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DEPARTMENT OF
PUBLIC WORKS

CITY OF SACRAMENTO
CALIFORNIA

915 I STREET
ROOM 200
SACRAMENTO, CA
95814-2700
PH 916-264-5710
FAX 916-264-8250

TECHNICAL SERVICES DIVISION
REAL ESTATE SERVICES

October 21, 1999

APPROVED

NOV 23 1999

OFFICE OF THE
CITY CLERK

City Council
Sacramento, California

Honorable Members in Session

SUBJECT: HEARING ON RESOLUTION OF NECESSITY FOR EASEMENT ACQUISITION, APN: 031-0480-031, FOR POCKET ROAD RECONSTRUCTION AND RESURFACING PROJECT (PN: TR07); TWO-THIRDS VOTE REQUIRED.

LOCATION/COUNCIL DISTRICT:

South side of Pocket Road between Greenhaven Drive and I-5 in District 7.

RECOMMENDATION:

This report recommends that Council:

1. Conduct a Hearing on Resolution of Necessity and make the necessary findings to acquire an easement in land described as APN: 031-0480-031.
2. Adopt the attached Resolution of Necessity for this acquisition.

CONTACT PERSON:

Rhonda R. Lake, Real Property Agent, 264-7902
Cecilyn Foote, Jr. Civil Engineer, 264-6843

FOR COUNCIL MEETING OF: November 23, 1999

City Council
Easement Acquisition for Pocket Road PN: TR07
October 21, 1999

SUMMARY:

On June 29, 1999, City Council adopted Resolution No. 99-387, attached as Exhibit "A", approving a Resolution of Necessity to acquire an easement for roadway purposes on the subject parcel. The Pocket Road Reconstruction and Resurfacing Project is to complete roadway improvements along this section of Pocket Road to enhance safety and to complete similar improvements along the rest of Pocket Road. An additional easement area of approximately 1,412 square feet, as shown on Exhibit "B" attached, is now required to construct a street inlet. It is requested that City Council conduct a hearing on Resolution of Necessity.

The purpose of the hearing is to receive public testimony and take action on the Resolution of Necessity to acquire the easement needed for the project. An offer of just compensation has been made to the property owner. It is necessary to obtain a Resolution of Necessity to initiate eminent domain proceedings. Two-thirds vote by Council is required for adoption of the Resolution of Necessity.

COMMITTEE/COMMISSION ACTION:

No action required.

BACKGROUND INFORMATION:

Acquisition of the easement has been undertaken in consideration of the following facts and will provide the following benefits:

1. In November 1991, the City of Sacramento approved the project for Pocket Road Assessment District #2 (TF41), to widen or improve sections of Pocket Road to match the improvements existing along the majority of Pocket Road. A Negative Declaration, with mitigation measures, was prepared for the project.
2. In 1993, the Sacramento City Council formed the Pocket Road Assessment District ("District"), together with the Pocket Road Facilities Benefit Assessment District ("FBA"). The District was formed for the purpose of levying assessments and issuing bonds to pay the cost of certain roadway and associated improvements to Pocket Road.

The FBA was formed for the purpose of providing a source to reimburse the City for advancing the funding necessary to complete the said improvements. The subject property was excluded from both the District and FBA by specific request of the property owner.

City Council
Easement Acquisition for Pocket Road PN: TR07
October 21, 1999

3. The Department of Public Works intends to construct improvements fronting the subject property, similar to those improvements which were financed by the District and FBA. The improvements will provide specific, direct benefit to the property by virtue of providing a street inlet, curbs, gutters, sidewalks, drainage improvement and other facilities.
4. On May 6, 1999, City Council adopted Ordinance No. 99-018, which requires the payment of fees for the purpose of defraying the actual cost for construction of roadway and associated facilities as a condition of granting approval of any parcel map, subdivision map, special permit, or building permit, whichever first occurs, relating to the property or any portion thereof. This was done to place the property in the same relative position as the properties which were included within the District and FBA.
5. On June 29, 1999, Council adopted Resolution No. 99-387 approving a Resolution of Necessity to acquire an easement of approximately 10,145.50 square feet on the subject property.

Appraisal of the subject easement has been completed and the Director of Public Works has established just compensation for the acquisition. A written offer for the full amount determined as just compensation has been made to the property owner in accordance with Section 7267.2 of the Government Code. Due to financial reasons unrelated to the offer of just compensation, the property owner has indicated that a negotiated agreement cannot be reached. Therefore, in order for the project to proceed in a timely manner, staff recommends that Council adopt the Resolution of Necessity to use the power of eminent domain for acquisition of the easement.

FINANCIAL CONSIDERATIONS:

The full amount of just compensation for acquisition of the easements shown on Exhibits "A" and "B" is Nine Thousand Six Hundred Ten Dollars (9,610.00). Sufficient funds are available in PN: TR07 for the acquisition.

ENVIRONMENTAL CONSIDERATIONS:

The proposed project was analyzed and included in the mitigated Negative Declaration for the pocket Road Street Assessment District #2, (TF41), approved by Council in 1991. The mitigation measures and reporting plan previously approved are applicable and adequate for this project (TR07). Therefore, no further environmental review is required.

City Council
Easement Acquisition for Pocket Road PN: TR07
October 21, 1999

POLICY CONSIDERATIONS:

This action is consistent with legal requirements for the acquisition of private property for public projects.

ESBD CONSIDERATIONS:

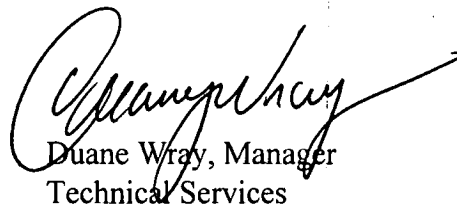
No goods or services are being purchased under this report.

Respectfully submitted,



Gary Alm, Manager
Development Services

Approved:



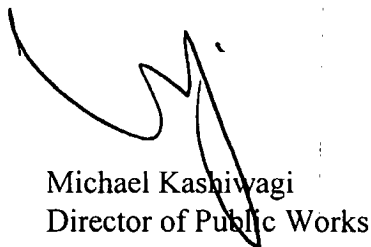
Duane Wray, Manager
Technical Services

RECOMMENDATION APPROVED:

Approved:



ROBERT P. THOMAS
City Manager



Michael Kashiwagi
Director of Public Works

EXHIBIT "A"

RESOLUTION NO. 99-387

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF JUN 29 1999

CERTIFIED AS TRUE COPY
OF Resolution 99-387
7-19-99
DATE CERTIFIED
Cherie O. Burrows
CITY CLERK, CITY OF SACRAMENTO

RESOLUTION OF NECESSITY TO ACQUIRE AN EASEMENT IN REAL PROPERTY BY EMINENT DOMAIN FOR POCKET ROAD RECONSTRUCTION AND RESURFACING (PN: TR07)

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

1. That the City of Sacramento intends to acquire through the exercise of the power of eminent domain an easement in real property hereinafter identified as the "Subject Parcel", more particularly described in paragraph 7.
2. That the Subject Parcel is to be taken for , or in connection with, the Pocket Road Reconstruction and Resurfacing project.
3. That the statute authorizing the City of Sacramento to acquire the Subject Parcel for the above-mentioned public purpose is Government Code, Section 37350.5.
4. That the Subject Parcel is located along Pocket Road between Greenhaven Drive and I-5 in Sacramento, California and is more specifically described in Exhibits "A" and "A-1".
5. That the City Council declares that it has found and determined each of following:
 - A. The public interest and necessity requires the easement acquisition for the project known as Pocket Road Reconstruction and Resurfacing.
 - B. The project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 99-387

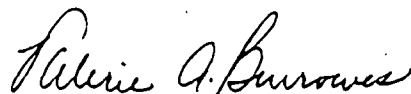
DATE ADOPTED: JUN 29 1999

- C. The Subject Parcel is needed for the project.
 - D. The offer required under Section 7267.2 of the Government Code has been made to the owner or representative of the owner of record.
6. That the City of Sacramento, a municipal corporation, its appropriate officers, employees and agents, are hereby authorized and empowered to:
- A. Acquire in the name of the City of Sacramento, a municipal corporation, the Subject Parcel.
 - B. Prepare, file and prosecute in the appropriate court, such proceedings in eminent domain as necessary for the acquisition of the Subject Parcel.
 - C. Deposit the probable amount of just compensation, as fixed by the Director of Public Works in accordance with law, with the State Treasurer's Condemnation Fund and to make application to said court for an order permitting the City of Sacramento to take immediate possession and use of the Subject Parcel.
7. That the City, by this resolution is authorized to acquire an easement in certain real property situated in the County of Sacramento, State of California, and described as follows:

SEE ATTACHED LEGAL DESCRIPTION MARKED EXHIBIT "A" AND DIAGRAMMED IN THE CORRESPONDING ATTACHMENT EXHIBIT "A-1".


VICE MAYOR

ATTEST:


CITY CLERK

RESOLUTION NO. 99-387

JUN 29 1999

EXHIBIT A

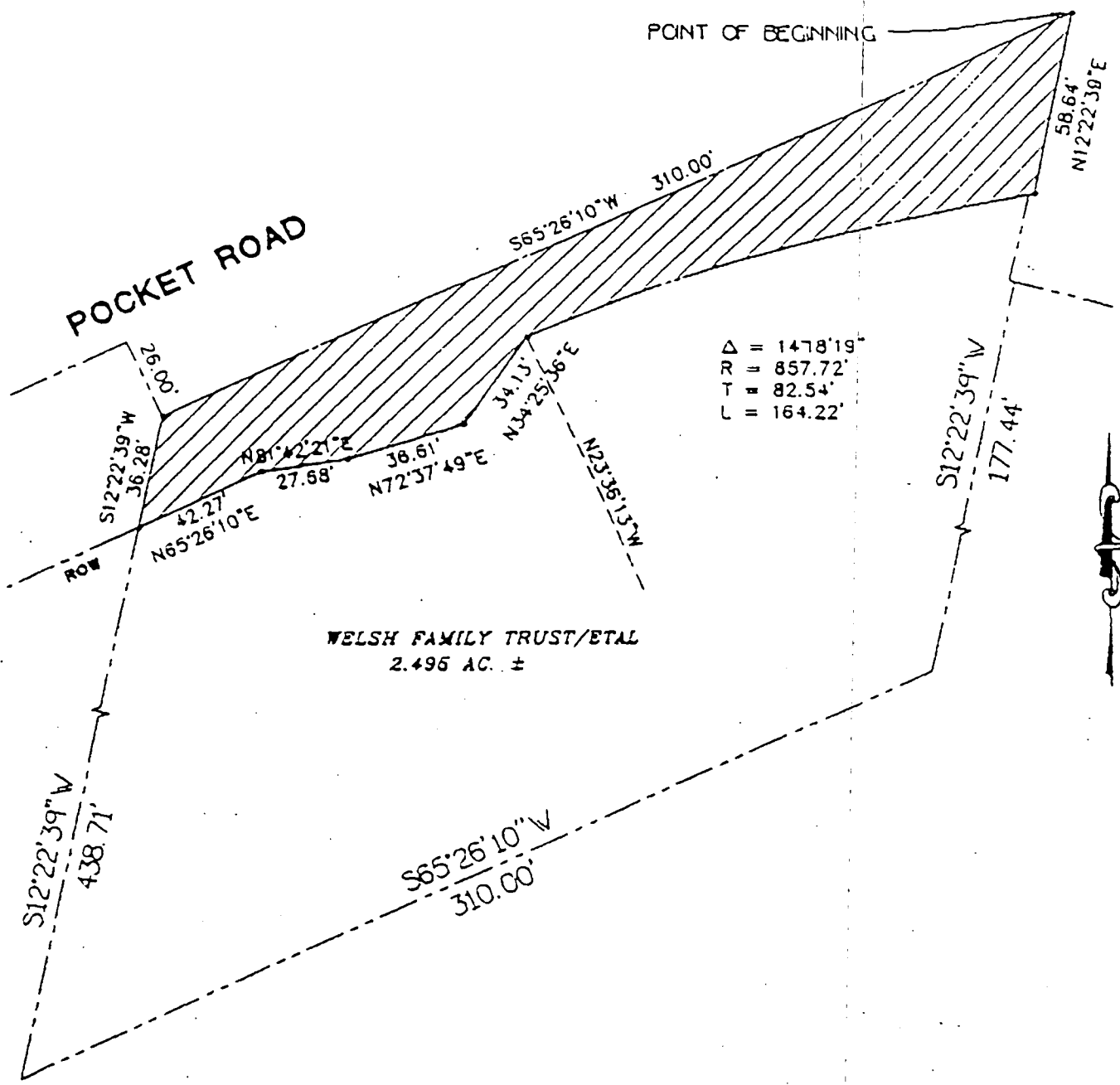
LEGAL DESCRIPTION
PROPERTY OF CITY OF SACRAMENTO
PORTION OF A.P.N. 031-0480-031

All that portion of Section 11, Township 7 North, Range 4 East, M.D.M. and being a portion of that certain parcel of land described in the Grant Deed recorded in the Office of the Recorder of Sacramento County in Book 721229, Page 1593, Sacramento County Official Records, described as follows:

Beginning at the Northeast corner of said parcel of land described in the aforementioned Grant Deed; thence from said point of beginning along the Northwesterly line of said parcel of land S 65°26'10" W 310.00 feet to the most Northerly corner of "Parkway Oaks Unit No. 1", the Official Plat of which was recorded in the Office of said Recorder in Book 128 of Maps, Map No. 13; thence along the boundary of said Parkway Oaks Unit No. 1 S 12°22'39" W 36.28 feet; thence N 65°26'10" E 42.27 feet; thence N 81°42'21" E 27.68 feet; thence N 72°37'49" E 36.61 feet; thence N 34°25'36" E 34.13 feet to the beginning of a non-tangent curve concave southerly having a radius of 657.72 feet, to which beginning of curve a radial bears N 23°36'13" W; thence easterly along said curve through a central angle of 14°18'19" an arc distance of 164.22 feet to the southeasterly line of said parcel of land described in the aforementioned grant deed; thence along said southeasterly line N 12°22'39" E 58.64 feet to the point of beginning, encompassing 10,145.5 square feet more or less.

RESOLUTION NO. 99-387

JUN 29 1999



AREA: 10,145.5 SQ.FT.
 SCALE: 1" = 50'

K:\PROJECTS\...POCKET\PLAT.DWG

EXHIBIT "A-1"

PLAT MAP
POCKET ROAD RECONSTRUCTION
PN: TR07
 A.P.N. : 031-0480-031
 CITY OF SACRAMENTO PUBLIC WORKS DEPT.

RESOLUTION NO. 99-387
 JUN 29 1999

EXHIBIT "B"

Description

Property of City of Sacramento

All that certain real property situate in the City of Sacramento, County of Sacramento, State of California, and being a portion of Section 11, Township 7 North, Range 4 East, M.D.M., described as follows:

All that portion of that certain parcel of land described in the Grant Deed recorded in Book 721229, Page 1593, Official Records of said County, described as follows:

BEGINNING at the easterly terminus of that certain course described as North 72°37'49" East 36.61 feet in that certain Sacramento City Council Resolution No. 99-387; thence along the easterly prolongation of said course North 72°37'49" East 13.26 feet to the beginning of a curve to the right, concave southwesterly, having a radius of 5.00 feet, (a radial line through said beginning of curve bears North 37°14'06" East); thence 3.68 feet along said curve through a central angle of 42°12'27" to the beginning of a compound curve to the right, concave westerly, having a radius of 79.50 feet; thence 3.58 feet along said curve through a central angle of 2°34'44"; thence North 82°01'17" East 41.00 feet to the beginning of a non-tangent curve to the left, concave westerly, having a radius of 120.50 feet, (a radial line through said beginning of curve bears North 82°01'17" East); thence 20.34 feet along said curve through a central angle of 9°40'23" to the beginning of a reverse curve, concave easterly, having a radius of 20.00 feet; thence 21.58 feet along said curve through a central angle of 61°49'13" to a point of cusp with a 657.72-foot radius curve to the left, concave southerly, as described in said resolution, (to which point a radial line bears North 20°09'50" West); thence 39.49 feet along said curve through a central angle of 3°26'23" to the end of said curve, as described in said resolution; thence South 34°25'36" West 34.13 feet to the POINT OF BEGINNING, containing 1412 square feet, more or less.

End of description.

Prepared by:
WOOD-RODGERS, INC.



EXHIBIT "B-1"

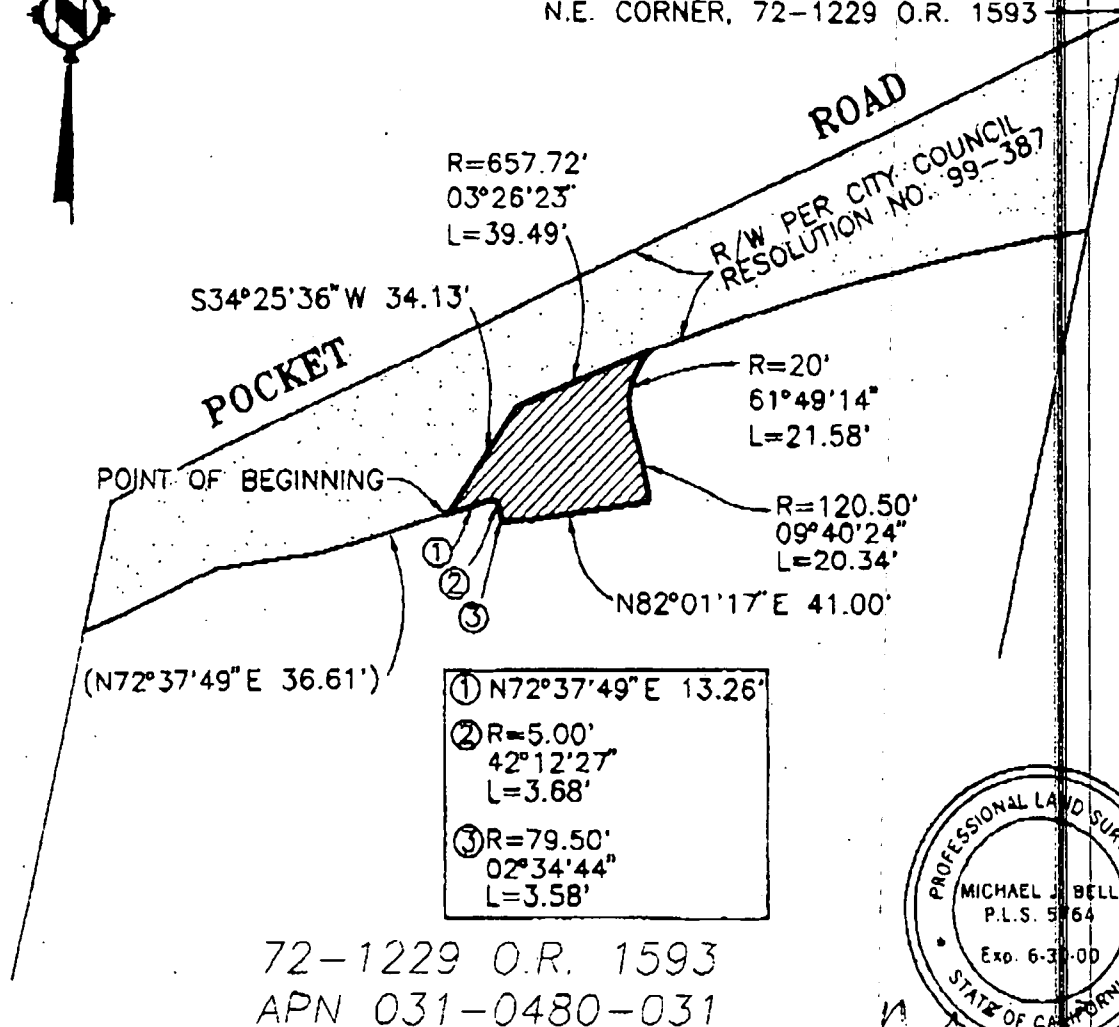
PLAT TO ACCOMPANY DESCRIPTION
FOR

POCKET ROAD RECONSTRUCTION

CITY OF SACRAMENTO, CALIFORNIA
SEPTEMBER, 1999 SCALE: 1" = 50'



N.E. CORNER, 72-1229 O.R. 1593



() = RECORD DATA PER RESOLUTION NO. 99-387

DESCRIBED AREA: 1412 SQ. FT. ±

NOTE:

DIMENSIONS SHOWN ARE FOR REFERENCE ONLY. SEE ATTACHED DESCRIPTION FOR CONTROLLING BOUNDARY INFORMATION.

CIVIL ENGINEERING
PLANNING
SURVEYING/MAPPING

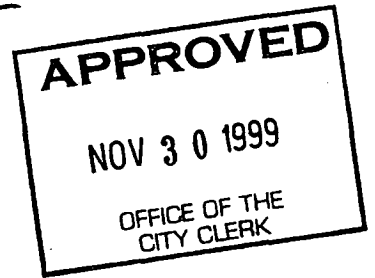
WOOD RODGERS INC.

1210 O STREET SACRAMENTO, CA 95814
PHONE: (916) 341-7760

RESOLUTION NO. 99-675

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____



RESOLUTION OF NECESSITY TO ACQUIRE AN EASEMENT IN REAL PROPERTY BY EMINENT DOMAIN FOR POCKET ROAD RECONSTRUCTION AND RESURFACING (PN: TR07)

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

1. That the City Council, on June 29, 1999, adopted Resolution No. 99-387, approving a Resolution of Necessity to acquire through the exercise of the power of eminent domain an easement in real property , more specifically described in Exhibits "A" and "A-1".
2. That the City of Sacramento intends to acquire through the exercise of the power of eminent domain an additional easement in real property hereinafter identified as the "Subject Parcel", more particularly described in paragraph 8.
3. That the Subject Parcel is to be taken for , or in connection with, the Pocket Road Reconstruction and Resurfacing project.
4. That the statute authorizing the City of Sacramento to acquire the Subject Parcel for the above-mentioned public purpose is Government Code, Section 37350.5.
5. That the Subject Parcel is located along Pocket Road between Greenhaven Drive and I-5 in Sacramento, California and is more specifically described in Exhibits "B" and "B-1".
6. That the City Council declares that it has found and determined each of following:
 - A. The public interest and necessity requires the easement acquisition for the project known as Pocket Road Reconstruction and Resurfacing.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

- B. The 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 Subject Parcel is needed for the project.
 - D. The offer required under Section 7267.2 of the Government Code has been made to the owner or representative of the owner of record.
7. That the City of Sacramento, a municipal corporation, its appropriate officers, employees and agents, are hereby authorized and empowered to:
- A. Acquire in the name of the City of Sacramento, a municipal corporation, the Subject Parcel.
 - B. Prepare, file and prosecute in the appropriate court, such proceedings in eminent domain as necessary for the acquisition of the Subject Parcel.
 - C. Deposit the probable amount of just compensation, as fixed by the Director of Public Works in accordance with law, with the State Treasurer's Condemnation Fund and to make application to said court for an order permitting the City of Sacramento to take immediate possession and use of the Subject Parcel.
8. That the City, by this resolution is authorized to acquire an easement in certain real property situated in the County of Sacramento, State of California, and described as follows:

SEE ATTACHED LEGAL DESCRIPTION MARKED EXHIBIT "B" AND DIAGRAMMED IN THE CORRESPONDING ATTACHMENT EXHIBIT "B-1".

ATTEST:

MAYOR

CITY CLERK

S:\PWS\Shared\REAL PROP\RHONDA\1\07 Pocket Rd Easement\Pocket Rd Reso.doc

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

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EXHIBIT A

LEGAL DESCRIPTION
PROPERTY OF CITY OF SACRAMENTO
PORTION OF A.P.N. 031-0480-031

All that portion of Section 11, Township 7 North, Range 4 East, M.D.M. and being a portion of that certain parcel of land described in the Grant Deed recorded in the Office of the Recorder of Sacramento County in Book 721229, Page 1593, Sacramento County Official Records, described as follows:

Beginning at the Northeast corner of said parcel of land described in the aforementioned Grant Deed; thence from said point of beginning along the Northwesterly line of said parcel of land S 65°26'10" W 310.00 feet to the most Northerly corner of "Parkway Oaks Unit No. 1", the Official Plat of which was recorded in the Office of said Recorder in Book 128 of Maps, Map No. 13; thence along the boundary of said Parkway Oaks Unit No. 1 S 12°22'39" W 36.28 feet; thence N 65°26'10" E 42.27 feet; thence N 81°42'21" E 27.68 feet; thence N 72°37'49" E 36.61 feet; thence N 34°25'36" E 34.13 feet to the beginning of a non-tangent curve concave southerly having a radius of 657.72 feet, to which beginning of curve a radial bears N 23°36'13" W; thence easterly along said curve through a central angle of 14°18'19" an arc distance of 164.22 feet to the southeasterly line of said parcel of land described in the aforementioned grant deed; thence along said southeasterly line N 12°22'39" E 58.64 feet to the point of beginning, encompassing 10,145.5 square feet more or less.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

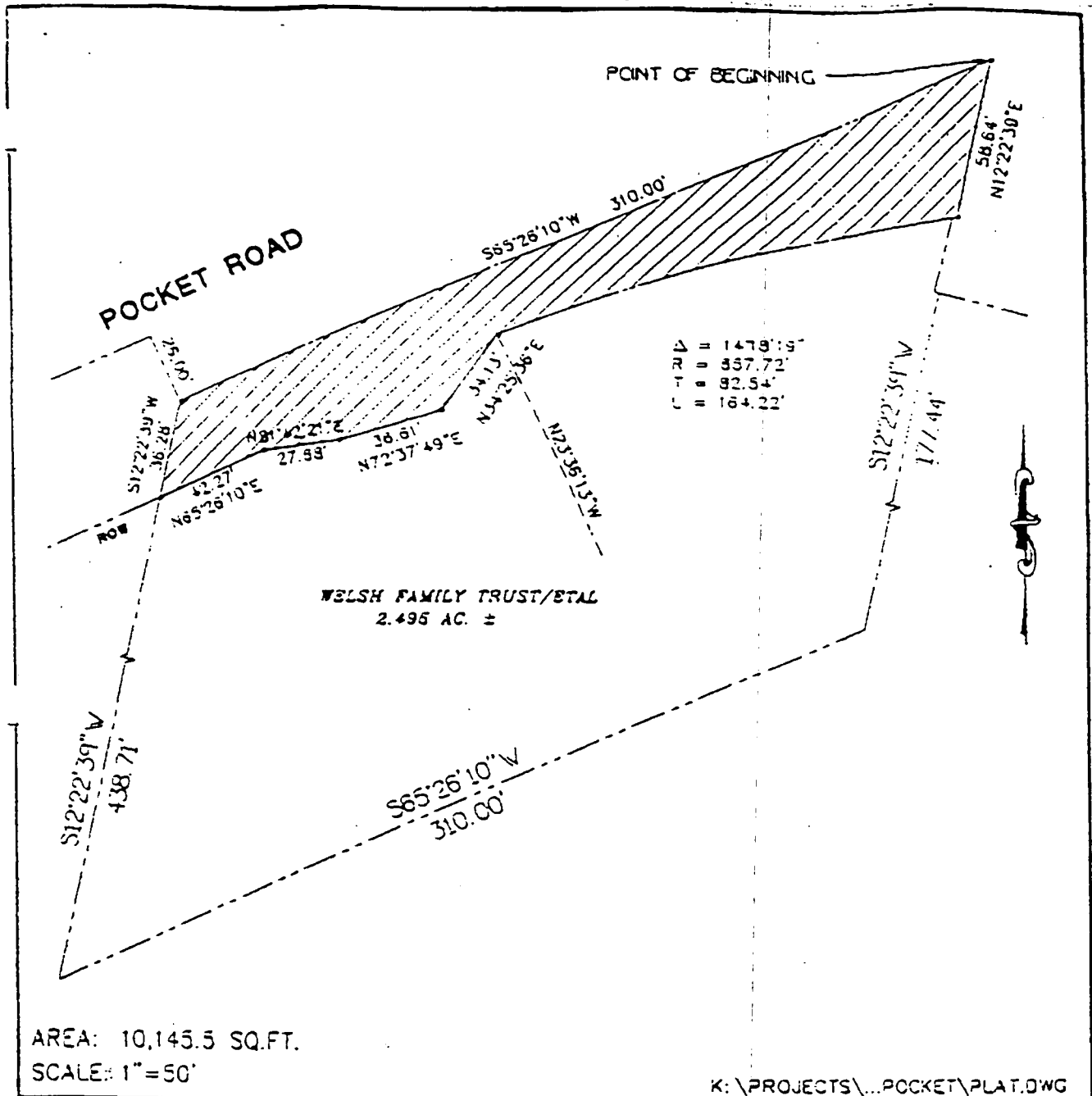


EXHIBIT "A-1"

PLAT MAP

POCKET ROAD RECONSTRUCTION

PN: TR07

A.P.N. : 031-0480-031

CITY OF SACRAMENTO PUBLIC WORKS DEPT.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

EXHIBIT "B"

Description

Property of City of Sacramento

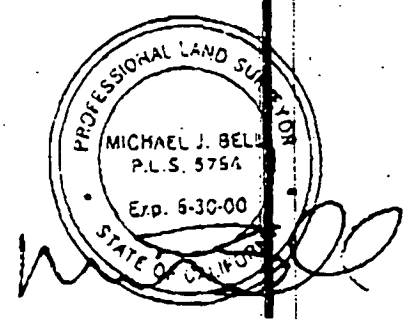
All that certain real property situate in the City of Sacramento, County of Sacramento, State of California, and being a portion of Section 11, Township 7 North, Range 4 East, M.D.M., described as follows:

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BEGINNING at the easterly terminus of that certain course described as North 72°37'49" East 36.61 feet in that certain Sacramento City Council Resolution No. 99-387; thence along the easterly prolongation of said course North 72°37'49" East 13.26 feet to the beginning of a curve to the right, concave southwesterly, having a radius of 5.00 feet, (a radial line through said beginning of curve bears North 37°14'06" East); thence 3.62 feet along said curve through a central angle of 42°12'27" to the beginning of a compound curve to the right, concave westerly, having a radius of 79.50 feet; thence 3.58 feet along said curve through a central angle of 2°34'44"; thence North 82°01'17" East 41.00 feet to the beginning of a non-tangent curve to the left, concave westerly, having a radius of 120.50 feet, (a radial line through said beginning of curve bears North 82°01'17" East); thence 20.34 feet along said curve through a central angle of 9°40'23" to the beginning of a reverse curve, concave easterly, having a radius of 20.00 feet; thence 21.58 feet along said curve through a central angle of 61°49'13" to a point of cusp with a 657.72-foot radius curve to the left, concave southerly, as described in said resolution, (to which point a radial line bears North 20°09'50" West); thence 39.49 feet along said curve through a central angle of 3°26'23" to the end of said curve, as described in said resolution; thence South 34°25'36" West 34.13 feet to the POINT OF BEGINNING, containing 1412 square feet, more or less.

End of description.

Prepared by:
WOOD-RODGERS, INC.



FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

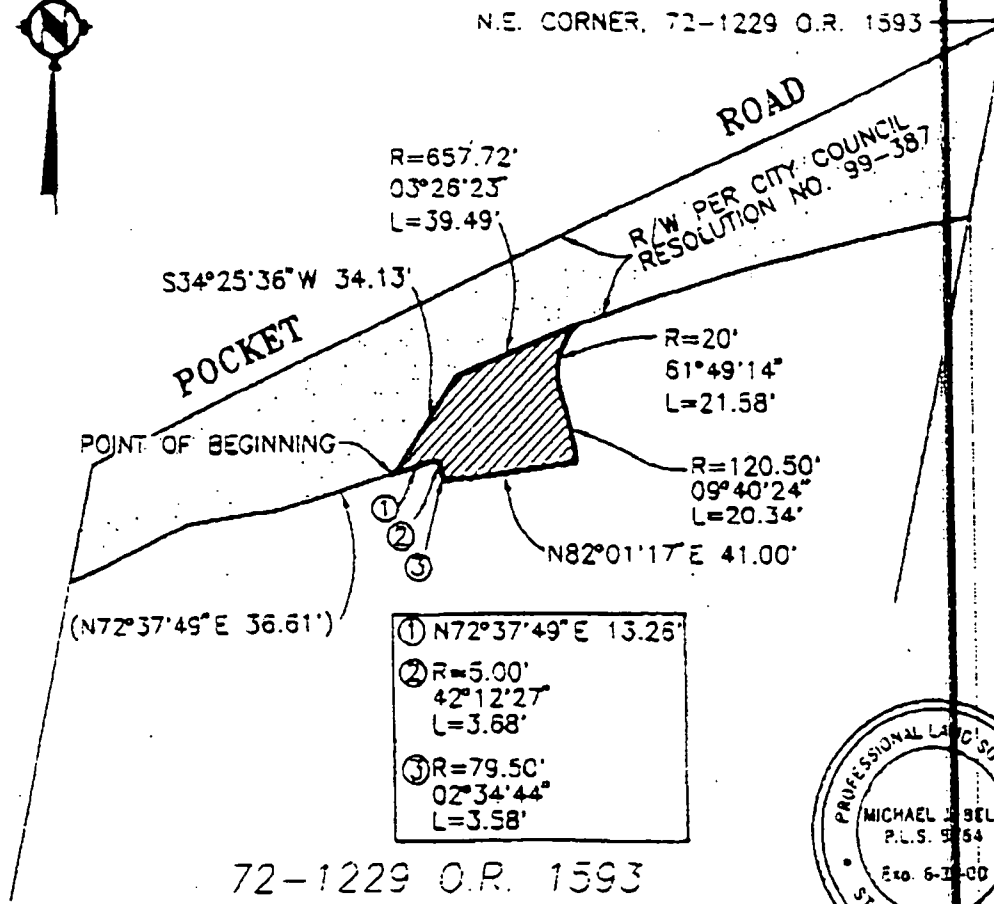
DATE ADOPTED: _____

EXHIBIT "B-1"

PLAT TO ACCOMPANY DESCRIPTION
FOR
POCKET ROAD RECONSTRUCTION
CITY OF SACRAMENTO, CALIFORNIA
SEPTEMBER, 1999 SCALE: 1" = 50'



N.E. CORNER, 72-1229 O.R. 1593



S34°25'36"W 34.13'

R=657.72'
03°26'25"
L=39.49'

R/W PER CITY COUNCIL
RESOLUTION NO. 99-387

POCKET

R=20'
61°49'14"
L=21.58'

POINT OF BEGINNING

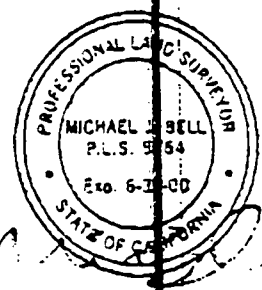
R=120.50'
09°40'24"
L=20.34'

N82°01'17" E 41.00'

(N72°37'49" E 36.61')

- ① N72°37'49" E 13.25'
- ② R=5.00'
42°12'27"
L=3.68'
- ③ R=79.50'
02°34'44"
L=3.58'

72-1229 O.R. 1593
APN 031-0480-031



() = RECORD DATA PER RESOLUTION NO. 99-387

DESCRIBED AREA: 1412 SQ. FT. ±

NOTE:
DIMENSIONS SHOWN ARE FOR REFERENCE
ONLY. SEE ATTACHED DESCRIPTION FOR
CONTROLLING BOUNDARY INFORMATION.

CIVIL ENGINEERING
PLANNING
SURVEYING/MAPPING

WOOD RODGERS INC.

1210 O STREET SACRAMENTO, CA 95814
PHONE: (916) 341-7760

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____



DEPARTMENT OF
PUBLIC WORKS

CITY OF SACRAMENTO
CALIFORNIA

915 I STREET
ROOM 200
SACRAMENTO, CA
95814-2700
PH 916-264-5710
FAX 916-264-8250

TECHNICAL SERVICES DIVISION
REAL ESTATE SERVICES

November 8, 1999

Ms. Elizabeth Welsh Abad
1601 13th Avenue
Sacramento, CA 95818

SUBJECT: POCKET ROAD RECONSTRUCTION
PORTION OF APN: 031-0480-031
RES#: 7532-01

Dear Ms. Abad:

The law provides the procedure for public agencies to acquire private property for public use. It requires every agency, which intends to acquire property by condemnation, must notify the owners of that property of its intention to condemn and of the date, time and place of the hearing authorizing the action. Such notice must be given prior to submission of an authorizing resolution to the City Council for adoption. The purpose of the attached Notice of Hearing is to advise you that acquisition of your property will be sought through judicial process if an agreement is not reached. The notice does not mean that agreement cannot be reached.

Agreement between an owner and the City of Sacramento may be delayed for a variety of good reasons; however, in order to maintain a schedule for project completion, certain procedural steps must be taken. One such step is to advise an owner of our hearing to acquire property through court proceedings. A legal description of the required property is also attached.

The attached Notice of Hearing gives you the opportunity to appear before the City Council to ask questions concerning the public interest, necessity, and location of the project as it relates to your property. The subject of the amount of compensation for your property is not an issue for the City Council and it will not be considered by them at the hearing. If the Resolution is adopted, the City Council has the authority to file an eminent domain action in the Superior Court. In that Superior Court proceeding the amount of compensation is determined.

If you desire to appear before the City Council please give your proper notice to the City Clerk as indicated on the attached notice. If you have questions regarding the procedure, please contact me by telephone at (916) 264-7902.

Sincerely,

A handwritten signature in black ink, appearing to read "Rhonda R. Lake", is written over a horizontal line. The signature is stylized with large, flowing loops. A long horizontal line extends to the right from the end of the signature.

Rhonda R. Lake
Real Property Agent

Attachments



DEPARTMENT OF
PUBLIC WORKS

CITY OF SACRAMENTO
CALIFORNIA

915 I STREET
ROOM 301
SACRAMENTO, CA
95814-2700
PH 916-264-5710
FAX 916-264-8250

TECHNICAL SERVICES DIVISION
REAL ESTATE SERVICES

CITY OF SACRAMENTO
POCKET ROAD RECONSTRUCTION PROJECT (TR07)
NOTICE OF PUBLIC HEARING ON ADOPTION OF RESOLUTION
OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY BY
EMINENT DOMAIN
(Code of Civil Procedure, Section 1245.235)

TO: Elizabeth Welsh Abad
RE: Portion of APN: 031-0480-031
RES#: 7532-01

California Code of Civil Procedure, Section 1240.030, provides that the power of eminent domain may be exercised to acquire property for a proposed project if the following conditions are established:

- a) The public interest and necessity require the project.
- b) The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
- c) The property sought to be acquired is necessary for the project.
- d) The offer required by Section 7267.2 of the Government Code has been made to the owner of record.

You are hereby notified that the City Council at its meeting to be held at **2:00 P.M. ON NOVEMBER 23, 1999**, in the **City Council Chambers, City Hall, 915 I Street, Sacramento, California**, will be asked to decide if the above conditions are met concerning your property and, if so, to adopt a Resolution of Necessity. Questions regarding the amount of compensation to be paid are not part of this proceeding and the City Council does not consider such in determining whether a Resolution should be adopted.

The adopted Resolution would authorize the City of Sacramento to acquire the property by eminent domain if necessary. A legal description of the required property is attached to this Notice.

If you file a written request to appear you are entitled to appear and be heard before the City Council. All written requests to appear must be sent to the City Clerk, 915 I Street, Room 300, Sacramento, California, **not later than 5:00 P.M.**

Notice of Public Hearing – Pocket Road Reconstruction
Page 2

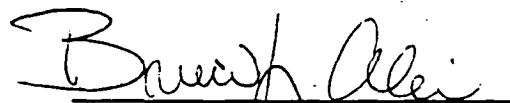
on November 19, 1999. Failure to provide a timely written request will result in the waiver of your right to appear and be heard.

Your written request to appear should include a statement of the condition(s) which you feel are pertinent to your property. The three conditions, which may affect your property, are set forth above (designate (a), (b), and (c)). By designating which conditions forms the basis of your concerns, and why, you will enable the City to better review the project's affect on your property.

The City Council must adopt a Resolution of Necessity before an eminent domain proceeding can be commenced. Within six months of the adoption of the Resolution of Necessity, the City of Sacramento will commence eminent domain proceedings in the Superior Court in Sacramento County. In that proceeding, the court will determine the amount of compensation to which you are entitled.

If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your written request to appear and be heard, if any, may be filed with the City in a timely manner.

Date of Mailing: November 8, 1999



Bruce J. Alei
Real Estate Technical Manager

EXHIBIT "B"

Description

Property of City of Sacramento

All that certain real property situate in the City of Sacramento, County of Sacramento, State of California, and being a portion of Section 11, Township 7 North, Range 4 East, M.D.M., described as follows:

All that portion of that certain parcel of land described in the Grant Deed recorded in Book 721229, Page 1593, Official Records of said County, described as follows:

BEGINNING at the easterly terminus of that certain course described as North $72^{\circ}37'49''$ East 36.61 feet in that certain Sacramento City Council Resolution No. 99-387; thence along the easterly prolongation of said course North $72^{\circ}37'49''$ East 13.26 feet to the beginning of a curve to the right, concave southwesterly, having a radius of 5.00 feet, (a radial line through said beginning of curve bears North $37^{\circ}14'06''$ East); thence 3.66 feet along said curve through a central angle of $42^{\circ}12'27''$ to the beginning of a compound curve to the right, concave westerly, having a radius of 79.50 feet; thence 3.58 feet along said curve through a central angle of $2^{\circ}34'44''$; thence North $82^{\circ}01'17''$ East 41.00 feet to the beginning of a non-tangent curve to the left, concave westerly, having a radius of 120.50 feet, (a radial line through said beginning of curve bears North $82^{\circ}01'17''$ East); thence 20.34 feet along said curve through a central angle of $9^{\circ}40'23''$ to the beginning of a reverse curve, concave easterly, having a radius of 20.00 feet; thence 21.58 feet along said curve through a central angle of $61^{\circ}49'13''$ to a point of cusp with a 657.72-foot radius curve to the left, concave southerly, as described in said resolution, (to which point a radial line bears North $20^{\circ}09'50''$ West); thence 39.49 feet along said curve through a central angle of $3^{\circ}26'23''$ to the end of said curve, as described in said resolution; thence South $34^{\circ}25'36''$ West 34.13 feet to the POINT OF BEGINNING, containing 1412 square feet, more or less.

End of description.

Prepared by:
WOOD-RODGERS, INC.

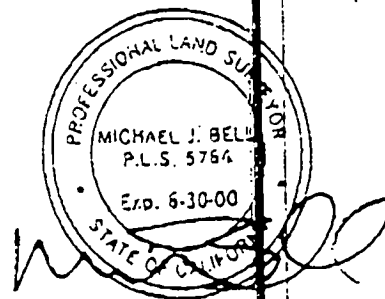
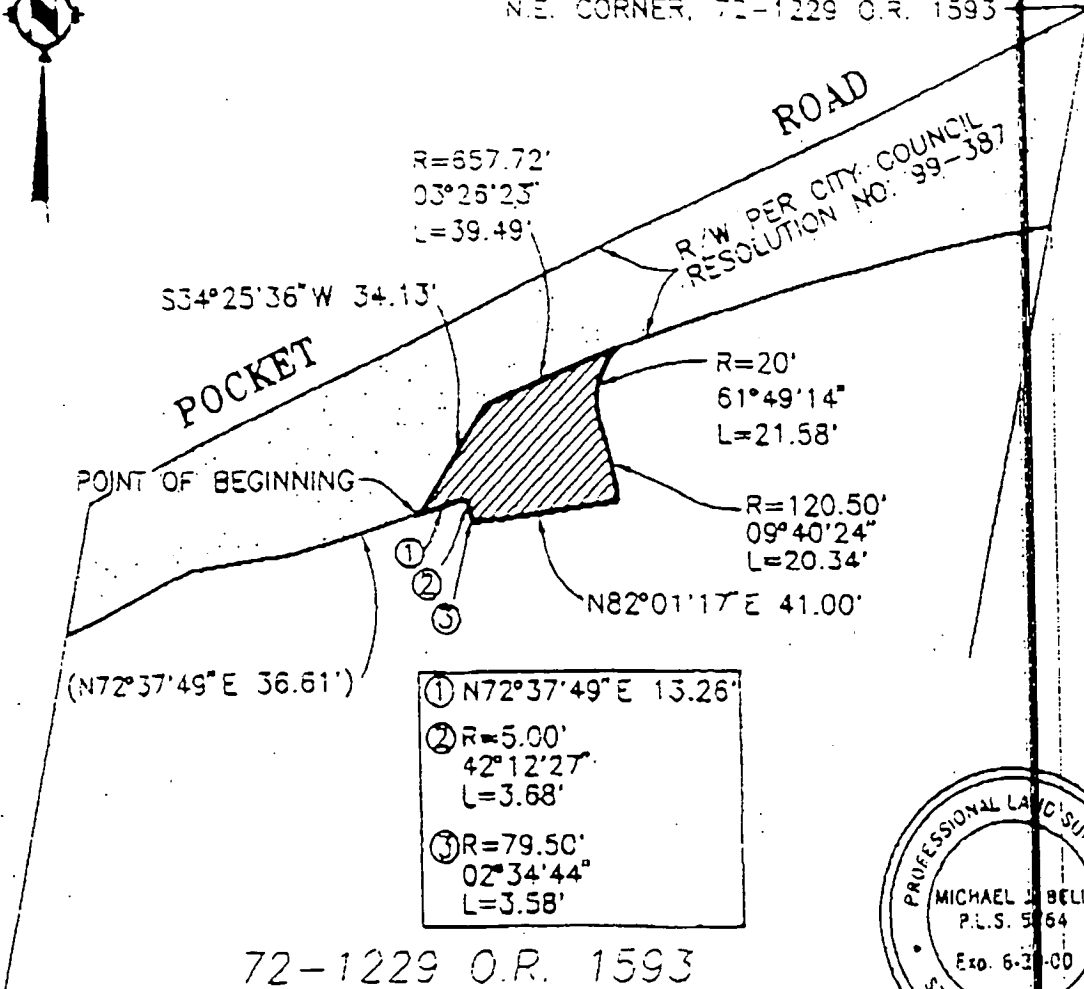


EXHIBIT "B-1"

PLAT TO ACCOMPANY DESCRIPTION
FOR
POCKET ROAD RECONSTRUCTION
CITY OF SACRAMENTO, CALIFORNIA
SEPTEMBER, 1999 SCALE: 1" = 50'



N.E. CORNER, 72-1229 O.R. 1593

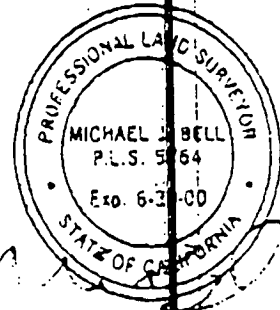


ROAD
R/W PER CITY COUNCIL
RESOLUTION NO. 99-387

POCKET

POINT OF BEGINNING

72-1229 O.R. 1593
APN 031-0480-031



() = RECORD DATA PER RESOLUTION NO. 99-387

DESCRIBED AREA: 1412 SQ. FT. ±

NOTE:
DIMENSIONS SHOWN ARE FOR REFERENCE
ONLY. SEE ATTACHED DESCRIPTION FOR
CONTROLLING BOUNDARY INFORMATION.

CIVIL ENGINEERING
PLANNING
SURVEYING/MAPPING

WOOD RODGERS INC.
1210 O STREET SACRAMENTO, CA 95814
PHONE: (916) 341-7760

CITY OF SACRAMENTO

NOTICE OF HEARINGS

PUBLIC NOTICE is hereby given that on the date of November 23, 1999, at the hour of 2:00 p.m., the following hearing(s) will be held in the City Council Chambers, City Hall, Second Floor, 915 I Street, Sacramento, California:

Hearing on Resolution of Necessity for Easement Acquisition, APN: 031-0480-031,
for Pocket Road Reconstruction and Resurfacing Project (PN:TR07)

Further information may be obtained from the Office of the City Clerk, 915 "I" Street, Room 304, Sacramento, California (916) 264-5427.

SACRAMENTO CITY COUNCIL

BY: VALERIE A. BURROWES
CITY CLERK

AD NO. 8952
RUN 1 TIME: 11/3/99
2 PUB PROOFS

From: Virginia Bailey
To: Valerie Burrowes
Date: Wed, Oct 20, 1999 2:42 PM
Subject: Re: Council Item

OK we will go with this on Nov 23.

>>> Valerie Burrowes 10/20 10:34 AM >>>

Looks like I might be able to work it in on November 23rd at 2 pm.

>>> Virginia Bailey 10/20 10:18 AM >>>

Hi Val,

Will it be OK to put this on the agenda for an aft hearing for 15 min. titled Hearing on Resolution of Necessity for Easement Acquisition, APN: 031-0480-031, for Pocket Road Reconstruction and Resurfacing Project (PN:TR07). They say it will be fast and quick and probably won't take more than 5 or 10 min. Rhonda needs to know ASAP so she can mail out the hearing notices.

CC: Chris Orozco, Robi Holmen, Virginia Henry

OFF DATE: _____
HEARING DATE: 11-23-99 *afternoon*
FINAL COUNCIL ACTION DATE: _____