

**RESOLUTION NO. 2003-310**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF MAY 20 2003

**RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY  
BY EMINENT DOMAIN FOR NORTH NATOMAS PLANT 1B PUMPING  
PLANT (PN:55AD)**

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

1. That the City of Sacramento has reviewed and considered the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared and adopted by Reclamation District No. 1000, in accordance with the City's responsibilities as a responsible agency under the California Environmental Quality Act.
2. That the City of Sacramento intends to acquire through the exercise of the power of eminent domain the real property hereinafter identified as the "Acquisition Parcel", more particularly described in Paragraph 7.
3. That the Acquisition Parcel is to be taken for, or in connection with, the North Natomas Plant 1B Pumping Plant Project.
4. That the statute authorizing the City of Sacramento to acquire the Acquisition Parcel for the above-mentioned public purpose is Government Code, Section 37350.5.
5. That the Acquisition Parcel the City of Sacramento is seeking to acquire in fee simple interest is a portion of Edwin and Jean Kado's property located at 1635 Garden Highway, in Sacramento, California, comprising 16,820 square feet and a 2,836 square foot temporary construction easement described in the attached Exhibits "A" and "B". A map of the project area is depicted on Exhibit "C" attached.

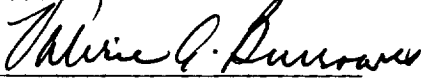
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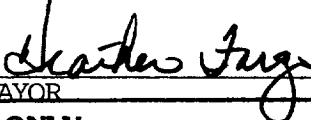
**FOR CITY CLERK USE ONLY**

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6. That the City Council declares that it has found and determined each of the following:
  - a. The public interest and necessity require the project known as North Natomas Plant 1B Pumping Plant Project and the acquisition of property in support of said project.
  - 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 fee simple interest in the Acquisition Parcel is needed for the project.
  - d. The offer and summary of appraisal required under Section 7267.2 of the Government Code has been made or provided to the owner of record of the Acquisition Parcel and/or representatives of said owners.
  - e. The notices required under civil procedure section 1245.235 have been duly serviced by first class mail or personal service on the fee owners of the property.
  
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 portion of the Edwin and Jean Kado property described in paragraph 7.
  - b. Prepare, file and prosecute in the appropriate court, such proceedings in eminent domain as necessary for the acquisition of the Kado Property.
  - c. Deposit the probably amount of just compensation, as fixed by the Director of Public Works in accordance with law, in the State Condemnation Fund, and to make application to the appropriate court for an order permitting the City of Sacramento to take possession and use of the Acquisition Parcel.
  
8. That the City, by this resolution, is authorized to acquire certain real property situated in the City of Sacramento, County of Sacramento, State of California, and described as follows:

SEE ATTACHED LEGAL DESCRIPTIONS MARKED EXHIBIT "A" AND DIAGRAMED IN THE CORRESPONDING ATTACHMENT EXHIBIT "B"

  
 CITY CLERK

  
 MAYOR

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**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**PROPERTY OF KADO, ET. UX.**  
**A.P.N. 274-0030-072**

BEING A PARCEL OF LAND SITUATE IN THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

A PORTION OF PARCEL 2 AS DESCRIBED IN THAT "CERTIFICATE OF COMPLIANCE FOR LOT SPLIT", RECORDED IN BOOK 950623 AT PAGE 823, OFFICIAL RECORDS OF THE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF TRIGO WAY, A CITY STREET AND LA LIMA WAY, A CITY STREET, AS SAID INTERSECTION IS SHOWN ON THAT "PLAT OF BRISAS DEL RIO" RECORDED IN BOOK 185 OF MAPS, MAP No.7, RECORDS OF THE COUNTY OF SACRAMENTO, CALIFORNIA, FROM WHICH THE NORTHERLY END OF THE CENTERLINE OF LA LIMA WAY BEARS NORTH 13° 59' 49" WEST, 158.86 FEET. THENCE FROM SAID POINT OF COMMENCEMENT, SOUTH 16° 03' 04" EAST A DISTANCE OF 537.31 FEET TO THE TRUE POINT OF BEGINNING, SAID TRUE POINT OF BEGINNING ALSO LYING ON THE CENTERLINE OF GARDEN HIGHWAY, A CITY STREET, SAID POINT ALSO BEING THE NORTHEAST CORNER OF SAID PARCEL 2. THENCE FROM SAID TRUE POINT OF BEGINNING, ALONG THE NORTH LINE OF SAID PARCEL 2, SAID NORTH LINE ALSO BEING THE CENTERLINE OF GARDEN HIGHWAY, NORTH 86° 18' 45" WEST, 90.00 FEET; THENCE LEAVING SAID NORTH LINE AND SAID CENTERLINE, SOUTH 04° 10' 49" WEST, 116.98 FEET; THENCE SOUTH 26° 07' 49" WEST, 52 FEET MORE OR LESS TO A POINT ON THE NORTH LINE OF THE MEANDERINGS OF THE SACRAMENTO RIVER; THENCE ALONG SAID MEANDERINGS TO A POINT ON THE EAST LINE OF SAID PARCEL 2, SAID POINT ALSO BEING ON THE WEST LINE OF THAT PARCEL OWNED BY RECLAMATION DISTRICT 1000 (HEREINAFTER REFERRED TO AS RD 1000) PER THAT DEED RECORDED IN BOOK 3518 AT PAGE 248, OFFICIAL RECORDS OF THE COUNTY OF SACRAMENTO; THENCE ALONG SAID EAST LINE OF SAID PARCEL 2 AND WEST LINE OF SAID RD 1000, NORTH 26° 07' 49" EAST, 30 FEET MORE OR LESS; THENCE CONTINUING ALONG SAID LINES, NORTH 04° 10' 49" EAST, 135.20 FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH A TEMPORARY CONSTRUCTION EASEMENT TO END ON 31 JANUARY 2004 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A STRIP OF LAND 15.00 FEET IN WIDTH LYING ADJACENT TO AND WESTERLY OF THE ABOVE DESCRIBED PARCEL.



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# EXHIBIT B

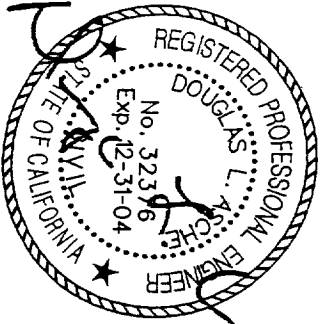
PROPERTY OF  
KADO, ET. UX.

A.P.N. 274-0030-072

APRIL 2003

BRISAS DEL RIO  
BOOK 185 MAPS PAGE 7

GARDEN HIGHWAY



**PARCEL 1**

950823 O.R. 823  
APN 274-0030-071

15' TEMPORARY  
CONSTRUCTION EASEMENT

**PARCEL 2**

950823 O.R. 823  
APN 274-0030-072

SACRAMENTO



MEANDERINGS OF THE  
SACRAMENTO RIVER

SUBJECT PARCEL

RIVER

RD 1000  
2518 O.R. 248

TRUE POINT  
OF BEGINNING

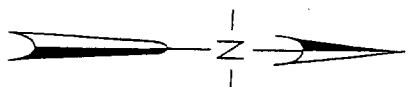
LA LIMA WAY

S16° 03' 04" E, 158.86'

S16° 03' 04" E  
537.31'  
(TIE)

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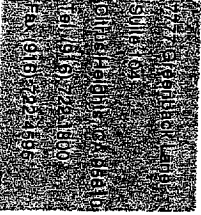


1" = 100'

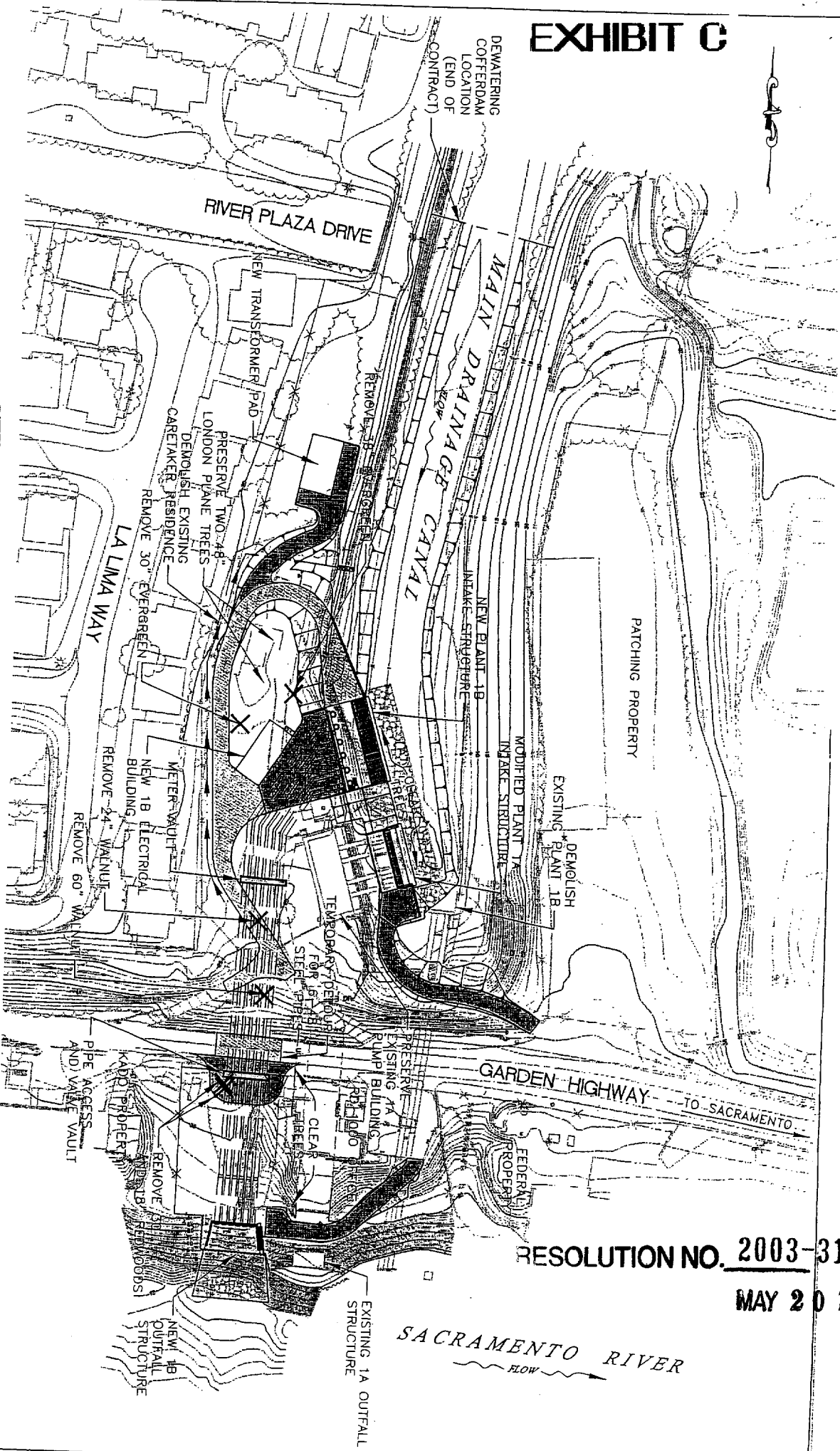
CONSULTING  
**KASL**

ENGINEERS

CIVIL - WATER RESOURCES - SURVEYING



# EXHIBIT C



SITE PLAN



**MRAD**  
**STUNT**  
 3333 Levee Road, Suite 1000, Colusa, CA 95926  
 Phone: (916) 971-2000 Fax: (916) 971-4211  
 1-93-2003  
 SUBMITTED APPROVED

RECLAMATION DISTRICT NO. 1000  
 PUMPING PLANT NO. 1 IMPROVEMENTS  
 SITE PLAN

SCALE OF ORIGINAL  
 AS SHOWN

FIG 2

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