

RESOLUTION NO. 99-027

**ADOPTED BY THE REDEVELOPMENT AGENCY OF THE CITY OF
SACRAMENTO**

ON DATE OF SEP 7, 1999

**DEL PASO NUEVO:
DETERMINATION OF JUST COMPENSATION; OFFER TO ACQUIRE;
RESOLUTION OF NECESSITY TO USE EMINENT DOMAIN**

WHEREAS, the Redevelopment Plan ("Redevelopment Plan") for the Del Paso Heights Redevelopment Project Area ("Project Area") was adopted by the City Council of the City on May 12, 1970, by City Ordinance No. 2884 and amended on August 5, 1970 by City Ordinance No. 2913, Fourth Series and amended on May 21, 1985 by City Ordinance No. 85-047, Fourth Series.

WHEREAS, three goals of the Redevelopment Plan for the Project Area are:

- (a) To improve the neighborhood environment and image;
- (b) To eliminate blighted and blighting conditions; and
- (c) To increase and develop the supply of affordable housing;

WHEREAS, the Agency adopted the Del Paso Heights Five Year Revitalization Strategy for the Project Area on DATE:

WHEREAS, the Del Paso Heights Revitalization Strategy identifies the Del Paso Nuevo Project area as a key housing development site, which site includes all of the real property which is the subject of this resolution;

WHEREAS, by its Resolution No. 97-027 the Agency has authorized the purchase of, and determined the amount of just compensation for, each of the following six parcels of real property, for the express purpose of developing Del Paso Nuevo (collectively, the "Subject Parcels"):

250 0200 004 450 Hayes Avenue
250 0200 009 520 Hayes Avenue
250 0200 010 530 Hayes Avenue
250 0200 033 479 Ford Road
250 0220 008 494 Ford Road
250 0220 026 471 Carroll Avenue;

WHEREAS, the development of Del Paso Nuevo will require the purchase of an additional parcel of real property, which is located on Ford Road (APN 250-0220-009) (the "Additional Parcel");

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WHEREAS, the Agency has, through its counsel, engaged a qualified appraiser who has prepared or is preparing appraisals of the fair market value of each of the Subject Parcels and the Additional Parcel;

WHEREAS, the Agency has engaged in negotiations with the owners of the Subject Parcels for the purpose of purchasing the Subject Parcels, which negotiations have heretofore proven futile and without effect; and

WHEREAS, the Subject Parcels and the Additional Parcel are properly zoned and situated for redevelopment, 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 Parcels and the Additional Parcel for the following reasons, among others:

- (a) The Del Paso Heights Redevelopment Project Area lacks an adequate supply of high quality affordable housing, parks and flood control facilities, and would benefit from improvement of its roads and other infrastructure and better utilization of underutilized real property;
- (b) The Del Paso Nuevo project has been redesigned specifically to incorporate community concerns as well as the highest principles of planning and redevelopment to address the conditions cited in the foregoing paragraph with the least private injury; and
- (c) The Subject Parcels and the Additional Parcel are needed for the park, drainage, and roadway improvements and for housing that will allow for future development of Del Paso Nuevo.

NOW, THEREFORE, BE IT RESOLVED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO:

Section 1: The above statements are true and correct.

Section 2: It is hereby determined that just compensation for the Additional Parcel shall be equal to the appraised fair market value of such parcel as determined by independent appraisal undertaken for that purpose by a qualified licensed appraiser.

Section 3: The Executive Director, or her designee, is authorized to take all actions necessary to complete the voluntary sale and purchase of the Additional Parcel at a purchase price not substantially greater than the amount of just compensation.

Section 4: The Redevelopment Agency is empowered to acquire the Subject Parcels and the Additional Parcel by eminent domain pursuant to Health and Safety Code Section 33391.

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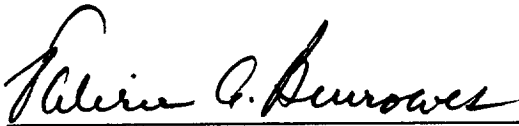
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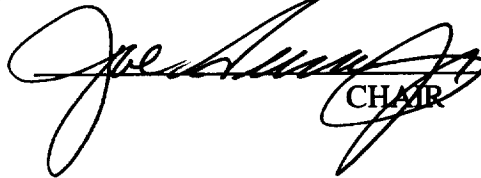
Section 5: The public purpose for which the Subject Parcels and the Additional Parcel are to be acquired is redevelopment, and more specifically the assembly of parcels for development of the Del Paso Nuevo Project within the Del Paso Height Redevelopment Project Area to eliminate blight, to better utilize underutilized parcels, and to provide a new affordable homeownership community.

Section 6: For the foregoing reasons, the Redevelopment Agency finds and determines that:

- (a) The public interest and necessity requires the Del Paso Nuevo project, which will include new and upgraded infrastructure, new homes and removal of the blighting influence of underutilized property;
- (b) The Del Paso Nuevo 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 and the Additional Parcel are necessary for the proposed project; and
- (d) Just compensation has been established for the Subject Parcels by Resolution No. 97-027 and shall be established for the Additional Parcel by the adoption of this resolution; offers have been made to the owners of record of the Subject Parcels, and shall be made to the owners of record of the Additional Parcel, as required by Section 7267.2 of the Government Code; and such owners of the Subject Parcels and the Additional Parcel have been given or shall be given reasonable opportunity to consider, reject or accept such offers.

Section 7: While continuing to make every reasonable effort to expeditiously acquire the Subject Parcels and the Additional Parcel by negotiation, the Executive Director is authorized to institute and prosecute to conclusion actions in eminent domain to acquire the Subject Parcels and the Additional Parcel and to take any action necessary or desirable for such purpose in accordance with California eminent domain law.


SECRETARY


CHAIR

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