



CITY OF SACRAMENTO

47 ~~to~~

June 24th, 1980

REAL ESTATE AND STREET ASSESSMENTS DIVISION
915 I STREET
CITY HALL ROOM 207

SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 449-5626

CITY MANAGER'S OFFICE
RECEIVED
IRVIN E. MORAES
REAL ESTATE SUPERVISOR
JUN 30 1980

City Council
Sacramento, California

Honorable Members In Session:

SUBJECT: Acquisition of Three Parcels of Land for Sacramento River Parkway

SUMMARY

Resolution Authorizing Giving of Notice of Intent to Adopt Condemnation Resolution for the acquisition of three parcels of land for the Sacramento River Parkway.

BACKGROUND INFORMATION

The Department of Community Services has determined that these three parcels of land lying between Riverside Boulevard and the Sacramento River are a necessary part of the Sacramento River Parkway. All parcels are vacant and entirely encumbered by flood control easements. Acquisition of these parcels will give the City continuous ownership from Clipper Way northerly to other new developments in the area.

FINANCIAL DATA

Funds are available in the Department of Community Services Budget, Sacramento River Front Acquisition, Cost Center 1145.

RECOMMENDATION

It is recommended that the Resolution Authorizing Giving of Notice of Intent to Adopt Condemnation Resolution be adopted, which sets a Hearing for July 29th 1980.

APPROVED
BY THE CITY COUNCIL

JUL -1 1980

OFFICE OF THE
CITY CLERK

Respectfully submitted,

R. H. Parker
City Engineer

Recommendation Approved

APPROVED
BY THE CITY COUNCIL

Walter J. Slipe
City Manager

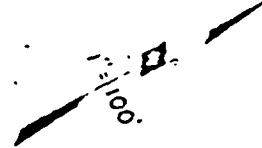
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OFFICE OF THE
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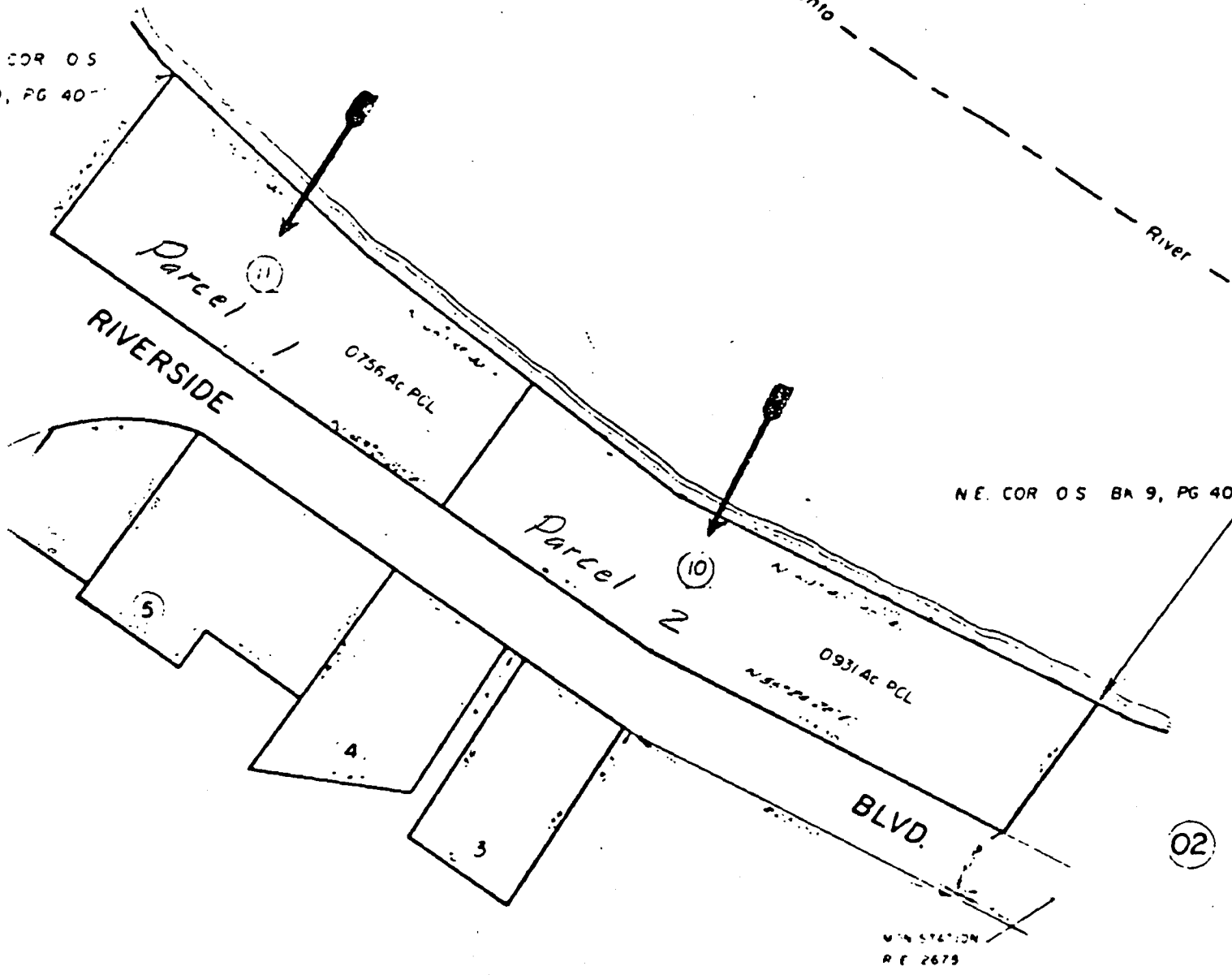
June 24th, 1980
DISTRICT NO. 8

YOLO CO
SACRAMENTO CO
Sacramento



N.W. COR OS
BA 9, PG 40

N.E. COR OS BA 9, PG 40



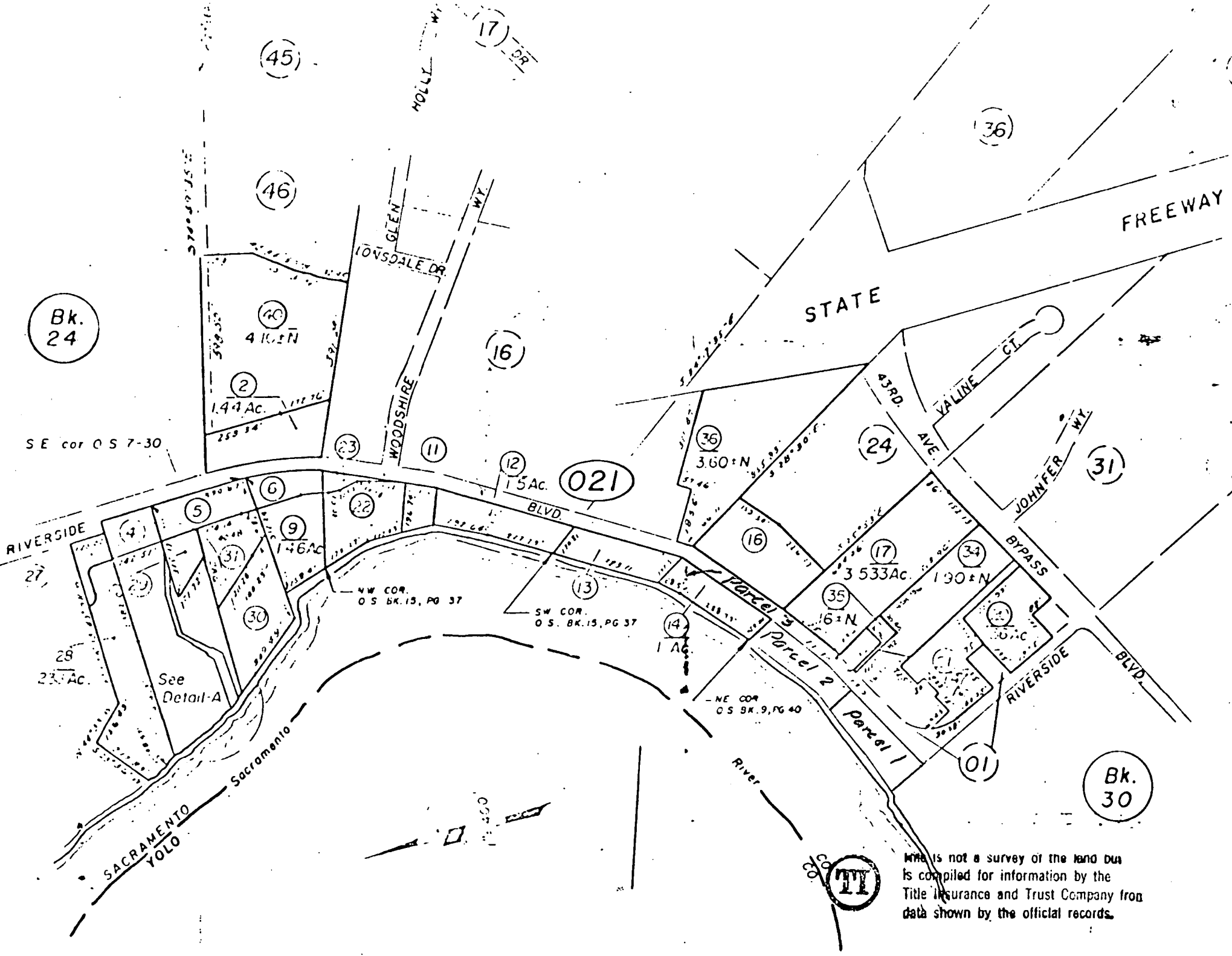
02



This is not a survey of the land but is compiled for information by the Title Insurance and Trust Company from data shown by the official records.

CITY OF SACRAMENTO
Assessor's Map Bk. 29 -
County of Sacramento,

NOTE Assessor's Block Numbers Shown in Ellipses.



Bk.
24

SE cor O S 7-30

RIVERSIDE

See
Detail-A

SACRAMENTO
YOLO

Sacramento
River

NW COR.
O S BK. 13, PG 37

SW COR.
O S. BK. 13, PG 37

NE COR.
O S BK. 9, PG 40

TT

This is not a survey of the land but
is compiled for information by the
Title Insurance and Trust Company from
data shown by the official records.

Bk.
30

FREEWAY

STATE

021

Parcel 2

Parcel 2

Parcel 1

Parcel 1

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RESOLUTION NO. 80-432

Adopted by The Sacramento City Council on date of

JUNE 24, 1980

AUTHORIZING GIVING OF NOTICE OF INTENT TO
ADOPT CONDEMNATION RESOLUTION:

ACQUISITION OF PARCELS 1145-1 THROUGH 1145-3,
SACRAMENTO RIVER PARKWAY

Recitals:

A. It has been recommended to the City Council that certain parcels 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 parcels 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 ~~July 29th~~, 1980 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 P. M. on ~~July 22nd~~, 1980.

7-29-80

8-5-80

MAYOR

ATTEST:

CITY CLERK

APPROVED
BY THE CITY COUNCIL

JUL -1 1980

OFFICE OF THE
CITY CLERK

RESOLUTION NO.

Adopted by The Sacramento City Council on date of

JULY 29, 1980

RESOLUTION OF NECESSITY: ACQUISITION OF
PARCELS 1145-1 THROUGH 1145-3, SACRAMENTO
RIVER PARKWAY

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 interest in real property hereinafter described as Parcels 1145-1 through 1145-3, (hereinafter referred to as the "Subject Parcels").
2. That the City of Sacramento intends to acquire the Subject Parcels in fee simple absolute unless a lesser estate is expressly specified in the description of said parcels.
3. That the Subject Parcels are to be taken for the following public use: Parkway purposes
4. That the statute or statutes authorizing the City of Sacramento to acquire the Subject Parcels for the above-mentioned public purposes are as follows: Government Code, Section 37350.5.
5. That the Subject Parcels are generally located on the east side of the Sacramento River adjacent to Riverside Boulevard in the vicinity of 43rd Avenue.
6. That the City Council declares that it has found and determined each of the following:
 - a. The public interest and necessity require the parcels for Sacramento River Parkway.
 - b. The parcels are located in the manner that will be most compatible with the greatest public good and the least private injury.
 - c. The Subject Parcels are necessary for the Sacramento River Parkway.
7. That the City of Sacramento, a municipal corporation, its appropriate officers, employees and agents, are hereby authorized and empowered:
 - a. To acquire in fee simple in the name of the City of Sacramento, a municipal corporation, the Subject Parcels by condemnation in accordance with the provisions of the Eminent Domain Law of the State of California.

EXHIBIT "A"

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

8. The Subject Parcels, being the real property or interests therein which the City is by this resolution authorized to acquire are situated in the City of Sacramento, State of California, and described as follows:

Parcels 1145-1 and 1145-2

All that certain real property, situate, lying and being in the City of Sacramento, County of Sacramento, State of California, particularly described as follows:

A tract of land containing 0.756 acres, and a tract of land containing 0.931 acres, located North of the North line of Riverside Road, as said tracts are shown and so designated on the Record of Survey "Property of Mary S. Fortado, Antone Pimentel and Walter Fong, Portion of Swamp Land Survey No. 205", recorded in the office of the Recorder of Sacramento County, March 4, 1953, in Book 9 of Surveys, Map No. 40.

Parcel 1145-3

All that certain real property situate, lying and being in the City of Sacramento, County of Sacramento, State of California, particularly described as follows:

All that portion of Swamp Land Survey No. 207, located in Sections 26 and 27, Township 8 North, Range 4 East, M. D. B. & M., described as follows:

Beginning at a point on the East or left bank of the Sacramento River, said point being the most Northerly corner of the parcel designated "Mary Anna Richardson 96.524 Acres (Gross)", on that certain Record of Survey entitled "Property of Mary Anna Richardson Located in Swamp Land Surveys Nos. 205 and 158", recorded in the office of the Recorder of Sacramento County in Book 13 of Surveys, Map No. 16; thence from said point of beginning upstream along the East or left bank of the Sacramento River, following the meanderings thereof, the following two (2) courses and distances: North 34° 47' 00" East 227.79 feet; and thence North 26° 44' 05" East 192.64 feet; thence North 69° 06' 05" East 334.23 feet to an old one inch iron pipe monument; thence South 51° 43' 04" East 2130.15 feet to a 1-1/4 inch iron pipe monument tagged "L. S. 2651" set in the Northwesterly boundary of South Land Park Hills Unit No. 6, the official plat of which is recorded in the office of the Recorder of Sacramento County in Book 37 of Maps, Map No. 32 and which monument is set at a point formerly occupied by a three inch iron pipe monument set on the boundary line established by that certain Agreement executed by S. Masuhara, also known as Shigeichi Masuhara, and others, and the Northwesterly boundary

of said South Land Park Hills Unit No. 6, South 25° 45' 00" West 61.34 feet to the most Westerly corner of Lot H, as said lot is shown and so designated on said plat of South Land Park Hills Unit No. 6; thence continuing along the Northwesterly boundary of said South Land Park Hills Unit No. 6 and the Southwesterly production thereof South 25° 00' 00" West 1345.48 feet to an old three inch capped iron pipe monument set at an angle point in the Northeasterly boundary of the 96.524 acre tract shown on the aforementioned Record of Survey and which three inch capped iron pipe monument is specifically shown on said Record of Survey; thence North 34° 17' 35" West 2679.04 feet along the Northeasterly boundary of the aforesaid 96.524 acre tract shown on said Record of Survey, said line marked (in part) by an electric pole line, to a 1-1/4 inch iron pipe monument tagged "RE 2675" set on the Southeasterly side of Riverside Boulevard; thence continuing North 34° 17' 35" West 170.81 feet along the Northeasterly boundary of the 96.524 acre tract shown on the aforementioned Record of Survey to the point of beginning, containing 53.696 acres, more or less, and being the tract of land designated "Clara Machado 53.697 Acres" on that certain Record of Survey recorded in the office of the Recorder of Sacramento County on March 3, 1960, in Book 15 of Surveys, Map No. 37.

EXCEPTING THEREFROM all that portion known as South Land Park Hills Unit No. 31 according to the official map thereof filed in the office of the County Recorder, Sacramento County, California, on July 12, 1961, in Book 66 of Maps, at page 5.

MAYOR

CITY CLERK