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# CITY OF SACRAMENTO

September 25th, 1984

## DEPARTMENT OF PUBLIC WORKS

Engineering and Transportation Division  
915 I Street - Room 300  
Sacramento, California 95814

CITY MANAGER'S OFFICE  
**RECEIVED**  
SEP 17 1984

	Telephones (916)
Civil Engineering	449-5281
Electrical Engineering	449-5287
Architecture	449-5144
Construction	449-5281
Real Estate	449-5626
Traffic Engineering	449-5307
Parking	449-5354
Street Maintenance	449-5236

City Council  
Sacramento, California

Honorable Members In Session:

**SUBJECT:** Authorizing Giving Notice of Intent to Adopt Condemnation Resolution, Fruitridge Road Widening, Power Inn Road East to Central California Traction Railroad

### SUMMARY

Resolution Authorizing Giving Notice of Intent to Adopt Condemnation Resolution for the necessary right of way to widen Fruitridge Road between Power Inn Road and the Central California Traction Company Railroad Tracks.

### BACKGROUND INFORMATION

It is necessary to use eminent domain proceedings to acquire a permanent easement from owners along Power Inn Road to complete the necessary right of way needed for the project.

### FINANCIAL DATA

The appraised value of the easement is \$6,200.00. The funds are available from the Major Street Construction Fund in the Fruitridge Road Widening, Capital Improvement Budget, Cost Center No. 2486.

### RECOMMENDATION

It is recommended that the Resolution Authorizing Giving of Notice of Intention to Adopt Condemnation Resolution be adopted, which sets a Hearing for October 16th, 1984.

Respectfully submitted,

L. M. Frink  
Deputy Director of Public Works

Recommendation Approved

For.   
Walter J. Slipes  
City Manager

**APPROVED**  
BY THE CITY COUNCIL

SEP 25 1984

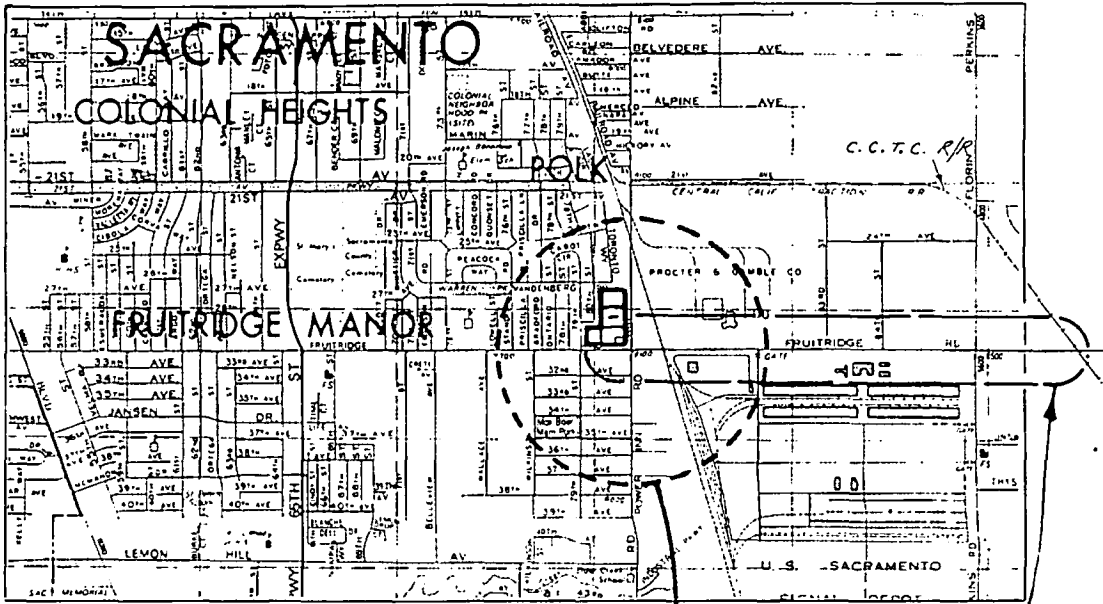
OFFICE OF THE  
CITY CLERK

APPROVED

  
Melvin H. Johnson  
Director of Public Works

LMF:EF:bb

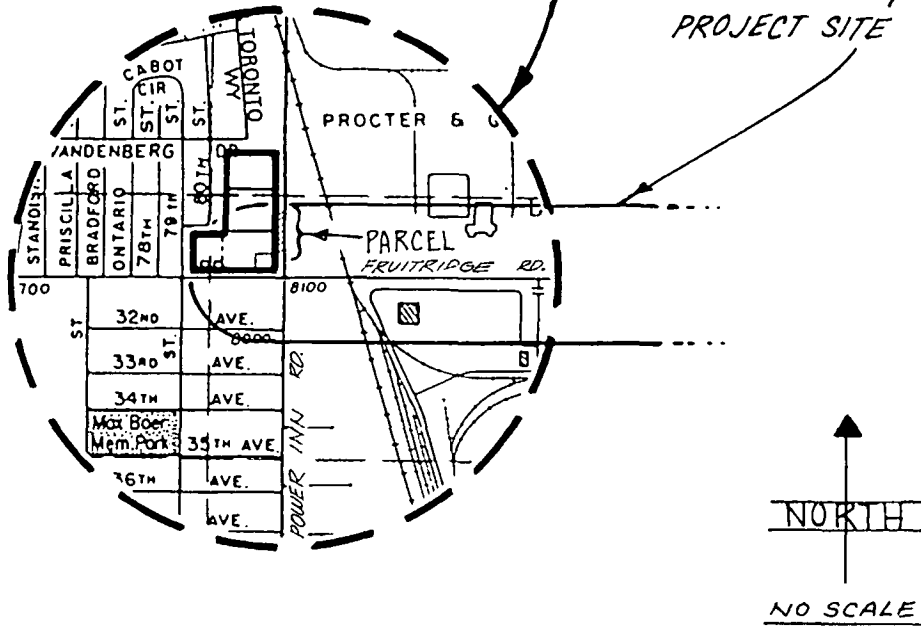
September 25th, 1984  
DISTRICT NO. 6



VICINITY MAP

DETAIL

PROJECT SITE



# LOCATION MAP

## FRUITRIDGE ROAD

POWER INN ROAD TO C.C.T.C. R/R

PARCEL NO. 2486-15



RESOLUTION NO. 84-816

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

SEPTEMBER 25, 1984

RESOLUTION AUTHORIZING GIVING OF NOTICE OF INTENT TO ADOPT CONDEMNATION RESOLUTION:

ACQUISITION OF PARCEL 2486-15 FOR FRUITRIDGE ROAD WIDENING, POWER INN ROAD EAST TO CENTRAL CALIFORNIA TRACTION RAILROAD

Recitals:

A. It has been recommended to the City Council that a certain parcel of property be acquired by the City for public use by this exercise of the power of eminent domain.

B. The City desires to afford the owners of such parcel the opportunity to appear and be heard at a public hearing concerning those matters specified in Section 1245.235 of the Code of Civil Procedure.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO AS FOLLOWS:

- 1. That the City Council announces its intent to adopt the attached Resolution marked Exhibit A.
- 2. That the City Clerk is hereby authorized and directed to give the notice of said intention as required by Section 1245.235 of the Code of Civil Procedure.
- 3. That said notice shall provide that the City Council shall hold the hearing required by Section 1245.235 of the Code of Civil Procedure at the regular Council meeting to be held at 7:30 P. M. on October 16th, 1984, in the City Council Chambers and that the request to appear and be heard at said hearing shall be filed in writing in the office of the City Clerk not later than 5:00 P. M. on October 9th, 1984.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED  
BY THE CITY COUNCIL

SEP 25 1984

OFFICE OF THE  
CITY CLERK

10

# RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

OCTOBER 16, 1984

RESOLUTION OF NECESSITY: ACQUISITION OF  
PARCEL 2486-15, FRUITRIDGE ROAD WIDENING,  
POWER INN ROAD TO CENTRAL CALIFORNIA  
TRACTION RAILROAD

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO,  
TWO-THIRDS OF ALL MEMBERS OF SAID COUNCIL VOTING IN FAVOR  
THEREOF:

1. That the City of Sacramento intends to acquire through the exercise of the power of eminent domain the real property or interests in real property hereinafter described as Parcel 2486-15, (herein referred to as the "Subject Parcel").
2. That the City of Sacramento intends to acquire the Subject Parcel in fee simple absolute unless a lesser estate is expressly specified in the description of said parcel.
3. That the Subject Parcel is to be taken for the following public use: street purposes
4. That the statute or statutes authorizing the City of Sacramento to acquire the Subject Parcel for the above-mentioned public purposes are as follows: Government Code, Section 37350.5.
5. That the Subject Parcel is generally located in the vicinity of Power Inn Road and is necessary for the expanded intersection of Fruitridge Road and Power Inn Road, in the City of Sacramento.
6. That the City Council declares that it has found and determined each of the following:
  - a. The public interest and necessity require the parcel for widening Fruitridge Road.
  - b. The parcel is located in the manner that will be most compatible with the greatest public good and the least private injury.
  - c. The Subject Parcel is necessary for the widening of Fruitridge Road.
7. That the City of Sacramento, a municipal corporation, its appropriate officers, employees and agents, are hereby authorized and empowered:

EXHIBIT "A"

a. To acquire in fee simple in the name of the City of Sacramento, a municipal corporation, the Subject Parcel by condemnation in accordance with the provisions of the Eminent Domain Law of the State of California.

b. To prepare, file and prosecute in the appropriate court, such proceedings in eminent domain as are necessary for the acquisition of the Subject Parcel; and,

c. To deposit the probable amount of compensation, as fixed by the City Council in accordance with law, with the Clerk of the appropriate court 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. The Subject Parcel, being the real property or interest therein which the City is by this Resolution authorized to acquire is situated in the City of Sacramento, State of California, and described as follows:

Parcel 2486-15

All that portion of Parcels 2 and 3, as said parcels are shown on that certain parcel map entitled "Portion of Lot A, Colonial Village No. 13", recorded in the Office of the Recorder of said County in Book 42 of Parcel Maps, at Page 39, described as follows:

Beginning at a point located on the easterly boundary line of said Parcel 2, from which the Southeast corner thereof bears South 00° 29' 45" East 85.91 feet; thence from said point of beginning along said easterly boundary of Parcel 2 and the easterly boundary of said Parcel 3 South 00° 29' 45" East 93.89 feet and South 04° 41' 31" West 99.60 feet; thence leaving said easterly boundary line of Parcel 3 North 00° 07' 00" East 45.04 feet and North 02° 47' 59" East 148.29 feet to the point of beginning.

\_\_\_\_\_  
MAYOR

ATTEST:

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CITY CLERK