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DEPARTMENT OF
PUBLIC WORKS

CITY OF SACRAMENTO
CALIFORNIA

915 I STREET
ROOM 200
SACRAMENTO, CA
95814-2700

TECHNICAL SERVICES DIVISION
REAL ESTATE SERVICES

January 16, 1998

PH 916-264-5710
FAX 916-264-8250

City of Sacramento
Honorable Members in Session

SUBJECT: HEARING ON RESOLUTION OF NECESSITY FOR ACQUISITION OF REAL PROPERTY OR REAL PROPERTY INTERESTS FOR THE NORTH NATOMAS COMPREHENSIVE DRAINAGE PROJECT (PN:40AD) TWO-THIRDS VOTE REQUIRED

LOCATION/COUNCIL DISTRICT: The project lies both to the east and west of I-5; and includes properties along the East, West and Main Drain of the North Natomas Area in Council District No. 1

RECOMMENDATION:

This report recommends that City Council:

- Conduct a hearing for a Resolution of Necessity to acquire the following real property or interests in real property affected by the project:
 1. Partial (Fee Simple) acquisition affecting C.F. Rosa Trust property
APN:225-0220-012
 2. Partial (Fee Simple) acquisition affecting D. Rosa & P.J. Pappa property
APN:225-0220-069
 3. Easement acquisition affecting A. Rodriguez
APN:225-0122-001, 002
- Adopt the attached Resolution of Necessity for these acquisitions

CONTACT PERSONS:

Julie D. Cline, Real Property Agent, 264-5629
 Gary Reents, Engineering Manager, 433-6633
 Bruce J. Alei, Real Estate Technical Manager, 264-5055

City Council

Hearing on Resolution of Necessity for Acquisition of Real Property Interests for the North Natomas Comprehensive Drainage Project

January 16, 1998

FOR THE COUNCIL MEETING OF: February 3, 1998

SUMMARY:

On November 18, 1997, a hearing was held on a Resolution of Necessity covering forty-three parcels for the North Natomas Comprehensive Drainage Project. The three properties addressed in this hearing were not included in the first hearing due to the fact that offers had not been made pending design modifications and title concerns.

The purpose of this hearing is to receive public testimony and take action on the Resolution of Necessity to acquire certain real property or interests in real property required for construction of the North Natomas Drainage Project which has been approved by City Council. The improvements are being financed through bond proceeds from Community Facilities District (CFD) No. 97-01. The District was formed to finance improvements to the Reclamation District No. 1000 Drainage System in North Natomas. Offers have been made to the three property owners affected by the project, however, no agreement has been reached. A Resolution of Necessity to initiate eminent domain procedures, if necessary, is needed to ensure that the property acquisition process does not delay the project schedule. In the interim, staff will continue to make every effort to reach agreement with the property owners. Two-thirds vote by Council is required for adoption of this resolution.

BACKGROUND INFORMATION:

In August 1994, City Council adopted the North Natomas Financing Plan that identified funding sources for backbone infrastructure and public facilities required for build out of the North Natomas Community Plan Area. A CFD was identified in the Financing Plan as the primary funding source for the Comprehensive Drainage Plan.

Under direction of City staff, the consulting engineering firm of Ensign & Buckley prepared the Natomas Basin Flood Control Storage Alternatives Reconnaissance Study dated January 25, 1995, a Supplemental Report dated August 22, 1995, and a Pre-Design Report dated November 1996. Together these reports describe the Comprehensive Drainage Plan for the North Natomas Community Plan Area. These reports are incorporated into this report by reference.

City Council

Hearing on Resolution of Necessity for Acquisition of Real Property Interests for the North Natomas Comprehensive Drainage Project
January 16, 1998

These reports described and analyzed seven different alternative comprehensive drainage systems for the North Natomas area. The alternatives differed by using various levels of upstream storage, channel improvements, and additional pumping station capacity. The Supplemental Report determined the optimal cost for one of the alternatives. After review by staff, the landowners, and the landowners' engineers, a preferred alternative was selected subject to environmental review and approval by City Council. This alternative was selected as the least intrusive, most cost effective and environmentally sound alternative.

A Draft Environmental Impact Report (EIR) dated December 1996 was prepared in conjunction with the North Natomas Comprehensive Drainage Plan. The final report was completed in April 1997 and concluded that of the various alternatives, the selected alternative is the most compatible with the greatest public good and the least private injury.

In January 1997, City Council approved a Resolution of intention to form the North Natomas Drainage CFD No. 97-01. On March 4, 1997, City Council approved formation of the District subject to the required landowner special election.

The City Council approved the Natomas Comprehensive Drainage Plan and certified the project EIR on May 20, 1997.

On June 10, 1997, the District landowners voted in favor of formation of the District and issuance of bonds. The special election was the final step in the CFD formation process.

The improvements require partial (Fee Simple) acquisitions, permanent and temporary construction easements necessary to complete levee improvements along the East, West and Main Drains in the North Natomas Area. All appraisals of the attached parcels have been completed and just compensation established by the Director of Public Works for the acquisition of these parcels.

All owners have been provided written offers for the full amount determined as just compensation. In order to allow construction to proceed in a timely manner, staff recommends that the Council adopt the Resolution of Necessity to enable the City to use the power of eminent domain for acquisition of the parcels should negotiations fail. If Council does not take this action and negotiations are not successful with one or more property owners, this project cannot be completed during the 1998 construction season as scheduled.

City Council
Hearing on Resolution of Necessity for Acquisition of Real Property Interests for the
North Natomas Comprehensive Drainage Project
January 16, 1998

FINANCIAL CONSIDERATIONS:

The improvements proposed with the CFD funds will be constructed in three phases. The first bond issue totaling \$20,175,000 has been completed; this amount includes funding for easement acquisition.

ENVIRONMENTAL CONSIDERATIONS:

The North Natomas Comprehensive Drainage Plan EIR was certified by the City Council on May 20, 1997. The project description included all necessary land acquisition. There are no changed circumstances which would require further environmental review.

POLICY CONSIDERATIONS:

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

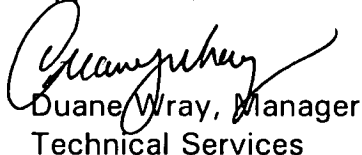
MBE/WBE: None. No goods or services are being purchased.

Respectfully submitted,



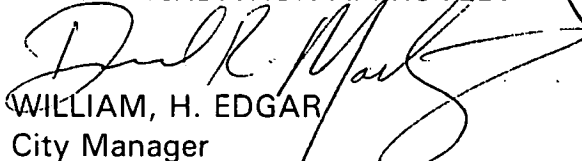
Gary Alm, Manager
Development Services

Approved:



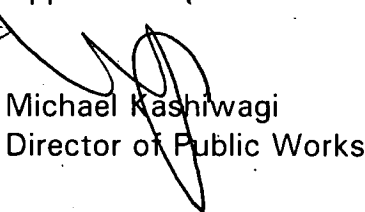
Duane Wray, Manager
Technical Services

RECOMMENDATION APPROVED:



WILLIAM, H. EDGAR
City Manager

Approved:



Michael Kashiwagi
Director of Public Works

M:\COUNCIL\natomasron2.doc

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY OR INTERESTS IN REAL PROPERTY BY EMINENT DOMAIN FOR THE NORTH NATOMAS DRAINAGE PROJECT
(PN:40AD)

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 the real property or interest in real property hereinafter identified as the "Subject Parcels", more particularly described in paragraph 7.
2. That the Subject Parcels are to be taken for, or in connection with, the North Natomas Drainage CFD No. 97-01, which will finance the construction of drainage improvements in the North Natomas Area. The project is described in detail in the three reports that together make up the North Natomas Comprehensive Drainage Plan (CDP) for the North Natomas Community Plan Area. The three reports are: The Natomas Basin Flood Control Storage Alternatives Reconnaissance Study dated January 25, 1995; a Supplemental Report dated August 22, 1995; and a Pre-Design Report dated November 1995. (The CDP was approved by City Council and the EIR certified on May 20, 1997).
3. That the statutes authorizing the City of Sacramento to acquire the Subject Parcels for the above-mentioned public purpose are Government Code Section 37350.5, and Code of Civil Procedure, Section 1240.125.

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FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

4. That the Subject Parcels are located along the East, West and Main Drains in the North Natomas Area, Sacramento, California and as more specifically described in Exhibits A & B.
5. That the City Council declares that it has found and determined each of the following:
 - a. The public interest and necessity require the drainage improvements and project to be constructed through the North Natomas Drainage CFD No., 97-01, and the acquisition of the Subject Parcels is needed for that 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 Subject Parcels are necessary for the project.
 - d. The offer required under Section 7267.2 of the Government Code has been made to the owners or representative of the owners 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 Parcels
 - b. Prepare, file and prosecute in the appropriate court, such proceedings in eminent domain as are necessary for the acquisition of the Subject Parcels.
 - c. Deposit the probable amount of compensation, as fixed by the Director of Public Works 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.

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FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

7. That the City, by this resolution is authorized to acquire certain real property or interests in real property situated in the 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'.

MAYOR

ATTEST:

CITY CLERK

7

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

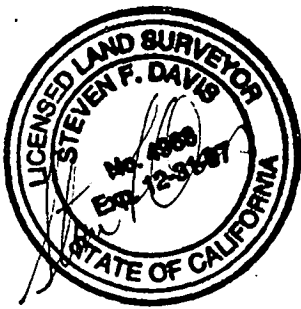


EXHIBIT A
LEGAL DESCRIPTION
C. F. ROSA TRUST
A.P.N. 225-0220-012
REF. NO. WDW22

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

A PORTION OF LOT 1 OF NATOMAS RIVERSIDE SUBDIVISION NO. 2, FILED THE OFFICE OF THE COUNTY RECORDER OF SACRAMENTO COUNTY, CALIFORNIA, IN BOOK 15 OF MAPS, AT PAGE 41, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT A 2" IRON PIPE AT THE NORTHEAST CORNER OF LOT 55 OF THE NATOMAS CENTRAL SUBDIVISION, FILED IN BOOK 16 OF MAPS, AT PAGE 3, RECORDS OF SAID COUNTY; THENCE S88°49'05"W, 1374.92 FEET TO A 2" IRON PIPE AT THE SOUTHWEST CORNER OF LOT 56 OF SAID CENTRAL SUBDIVISION; THENCE S29°43'47"W, 12132.93 FEET TO A POINT AT THE INTERSECTION OF THE SOUTHERLY LINE OF THE 35 FOOT WIDE PRIVATE ROAD AND CANAL RIGHT OF WAY LYING WITHIN AND ALONG THE NORTHERLY LINE OF SAID LOT 1 AND THE EASTERLY RIGHT OF WAY OF THE 40 FOOT WIDE PRIVATE ROAD RIGHT OF WAY, BEING THE WESTERLY LINE OF THE RECLAMATION DISTRICT 1000 CANAL RIGHT OF WAY LOCATED ALONG THE NORTHEASTERLY LINE OF SAID LOT 1; SAID RIGHT OF WAYS BEING SHOWN ON THE ABOVE SAID NATOMAS RIVERSIDE SUBDIVISION MAP NO. 2, AND BEING THE TRUE POINT OF BEGINNING FOR THE FOLLOWING DESCRIBED PARCEL OF LAND; THENCE FROM SAID TRUE POINT OF BEGINNING S56°20'33"E, 1084.08 FEET ON AND ALONG SAID EASTERLY PRIVATE ROAD RIGHT OF WAY AND SAID WESTERLY CANAL RIGHT OF WAY TO THE EASTERLY LINE OF LOT 1; THENCE S00°31'43"E, 113.25 FEET ON AND ALONG SAID EASTERLY LINE OF LOT 1 TO A POINT; THENCE 56°06'18"W, 30.31 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY OF AN EXISTING 25 FOOT WIDE PRIVATE ROAD RIGHT OF WAY LYING WITHIN AND ALONG THE EASTERLY LINE OF SAID LOT 1, AND BEING HERE AFTER DESIGNATED POINT "A"; THENCE THE FOLLOWING COURSES AND DISTANCES; N56°06'18"W, 1091.44 FEET; S78°50'23"W, 14.13 FEET; N56°06'19"W, 160.73 FEET TO POINT ON THE SOUTHERLY RIGHT OF WAY OF THE ABOVE SAID 35 FOOT WIDE PRIVATE ROAD AND CANAL RESERVATION; THENCE N89°28'33"E, 175.01 FEET ON AND ALONG SAID SOUTHERLY RIGHT OF WAY LINE TO THE TRUE POINT OF BEGINNING AND CONTAINING 2.506 ACRES (109176 S. F.) OF LAND MORE OR LESS.

TOGETHER WITH AN EASEMENT FOR CONSTRUCTION PURPOSES, WHICH WILL REVERT TO ORCHARD LANE, DESCRIBED AS FOLLOWS:

BEGINNING AT THE ABOVE SAID POINT "A"; THENCE FROM SAID POINT OF BEGINNING S00°31'43"E, 48.49 FEET ON AND ALONG THE ABOVE SAID WESTERLY RIGHT OF WAY OF SAID 25 FOOT WIDE PRIVATE ROAD TO A POINT; THENCE THE FOLLOWING COURSES AND DISTANCES; N56°06'18"W, 1056.41 FEET; N65°34'14"W, 60.81 FEET; N56°06'18"W, 231.55 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF THE ABOVE SAID 35 FOOT WIDE PRIVATE ROAD AND CANAL RESERVATION; THENCE N89°28'33"E, 70.77 FEET ON AND ALONG SAID SOUTHERLY RIGHT OF WAY TO THE WESTERLY LINE OF THE ABOVE DESCRIBED PARCEL OF LAND; THENCE ON AND ALONG SAID WESTERLY LINE THE FOLLOWING COURSES AND DISTANCES; S56°06'19"E, 160.73 FEET; N78°50'23"E, 14.13 FEET; S56°06'18"E, 1091.44 FEET TO THE TRUE POINT OF BEGINNING AND CONTAINING 1.207 ACRES (52578 S. F.) OF LAND MORE OR LESS.

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SAN JUAN ROAD

EXISTING ROAD AND CANAL
EASEMENT PER 15 MAPS 41, 46700 S.F.
(1.07 AC)

99±

89±

RD 1000
1084±

NEW ACQUISITION
AREA 109176 S.F.
(2.506 ACRES)

40' ORCHARD LANE
EASEMENT 52578 S.F.
(1.207 AC)

93±

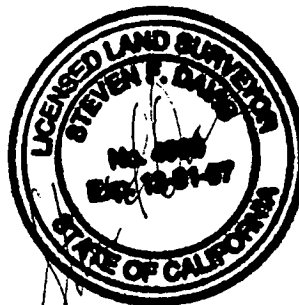
LOT 1
NATOMAS RIVERSIDE SUBDIVISION NO. 2
15 MAPS 41

EXISTING ROAD
AND CANAL EASEMENT

NEW ACQUISITION
AREA 109176 S.F.
2.506 ACRES

40' RELOCATED ORCHARD
LANE EASEMENT 52578 S.F.
(1.207 AC)

DETAIL
NO SCALE



NO SCALE

EXHIBIT B
PROPERTY OF
C. F. ROSA TRUST
A.P.N. 225-0220-012

KASL
CONSULTING ENGINEERS, INC.
Civil-Environmental-Surveying

(916) 929-8127 FAX (916) 929-0621
4200 NORTH FREEWAY BLVD., SUITE 1
SACRAMENTO, CA. 95834

REF. NO. WDW22

NOV. 26, 1997

EXHIBIT A
LEGAL DESCRIPTION
D. ROSA & P.J. PAPPA
A.P.N. 225-0220-069
REF. NO. WDW23

BEING A STRIP OF LAND SITUATED IN THE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

A PORTION OF LOT 16 OF NATOMAS RIVERSIDE SUBDIVISION NO. 2 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SACRAMENTO COUNTY, CALIFORNIA, IN BOOK 15 OF MAPS, AT PAGE 41, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT A 2" IRON PIPE AT THE NORTHEAST CORNER OF LOT 55 OF THE NATOMAS CENTRAL SUBDIVISION, FILED IN BOOK 16 OF MAPS, AT PAGE 3, RECORDS OF SAID COUNTY; THENCE S88°49'05"W, 1374.92 FEET TO A 2" IRON PIPE AT THE SOUTHWEST CORNER OF LOT 56 OF SAID CENTRAL SUBDIVISION; THENCE S24°31'37"W, 12259.77 FEET TO A POINT AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY OF THE 25 FOOT WIDE PRIVATE ROAD LYING WITHIN SAID LOT 16 AND THE SOUTHWESTERLY RIGHT OF WAY OF THE WEST MAIN DRAIN CANAL, SAID RIGHT OF WAY AND CANAL BEING SHOWN ON THE ABOVE SAID NATOMAS RIVERSIDE SUBDIVISION NO. 2, AND BEING THE TRUE POINT OF BEGINNING FOR THE FOLLOWING DESCRIBED STRIP OF LAND; THENCE ON AND ALONG SAID SOUTHWESTERLY RIGHT OF WAY THE FOLLOWING COURSES AND DISTANCES; S56°20'33"E, 1554.25 FEET; S49°50'58"E, 199.70 FEET; S37°16'54"E, 20.18 FEET MORE OR LESS TO THE SOUTHERLY LINE OF THE D. ROSA & P. J. PAPPA PARCEL FROM WHICH THE ABOVE SAID SOUTHWEST CORNER OF LOT 56 BEARS N16°37'30"E, 12690.22 FEET; THENCE S89°44'01"W, 104.87 FEET ON AND ALONG SAID SOUTHERLY LINE TO A POINT; THENCE THE FOLLOWING COURSES AND DISTANCES; ON A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 895.00 FEET, THROUGH A CENTRAL ANGLE OF 09°27'40", AN ARC LENGTH OF 147.79 FEET, WITH A CHORD BEARING OF N51°22'28"W, 147.62 FEET; N56°06'19"W, 1490.98 FEET TO THE ABOVE SAID EASTERLY RIGHT OF WAY OF SAID 25 FEET PRIVATE ROAD; THENCE N00°31'43"W, 83.09 FEET ON AND ALONG SAID EASTERLY RIGHT OF WAY TO THE TRUE POINT OF BEGINNING AND CONTAINING 2.817 ACRES (122707 S. F.) OF LAND MORE OR LESS.

TOGETHER WITH AN EASEMENT FOR CONSTRUCTION PURPOSES BEING A STRIP OF LAND, 25.00 FEET WIDE, SOUTHWESTERLY OF, PARALLEL AND COINCIDENT TO THE SOUTHWESTERLY LINE OF THE ABOVE DESCRIBED STRIP OF LAND, EXTENDING FROM THE EASTERLY RIGHT OF WAY LINE OF THE ABOVE SAID 25 FOOT PRIVATE ROAD TO THE ABOVE SAID SOUTHERLY LINE OF THE D. ROSA & P. J. PAPPA PARCEL AND CONTAINING 0.927 ACRES (40372 S. F.) OF LAND MORE OR LESS



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AUG 4 1997

25' EXISTING ROAD AND CANAL
EASEMENT PER 15 MAPS 41

69°±

NEW ACQUISITION
AREA 122707 S.F.
2.817 ACRES

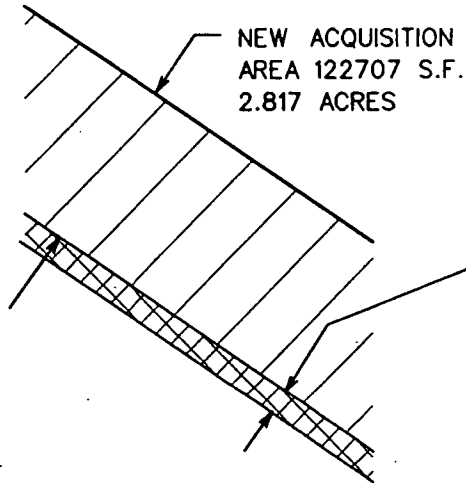
RD 1000
1774±

25' CONSTRUCTION
EASEMENT 40372 S.F.
(0.927 AC)

75°±

LOT 16

NATOMAS RIVERSIDE SUBDIVISION NO. 2 15 MAPS 41



NEW ACQUISITION
AREA 122707 S.F.
2.817 ACRES

25' CONSTRUCTION
EASEMENT 40372 S.F.
(0.927 AC)

DETAIL
NO SCALE



NO SCALE



EXHIBIT B
PROPERTY OF
D. ROSA & P. J. PAPPA
A.P.N. 225-0220-069

KASL 11
CONSULTING ENGINEERS, INC.
Civil-Environmental-Surveying

(916) 929-8127 FAX (916) 929-0621
4200 NORTH FREEWAY BLVD., SUITE 1
SACRAMENTO, CA. 95834

REF. NO. WDW23

NOV. 26, 1997

**EXHIBIT A
LEGAL DESCRIPTION
PROPERTY OF A. RODRIGUEZ
A.P.N. 225-0122-002
REF. NO. WDW18A**

BEING A STRIP OF LAND SITUATED IN THE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

A PORTION OF "NATOMAS RIVERSIDE SUBDIVISION NO. 3", ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SACRAMENTO COUNTY, CALIFORNIA, IN BOOK 15 RECORD MAPS, PAGE 43, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT A 2" IRON PIPE AT THE NORTHEAST CORNER OF LOT 55 OF THE NATOMAS CENTRAL SUBDIVISION, FILED IN BOOK 16 OF MAPS, AT PAGE 3, RECORDS OF SAID COUNTY; THENCE S88°49'05"W, 1374.92 FEET TO A 2" IRON PIPE AT THE SOUTHWEST CORNER OF LOT 56 OF SAID CENTRAL SUBDIVISION; THENCE S41°33'08"W, 10463.89 FEET TO A POINT AT THE INTERSECTION OF THE WESTERLY LINE OF THE EXISTING PRIVATE ROAD AND CANAL MAINTENANCE EASEMENT WITH THE CENTERLINE OF AN EXISTING 70.00 FOOT WIDE PRIVATE ROAD RESERVATION ALONG THE SOUTHERLY LINE OF LOT 1 OF SAID NATOMAS RIVERSIDE SUBDIVISION AND BEING THE TRUE POINT OF BEGINNING OF SAID STRIP OF LAND; THENCE FROM SAID TRUE POINT OF BEGINNING S89°28'59"W 27.39 FEET ON AND ALONG SAID CENTERLINE TO A POINT; THENCE N16°33'40"E, 36.62 FEET TO A POINT ON THE NORTHERLY LINE OF SAID 70.00 FOOT WIDE PRIVATE ROAD RESERVATION; THENCE N89°28'59"E, 27.09 FEET ON AND ALONG SAID NORTHERLY LINE TO A POINT ON SAID WESTERLY LINE OF SAID EXISTING PRIVATE ROAD AND CANAL MAINTENANCE EASEMENT; THENCE S16°06'02"W, 36.53 FEET ON AND ALONG SAID WESTERLY LINE TO THE TRUE POINT OF BEGINNING AND CONTAINING 0.022 ACRES (954 S. F.) OF LAND MORE OR LESS.

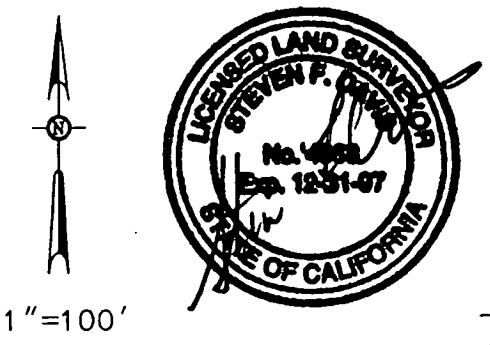
TOGETHER WITH AN EASEMENT FOR CONSTRUCTION PURPOSES BEING DESCRIBED AS FOLLOWS:

A STRIP OF LAND, 10.00 FEET WIDE, WESTERLY OF, PARALLEL AND COINCIDENT TO THE ABOVE DESCRIBED STRIP OF LAND, EXTENDING FROM THE ABOVE SAID CENTERLINE OF SAID 70.00 FOOT WIDE PRIVATE ROAD RESERVATION TO THE NORTHERLY LINE OF SAID PRIVATE ROAD RESERVATION AND CONTAINING 0.008 ACRES (350 S. F.) OF LAND MORE OR LESS.

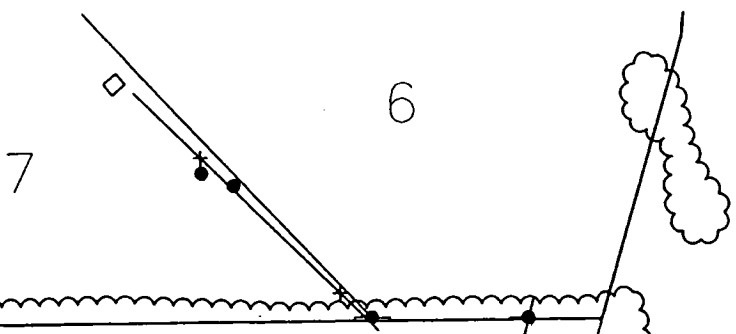


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NOV 13 1997



1"=100'



NEW EASEMENT AREA
954 S.F. (0.022 AC)
LOT 8
NATOMAS ESTATES
39 MAPS 9
A.P.N. 225-0122-001

EXISTING 70' WIDE
PRIVATE ROAD AND
CANAL RESERVATION
PER 15 RM 43

EXISTING EASEMENT FOR PRIVATE
ROAD, CANAL AND UTILITIES PER
15 R.M. 43 AND 39 MAPS 9

35'
35'

A.P.N. 225-0122-002

10' CONSTRUCTION
EASEMENT 350 S.F.
(0.008 A.C.)

EXISTING EASEMENT
AREA 1225 S.F.
(0.028 AC)

EXHIBIT B
PROPERTY OF
A. RODRIGUEZ
A.P.N. 225-0122-002

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KASL
CONSULTING ENGINEERS, INC.
Civil-Environmental-Surveying

(916) 929-8127 FAX (916) 929-0621
4200 NORTH FREEWAY BLVD., SUITE 1
SACRAMENTO, CA. 95834



**EXHIBIT A
LEGAL DESCRIPTION
PROPERTY OF A. RODRIGUEZ
A.P.N. 225-0122-001
REF. NO. WDW18**

BEING A STRIP OF LAND SITUATED IN THE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

A PORTION OF LOT 8, OF "NATOMAS ESTATES", ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SACRAMENTO COUNTY, CALIFORNIA, IN BOOK 39 OF MAPS, PAGE 9 AND A PORTION OF LOT 1, OF "NATOMAS RIVERSIDE SUBDIVISION NO. 3", ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SACRAMENTO COUNTY, CALIFORNIA, IN BOOK 15 RECORD MAPS, PAGE 43, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT A 2" IRON PIPE AT THE NORTHEAST CORNER OF LOT 55 OF THE NATOMAS CENTRAL SUBDIVISION, FILED IN BOOK 16 OF MAPS, AT PAGE 3, RECORDS OF SAID COUNTY; THENCE S88°49'05"W, 1374.92 FEET TO A 2" IRON PIPE AT THE SOUTHWEST CORNER OF LOT 56 OF SAID CENTRAL SUBDIVISION; THENCE S41°38'18"W, 10430.92 FEET TO A POINT AT THE INTERSECTION OF THE WESTERLY LINE OF THE EXISTING PRIVATE ROAD AND CANAL MAINTANCE EASEMENT WITH THE SOUTHERLY LINE OF SAID LOT 8; SAID WESTERLY LINE OF SAID EASEMENT BEING PARALLEL TO AND 35 FEET WESTERLY MEASURED AT RIGHT ANGLES FROM THE EASTERLY LINE OF SAID LOT 8 AND IS SHOWN ON THE ABOVE SAID "NATOMAS ESTATES" MAP; SAID POINT ALSO BEING A POINT ON THE NORTHERLY LINE OF AN EXISTING 70 FEET WIDE PRIVATE ROAD RESERVATION AS SAID ROAD IS SHOWN ON THE ABOVE SAID "NATOMAS ESTATES" MAPS AND BEING THE TRUE POINT OF BEGINNING FOR THE FOLLOWING DESCRIBED STRIP OF LAND; THENCE FROM SAID TRUE POINT OF BEGINNING S89°28'59"W, 27.09 FEET ON AND ALONG SAID SOUTHERLY LINE OF LOT 8 TO A POINT; THENCE N16°33'40"E, 277.69 FEET MORE OR LESS TO THE NORTHERLY LINE OF SAID LOT 8; THENCE S89°50'17"E, 24.69 FEET ON AND ALONG SAID NORTHERLY LINE TO THE WESTERLY LINE OF THE ABOVE SAID MAINTANCE EASEMENT; THENCE ON AND ALONG SAID WESTERLY LINE OF SAID EASEMENT S16°06'02"W, 276.78 FEET MORE OR LESS TO THE POINT OF BEGINNING AND CONTAINING 0.158 ACRES (6878 S.F.) OF LAND MORE OR LESS.

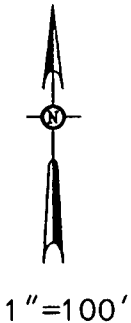
TOGETHER WITH AN EASEMENT FOR CONSTRUCTION PURPOSES DESCRIBED AS FOLLOWS:

A STRIP OF LAND, 25.00 FEET WIDE, NORTHERLY OF, PARALLEL AND COINCIDENT TO THE SOUTHERLY LINE OF SAID LOT 8, EXTENDING FROM THE WESTERLY LINE OF THE ABOVE DESCRIBED STRIP OF LAND, TO THE EASTERLY RIGHT OF WAY OF EL CENTRO ROAD AND CONTAINING 0.455 ACRES (19825 S. F.) OF LAND MORE OR LESS.

TOGETHER WITH A S.M.U.D. EASEMENT ALONG THE WESTERLY LINE OF THE ABOVE DESCRIBED STRIP OF LAND, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND, 10.00 FEET WIDE, WESTERLY OF, PARALLEL AND COINCIDENT TO THE WESTERLY LINE OF THE ABOVE DESCRIBED STRIP OF LAND, EXTENDING FROM THE NORTHERLY LINE OF THE ABOVE SAID 70 FOOT WIDE PRIVATE ROAD RESERVATION TO THE NORTHERLY LINE OF SAID LOT 8, CONTAINING 0.064 ACRES (2777 S.F.) OF LAND MORE OR LESS.

14



EXISTING EASEMENT FOR PRIVATE ROAD, CANAL AND UTILITIES PER 15 R.M. 43 AND 39 MAPS 9

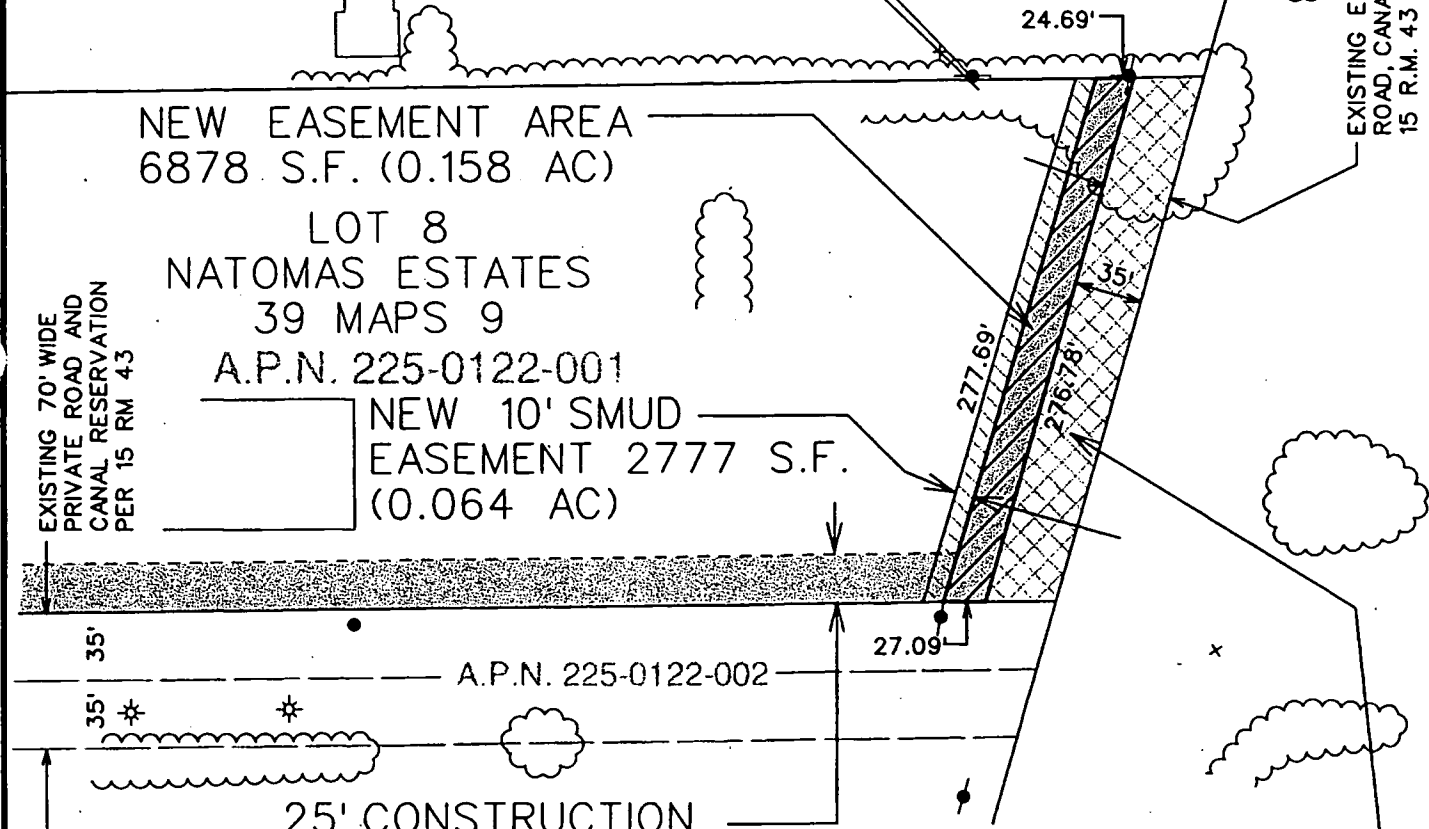
NEW EASEMENT AREA
6878 S.F. (0.158 AC)

LOT 8
NATOMAS ESTATES
39 MAPS 9

A.P.N. 225-0122-001

NEW 10' SMUD
EASEMENT 2777 S.F.
(0.064 AC)

EXISTING 70' WIDE
PRIVATE ROAD AND
CANAL RESERVATION
PER 15 RM 43



25' CONSTRUCTION
EASEMENT 19825 S.F.
(0.455 AC)

EXISTING EASEMENT
AREA 9733 S.F.
(0.223 AC)

EXHIBIT B
PROPERTY OF
A. RODRIGUEZ
A.P.N. 225-0122-001

15

KASL
CONSULTING ENGINEERS, INC.
Civil-Environmental-Surveying
(916) 929-8127 FAX (916) 929-0621
4200 NORTH FREEWAY BLVD., SUITE 1
SACRAMENTO, CA. 95834



DEPARTMENT OF
PUBLIC WORKS

CITY OF SACRAMENTO
CALIFORNIA

915 I STREET
ROOM 200
SACRAMENTO, CA
95814-2700

TECHNICAL SERVICES DIVISION
REAL ESTATE SERVICES

PH 916-264-5710
FAX 916-264-8250

CITY OF SACRAMENTO
NOTICE OF PUBLIC HEARING
ON ADOPTION OF RESOLUTION
AUTHORIZING ACQUISITION OF PROPERTY
BY EXERCISE OF THE POWER OF EMINENT DOMAIN
NORTH NATOMAS COMPREHENSIVE DRAINAGE PROJECT
(Code of Civil Procedure, Section 1245.235)
PN:40AD
(WDW22)

Candido F. Rosa Testamentary Trust
8689 Bader Road
Elk Grove, CA 95624

RE: APN:225-0220-012
RES FILE: ACQ-7521-36

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 FEBRUARY 3, 1998**, 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 and is marked Exhibit A.

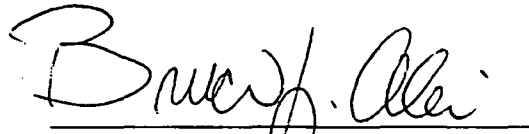
If you file a written request to appear you are entitled to appear and be heard before the City Council. All written requests to appear must be sent to the City Clerk, 915 I Street, Room 300, Sacramento, California, not later than 5:00 P.M. on January 30, 1998. Failure to file a timely written request 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 condition 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: January 16, 1998


BRUCE J. ALEI
Real Estate Technical Manager

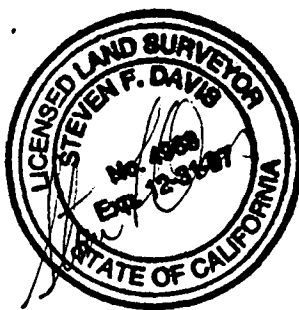


EXHIBIT A
LEGAL DESCRIPTION
C. F. ROSA TRUST
A.P.N. 225-0220-012
REF. NO. WDW22

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

A PORTION OF LOT 1 OF NATOMAS RIVERSIDE SUBDIVISION NO. 2, FILED THE OFFICE OF THE COUNTY RECORDER OF SACRAMENTO COUNTY, CALIFORNIA, IN BOOK 15 OF MAPS, AT PAGE 41, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT A 2" IRON PIPE AT THE NORTHEAST CORNER OF LOT 55 OF THE NATOMAS CENTRAL SUBDIVISION, FILED IN BOOK 16 OF MAPS, AT PAGE 3, RECORDS OF SAID COUNTY; THENCE $S88^{\circ}49'05''W$, 1374.92 FEET TO A 2" IRON PIPE AT THE SOUTHWEST CORNER OF LOT 56 OF SAID CENTRAL SUBDIVISION; THENCE $S29^{\circ}43'47''W$, 12132.93 FEET TO A POINT AT THE INTERSECTION OF THE SOUTHERLY LINE OF THE 35 FOOT WIDE PRIVATE ROAD AND CANAL RIGHT OF WAY LYING WITHIN AND ALONG THE NORTHERLY LINE OF SAID LOT 1 AND THE EASTERLY RIGHT OF WAY OF THE 40 FOOT WIDE PRIVATE ROAD RIGHT OF WAY, BEING THE WESTERLY LINE OF THE RECLAMATION DISTRICT 1000 CANAL RIGHT OF WAY LOCATED ALONG THE NORTHEASTERLY LINE OF SAID LOT 1; SAID RIGHT OF WAYS BEING SHOWN ON THE ABOVE SAID NATOMAS RIVERSIDE SUBDIVISION MAP NO. 2, AND BEING THE TRUE POINT OF BEGINNING FOR THE FOLLOWING DESCRIBED PARCEL OF LAND; THENCE FROM SAID TRUE POINT OF BEGINNING $S56^{\circ}20'33''E$, 1084.08 FEET ON AND ALONG SAID EASTERLY PRIVATE ROAD RIGHT OF WAY AND SAID WESTERLY CANAL RIGHT OF WAY TO THE EASTERLY LINE OF LOT 1; THENCE $S00^{\circ}31'43''E$, 113.25 FEET ON AND ALONG SAID EASTERLY LINE OF LOT 1 TO A POINT; THENCE $56^{\circ}06'18''W$, 30.31 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY OF AN EXISTING 25 FOOT WIDE PRIVATE ROAD RIGHT OF WAY LYING WITHIN AND ALONG THE EASTERLY LINE OF SAID LOT 1, AND BEING HERE AFTER DESIGNATED POINT "A"; THENCE THE FOLLOWING COURSES AND DISTANCES; $N56^{\circ}06'18''W$, 1091.44 FEET; $S78^{\circ}50'23''W$, 14.13 FEET; $N56^{\circ}06'19''W$, 160.73 FEET TO POINT ON THE SOUTHERLY RIGHT OF WAY OF THE ABOVE SAID 35 FOOT WIDE PRIVATE ROAD AND CANAL RESERVATION; THENCE $N89^{\circ}28'33''E$, 175.01 FEET ON AND ALONG SAID SOUTHERLY RIGHT OF WAY LINE TO THE TRUE POINT OF BEGINNING AND CONTAINING 2.506 ACRES (109176 S. F.) OF LAND MORE OR LESS.

TOGETHER WITH AN EASEMENT FOR CONSTRUCTION PURPOSES, WHICH WILL REVERT TO ORCHARD LANE, DESCRIBED AS FOLLOWS:

BEGINNING AT THE ABOVE SAID POINT "A"; THENCE FROM SAID POINT OF BEGINNING $S00^{\circ}31'43''E$, 48.49 FEET ON AND ALONG THE ABOVE SAID WESTERLY RIGHT OF WAY OF SAID 25 FOOT WIDE PRIVATE ROAD TO A POINT; THENCE THE FOLLOWING COURSES AND DISTANCES; $N56^{\circ}06'18''W$, 1056.41 FEET; $N65^{\circ}34'14''W$, 60.81 FEET; $N56^{\circ}06'18''W$, 231.55 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF THE ABOVE SAID 35 FOOT WIDE PRIVATE ROAD AND CANAL RESERVATION; THENCE $N89^{\circ}28'33''E$, 70.77 FEET ON AND ALONG SAID SOUTHERLY RIGHT OF WAY TO THE WESTERLY LINE OF THE ABOVE DESCRIBED PARCEL OF LAND; THENCE ON AND ALONG SAID WESTERLY LINE THE FOLLOWING COURSES AND DISTANCES; $S56^{\circ}06'19''E$, 160.73 FEET; $N78^{\circ}50'23''E$, 14.13 FEET; $S56^{\circ}06'18''E$, 1091.44 FEET TO THE TRUE POINT OF BEGINNING AND CONTAINING 1.207 ACRES (52578 S. F.) OF LAND MORE OR LESS.

SAN JUAN ROAD

EXISTING ROAD AND CANAL
EASEMENT PER 15 MAPS 41, 46700 S.F.
(1.07 AC)

99±

89±

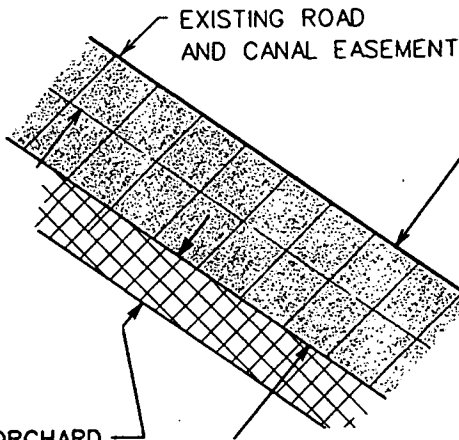
RD 1000
1084±

NEW ACQUISITION
AREA 109176 S.F.
(2.506 ACRES)

40' ORCHARD LANE
EASEMENT 52578 S.F.
(1.207 AC)

93±

LOT 1
NATOMAS RIVERSIDE SUBDIVISION NO. 2
15 MAPS 41



EXISTING ROAD
AND CANAL EASEMENT

NEW ACQUISITION
AREA 109176 S.F.
2.506 ACRES

40' RELOCATED ORCHARD
LANE EASEMENT 52578 S.F.
(1.207 AC)

DETAIL
NO SCALE



NO SCALE

EXHIBIT B
PROPERTY OF
C. F. ROSA TRUST
A.P.N. 225-0220-012

KASL
CONSULTING ENGINEERS, INC.
Civil-Environmental-Surveying

(916) 929-8127 FAX (916) 929-0621
4200 NORTH FREEWAY BLVD., SUITE 1
SACRAMENTO, CA. 95834

REF. NO. WDW22

NOV. 26, 1997



RECEIVED
CITY CLERKS OFFICE
CITY OF SACRAMENTO

JAN 29 3 59 PM '98

January 27, 1998

Sacramento City Council
c/o City Clerk
915 "I" Street
Room 300
Sacramento, CA 95814

RE: APN: 225-0220-012 Res. File ACQ 7521-36
APN: 225-0220-069 Res. File ACQ 7521-36

This letter constitutes our written request to appear before the City Council in the above matter. It is not only questionable that the project planned is compatible with the greatest public good and the least private injury, but we have approximately 1.07 acres which we are not being compensated for on APN 225-0220-012.

Sincerely,



Donald J. Rosa
Candido F. Rosa Testamentary Trust
Donald Rosa & Phyllis Joyce Pappa

11/11/11