a point on the East line of West one-half of said Lot 6; thence along East line of West one-half of said Lot 6, North 19° 23' 40" East 30.70 feet to the Northeast corner of West one-half of said Lot 6; thence along North line of said Lot 6, South 70° 28' 20" East one-half of said Lot 6; thence along the East line of West one-half of East one-half of said Lot 6, South 19° 23' 40" West 160.52 feet to the Southeast corner of West one-half of East one-half of said Lot 6; thence along South line of said Lot 6 North 70° 30' West 20.28 feet to the point of commencement in the block bounded by 8th and 9th, I and J Streets in the City of Sacramento, reputed to be owned by Javed T. Siddiqui, as to an undivided 1/2 interest, and Mohammed H. Mohanna, as to an undivided 1/2 interest also known as Assessor's Parcel Number 006-0036-013.

- (j) Real property commencing at a point in the center of a 12 inch brick wall from which the Southwest corner of Lot 8 in said block bears North 70° 30' West at the distance of 200.49 feet and the Southeast corner of Lot 5 in said block bears South 70° 30' East at the distance of 120.63 feet and the Southeast corner of the West one-half of said Lot 6 bears South 70° 30' East at the distance of 0.21 feet; thence along the center line of said 12 inch brick wall, North 20° 05' East 79.82 feet; thence North 70° 30' West 0.17 feet to the center line of an 8 inch brick wall; thence along the center line of said 8 inch brick wall, North 19° 29' 50" East 50.00 feet to the North end of said 8 inch brick wall; thence North 70° 30' West 0.67 feet to a point on the East line of the West one-half of said Lot 6; thence along the East line of the West one-half of said Lot 6, North 19° 23' 40" East 30.70 feet to the Northeast corner of the West one-half

of said Lot 6; thence along the North line of said Lot 6, North 70° 28' 20" West 20.07 feet to the Northwest corner of the East one-half of the West one-half of said Lot 6; thence along the West line of the East one-half of the West one-half of said Lot 6, South 19° 23' 40" West 160.54 feet to the South-west corner of the East one-half of the West one-half of said Lot 6; thence along the South line of said Lot 6, South 70° 30' East 19.86 feet to the point of commencement in the block bounded by 8th and 9th, I and J Streets in the City of Sacramento, reputed to be owned by B.I.J. and Associates, a California limited partnership also known as Assessor's Parcel Number 006-0036-014.

- (k) Real property located in the East one-half of Lot 7 in the block bounded by 8th and 9th, I and J Streets in the City of Sacramento, reputed to be owned by Mun Li and Samuel B. Fong, Trustees of the Mun Li Fong Revocable Trust dated February 12, 1985 also known as Assessor's Parcel Number 006-0036-016.
- (l) Real property located the East one-half of the West one-half of Lot 7 in the block bounded by 8th and 9th, I and J Streets in the City of Sacramento, reputed to be owned by Javed T. Siddiqui also known as Assessor's Parcel Number 006-0036-017.
- (m) Real property located the West one-quarter of Lot 7 in the block bounded by 8th and 9th, I and J Streets in the City of Sacramento, reputed to be owned by Hiroshima, Graham, Jacobs and Webb, a California general partnership also known as Assessor's Parcel Number 006-0036-018.
- (n) Real property located in the East one-quarter of the South one-half of Lot 8 in the block bounded by 8th and 9th, I and J Streets in the City of Sacramento, reputed to be owned by Phillip N. and Jean S. Hiroshima, husband and wife as joint tenants as to an undivided 1/2 interest and H. Vincent and Suzanne Jacobs, husband and wife, as joint tenants, as to an undivided 1/2 interest, also known as Assessor's Parcel Number 006-0036-019.

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- (o) Real property located (Parcel No. 1) in the South one-half of the West one-half of Lot 8 in the block bounded by 8th and 9th I and J Streets in the City of Sacramento, and (Parcel 2) all rights of way and easements conveyed in (a) a deed from George L. Cook and Jane Cook, his wife to Capital Federal Savings and Loan Association, an United States corporation dated December 29, 1972, Recorded December 29, 1972, in Book 721229 of Official Records, page 1379 and (b) a deed from McClatchy Realty Co., a California corporation, to Capital Federal Savings and Loan Association, an United States corporation, dated December 28, 1972, recorded December 29, 1972, in Book 721229 of Official Records, page 1380 reputed to be owned by Javed T. Siddiqui, also known as Assessor's Parcel Number 006-0036-020.
- (p) Real property located in the North one-half of Lot 8 in the block bounded by 8th and 9th, I and J Streets in the City of Sacramento Excepting therefrom the South 20.00 feet (front and rear measurements), reputed to be owned by W.T. Service Corporation, a California Corporation, formerly Sacramento Abstract and Title Co., a California Corporation, also known as Assessor's Parcel Number 006-0036-022.
- (q) Real property located in the East 8 inches of the West one-quarter of Lot 6 in the block bounded by 8th and 9th, I and J Streets in the City of Sacramento, reputed to be owned by Paul R. and Masaye Irish, husband and wife, as community property, as to an undivided 1/3 interest, Masato and Emiko Miyamura, husband and wife, as community property, as to an undivided 1/3 interest and and Kurt M. Miyamura, as to an undivided 1/3 interest, also known as Assessor's Parcel Number 006-0036-023.
- (r) Real property located in the West one-quarter of Lot 6 in the block bounded by 8th and 9th, I and J Streets in the City of Sacramento, reputed to be owned by Richard P. and Juana Ross, husband and wife, also known as Assessor's Parcel Number 006-0036-024.

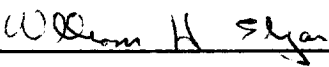
Section 3: The Redevelopment Agency finds and determines that:

- (a) The public interest and necessity require the construction of the Central Library Expansion Project, as approved by the Agency on August 4, 1987;
- (b) The Central Library Expansion Project 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 for each property has been established and offers have 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 action or actions in eminent domain to acquire said properties taking any action necessary or desirable for such purpose under the California Eminent Domain Law.


CHAIR

ATTEST:


SECRETARY

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