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CITY OF SACRAMENTO

December 9th, 1980

REAL ESTATE AND STREET ASSESSMENTS DIVISION
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CITY MANAGER'S OFFICE
IRVIN E. MORAES
REAL ESTATE SUPERVISOR

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City Council
Sacramento, California

Honorable Members In Session:

SUBJECT: Acquisition of Proposed Park Site in the Colonial Acres Area (17th Avenue and 73rd Street)

SUMMARY

Adoption of the Resolution of Necessity to acquire park site south of 17th Avenue between 73rd Street and 76th Street.

BACKGROUND INFORMATION

To enable the City to continue to meet the recreational needs of the general public requires the acquisition and development of new park facilities throughout the City. The Colonial Acres area has been in need of a neighborhood park for some time. Upon survey of the area, the subject site is the last large parcel of land within the area that will meet the needs of the neighborhood.

The owner of the property has agreed to sell said property to the City but due to possible tax problems he wishes the City to adopt the Resolution of Necessity to acquire his property so that he may cite to the State and Federal government that he sold the property under the possibility that the City would exercise its power of eminent domain.

FINANCIAL DATA

On December 2nd, 1980, the Council approved the expenditure of \$101,000.00 out of Community Services Budget to cover the cost of acquiring the park site.

APPROVED
BY THE CITY COUNCIL

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RECOMMENDATION

Adoption of the attached Resolution of Necessity is recommended which requires a 2/3 vote of the Council.

Respectfully submitted,



R. H. Parker
City Engineer

Recommendation Approved



Walter J. Slipe
City Manager

RHP:IEM:bd
Attachment

December 9th, 1980
DISTRICT NO. 6

RESOLUTION NO. 80-807

Adopted by The Sacramento City Council on date of

DECEMBER 9, 1980

RESOLUTION OF NECESSITY: ACQUISITION OF PARCEL 2240-1, COLONIAL ACRES PARK SITE

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 Parcel 2240-1, (hereinafter referred to as the "Subject Parcel").
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: Park 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 Parcel is generally located on the south side of 17th Avenue easterly of 73rd Street.
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 Colonial Acres Park site.
 - 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 Colonial Acres Park.
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 Parcel by condemnation in accordance with the provisions of the Eminent Domain Law of the State of California.

APPROVED
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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 interests 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:

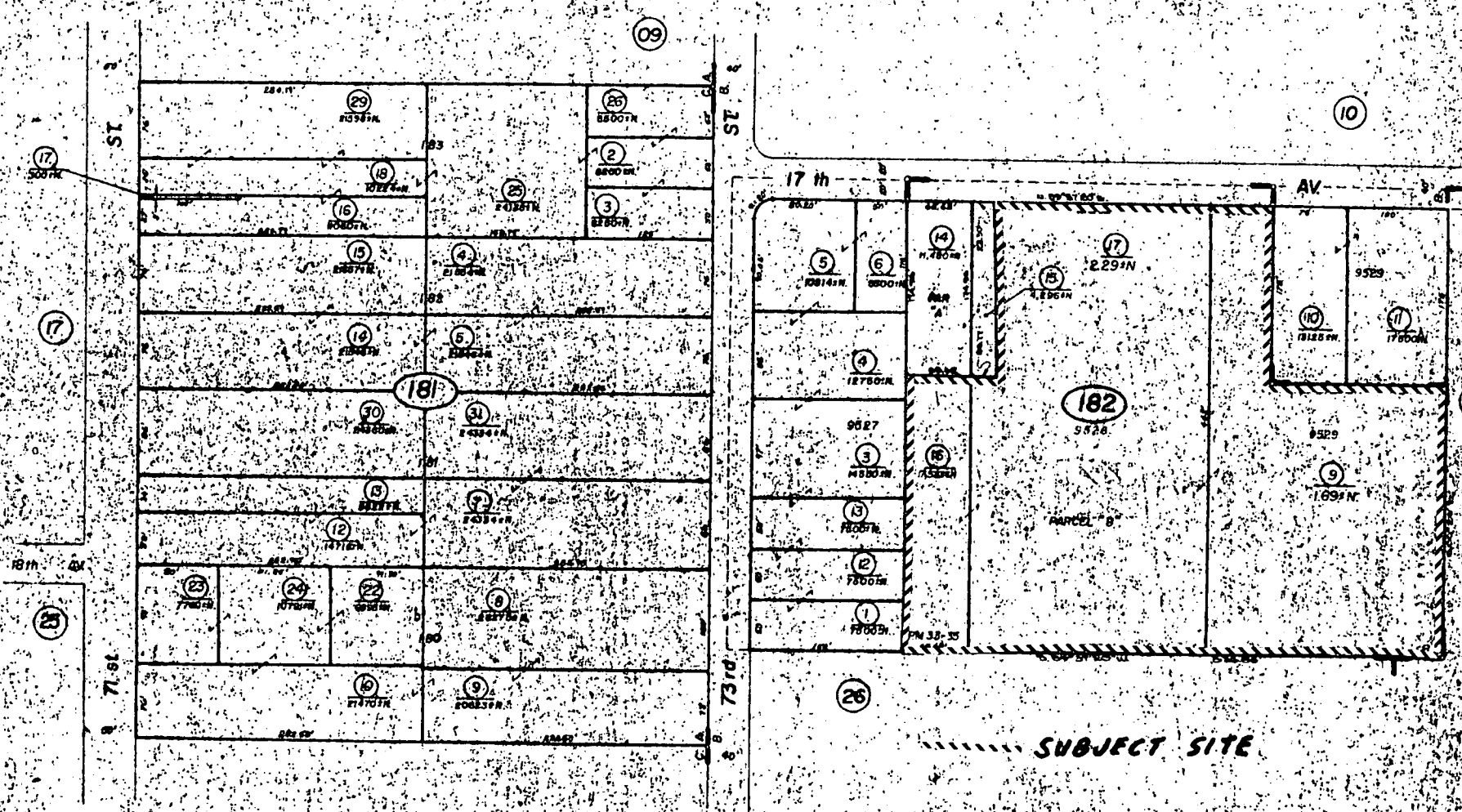
Parcel 2240-1

Parcel B as shown on the Parcel Map entitled "Lot 9528 & Portion of Lots 9527 & 9529, Bonniemead, 7 B. M. 40", filed in the office of the Recorder of Sacramento County, California on July 29, 1977 in Book 33 of Parcel Maps, Map No. 35.

MAYOR

CITY CLERK

FOR BONNIEMead & COLONIAL ACRES



SUBJECT SITE

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