

# RESOLUTION NO. 2003-033

ADOPTED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO

ON DATE OF MAY 27 2003

## RESOLUTION OF NECESSITY AUTHORIZING ACQUISITION BY EMINENT DOMAIN OF 1016, 1020, AND 1022 K STREET LOCATED IN THE MERGED DOWNTOWN REDEVELOPMENT PROJECT AREA

WHEREAS, the Amended Redevelopment Plan ("Redevelopment Plan") for the Merged Downtown Redevelopment Project Area ("Project Area") was adopted by the City Council of the City on June 17, 1986 and amended on May 25, 1999.

WHEREAS, the 2000-2005 Implementation Plan for the Merged Downtown Project Area was adopted by Resolution No. 2000-011 on February 29, 2000.

WHEREAS, the 2000-2005 Implementation Plan for the Merged Downtown Project Area calls for programs to assemble and purchase property for future development;

WHEREAS, three Redevelopment Plan authorizes and calls for the Agency to undertake various redevelopment activities, including:

- a) The assembly of land into parcels suitable for modern, integrated development with improvement pedestrian and vehicular circulation in the Project Area.
- b) The replanting, redesign and development of undeveloped areas, which are stagnant or improperly utilized.
- c) The strengthening of retail and other commercial functions in the downtown area.

These activities and those referenced above in the Implementation Plan are collectively referred to herein as "The Project."

WHEREAS, on March 25, 2003 the Agency authorized the negotiated purchase of, and determined the amount of, just compensation for, Assessors Parcel Number 006-0104-004 ("Subject Parcel"), as more particularly described in the attached Exhibit A, which is hereby incorporated by reference;

WHEREAS, the Agency has, through its counsel, engaged a qualified appraiser who has prepared an appraisal of the fair market value of the Subject Parcel;

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WHEREAS, the Agency has submitted a written offer and summary of appraisal to the owners of the Subject Parcel, which the owners have failed to accept, and has offered to meet with the owners for the purpose of negotiating the purchase of the Subject Parcel, which the owners have declined to do; and

WHEREAS, the Subject Parcel is properly zoned and situated for redevelopment pursuant to the Redevelopment Plan, and there are no other sites in the Project Area which would be as compatible with the greatest public good and the least private injury as the Subject Parcel; and

WHEREAS, the Agency adopts this resolution in compliance with section 1245.230 of the Code of Civil Procedure;

BE IT RESOLVED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO:

Section 1. The above statements are true and correct, and are hereby incorporated by reference.

Section 2: The general location and extent of the Property to be acquired is as set forth in the legal description attached hereto as Exhibit A and incorporated herein by reference.

Section 3. The Redevelopment Agency is empowered to acquire the Subject Parcel by eminent domain by, among others, Health and Safety Code Section 33391.

Section 4. The public purpose for which the Subject Parcel is to be acquired is redevelopment, and more specifically the assembly to eliminate blight, to better utilize underutilized parcels, and to increase development and economic activity in the area.

Section 5. For the foregoing reasons, the Redevelopment Agency finds and determines that:

- (a) The public interest and necessity require the proposed Project, which will make possible the removal of the blighting influence of underutilized and blighted properties;
- (b) The proposed 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 Property described in Exhibit A is necessary for the proposed Project.; and
- (d) The offer of just compensation required by Government Code section 7267.2 has been made to the owners of record of the Property.

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Section 6. While continuing to make every reasonable effort to expeditiously acquire the Subject Parcel by negotiation, the Agency staff is hereby authorized to institute and prosecute to conclusion an action in eminent domain to acquire the Subject Parcel and to take any action necessary or desirable for such purpose in accordance with the California Eminent Domain Law.

Sharon Fargo  
Chair

ATTEST:

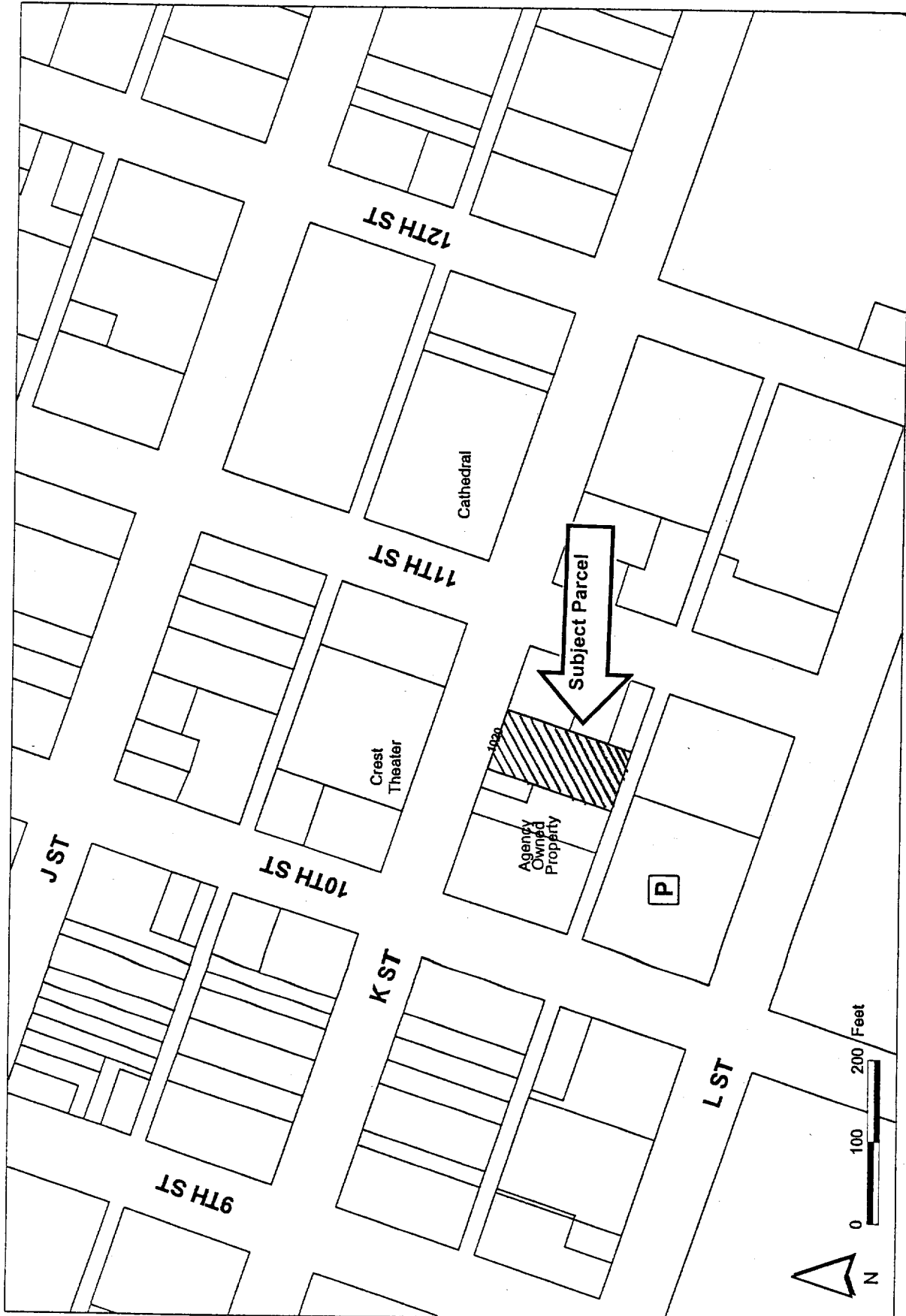
Nigina K. Henry  
SECRETARY  
Asst.

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**10th & K Property Aquisition**

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**LEGAL DESCRIPTION**

Real property in the City of Sacramento, County of Sacramento, State of California, described as follows:

Lot 3, in the Block bounded by "K" and "L" and 10<sup>th</sup> and 11<sup>th</sup> Streets of the City of Sacramento, according to the Official Map or Plan thereof.

APN: 006-0104-004-0000