

2005-143

RESOLUTION NO. _____

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF MAR 0 8 2005

RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY BY EMINENT DOMAIN FOR THE BRUCEVILLE ROAD WIDENING PROJECT (PN: TW52)

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT:

- The City of Sacramento intends to acquire, through the exercise of the power of eminent domain, the interests in the real property hereinafter identified as the "Acquisition Parcels", more particularly described in Exhibits A and B.
- The Acquisition Parcels are to be taken for, or in connection with, the Bruceville Road Widening Project.
- The statute authorizing the City of Sacramento to acquire the Acquisition Parcels for the above-mentioned public purpose is Government Code, Section 37350.5.
- The Acquisition Parcels are located along Bruceville Road near or between Cosumnes River Boulevard and Sheldon Road in Sacramento, California. The property is more specifically described in the legal descriptions attached hereto as Exhibits A and depicted on the plat maps attached hereto as Exhibits B.
- City Council declares that it has found and determined each of the following:
 - a. The public interest and necessity require this transportation project known as The Bruceville Road Widening Project.

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- 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 Acquisition Parcels are needed for the project.
 - d. The offer statement and summary of appraisal required under Section 7267.2 of the Government Code has been made or provided to the owner or representatives of the owners of record.
 - e. The notice required under civil procedure section 1245.235 has been duly served by first class mail to the fee owners of the properties and the leasehold interests.
- 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 Acquisition Parcels.
 - b. Prepare, file and prosecute in the appropriate court, such proceedings in eminent domain as necessary for the acquisition of the real property interest.
 - c. Deposit the probable amount of just compensation, as fixed by the Director of General Services in accordance with law, in the State Condemnation Fund and to make application to said court for an order permitting the City of Sacramento to take immediate possession and use of the Acquisition Parcels.

HEATHER FARGO

MAYOR

ATTEST:

SHIRLEY CONCOLINO

CITY CLERK

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**EXHIBITS A-1
AND
EXHIBITS B-1**

**BRUCEVILLE 160 LLC
APN: 117-0910-041**

**LEGAL DESCRIPTION
AND
PLAT MAP**

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EXHIBIT A - I

LEGAL DESCRIPTION

All that certain real property situated in the City of Sacramento, County of Sacramento, State of California, described as follows.

All that portion of Lot A, as shown on the official PLAT OF LAGUNA VERDE SUBDIVISION, A PORTION OF PARCEL E, 17 PM 14 AND A PORTION OF THE NW ¼ SECTION 22, T.7N., R.5E, M.D.M., filed in the office of the County Recorder of Sacramento County, on August 25, 1989, in Book 197 of Maps, Map No. 5, described as follows:

Beginning at a point that bears from the southeast corner of said Lot A, North 00° 41' 26" West 148.25 feet and South 89° 18' 34" West 27.81 feet; thence, from said Point of Beginning, along a curve to the right having a radius of 2945.00 feet and an arc length of 79.34 feet, subtended by a chord bearing South 07° 19' 38" East 79.34 feet to the beginning of a compound curve; thence along a curve concave northwesterly having a radius of 25.00 feet and an arc length of 41.76 feet, subtended by a chord bearing South 41° 18' 09" West 37.07 feet; thence South 89° 09' 58" West 12.63 feet; thence North 00° 50' 02" West 0.16 feet; thence along a curve concave northwesterly having a radius of 23.33 feet and an arc length of 39.18 feet, subtended by a chord bearing North 41° 03' 13" East 34.74 feet; thence North 82° 56' 28" East 3.50 feet; thence along a curve concave westerly having a radius of 2936.88 feet and an arc length of 51.22 feet, subtended by a chord bearing North 07° 33' 31" West 51.22 feet; thence North 14° 18' 00" East 30.09 feet to the Point of Beginning, containing 1098.422 square feet, more or less.

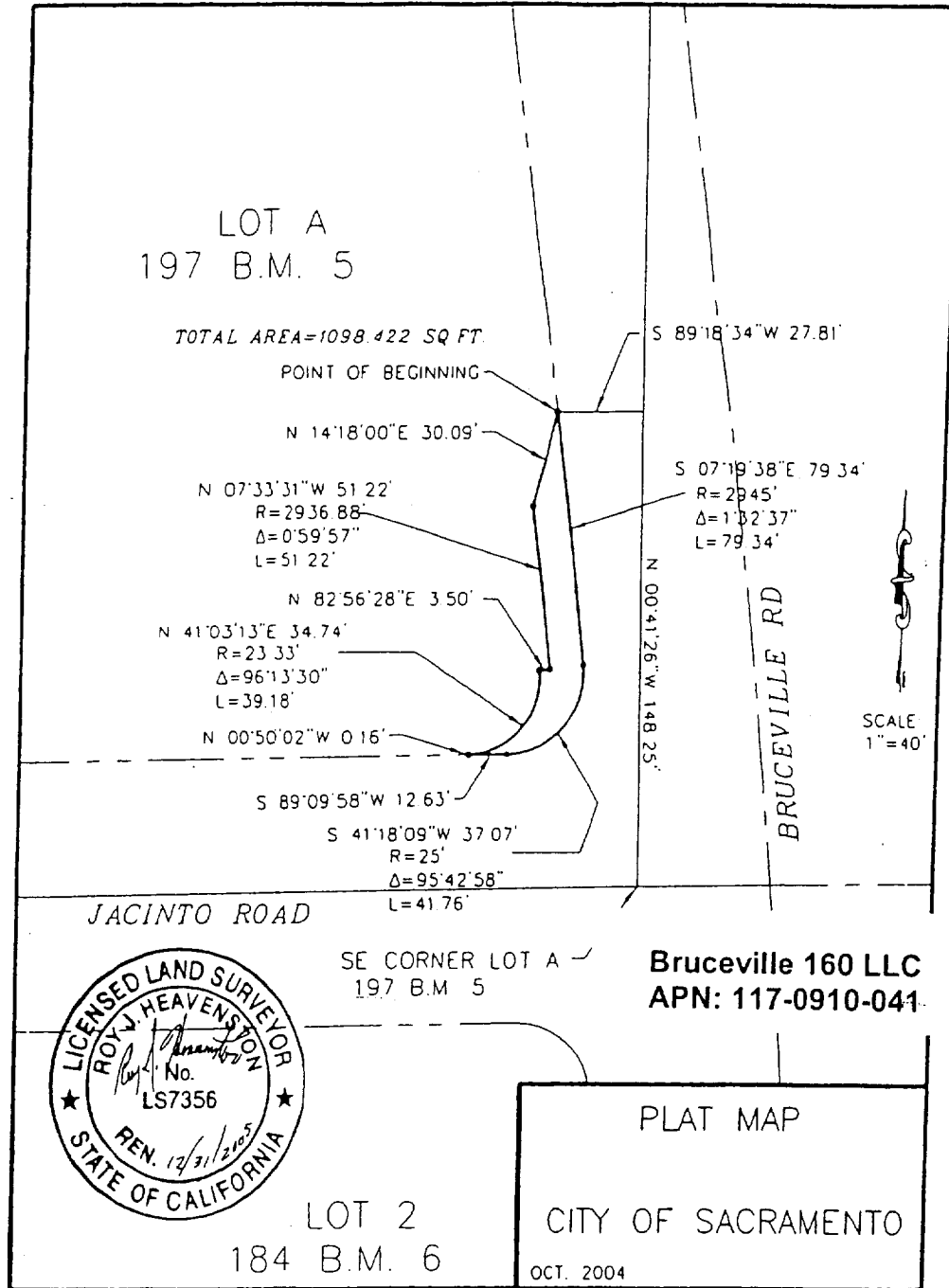
Bruceville 160 LLC
APN: 117-0910-041



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EXHIBIT B-1



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**EXHIBITS A-2
AND
EXHIBITS B-2**

**DEMAS 1997 REVOCABLE TRUST
APN: 117-0182-022**

**LEGAL DESCRIPTION
AND
PLAT MAP**

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EXHIBIT A-2

LEGAL DESCRIPTION

All that certain real property situated in the City of Sacramento, County of Sacramento, State of California, described as follows:

All that portion of Lot 12, as shown on the "PLAT OF HEWITT SUBDIVISION NO. 4", Book 14 of Maps, Map No. 55, described as follows:

The easterly 55.11 feet of the westerly 95.11 feet of said Lot 12, containing 19,448.32 square feet, more or less.

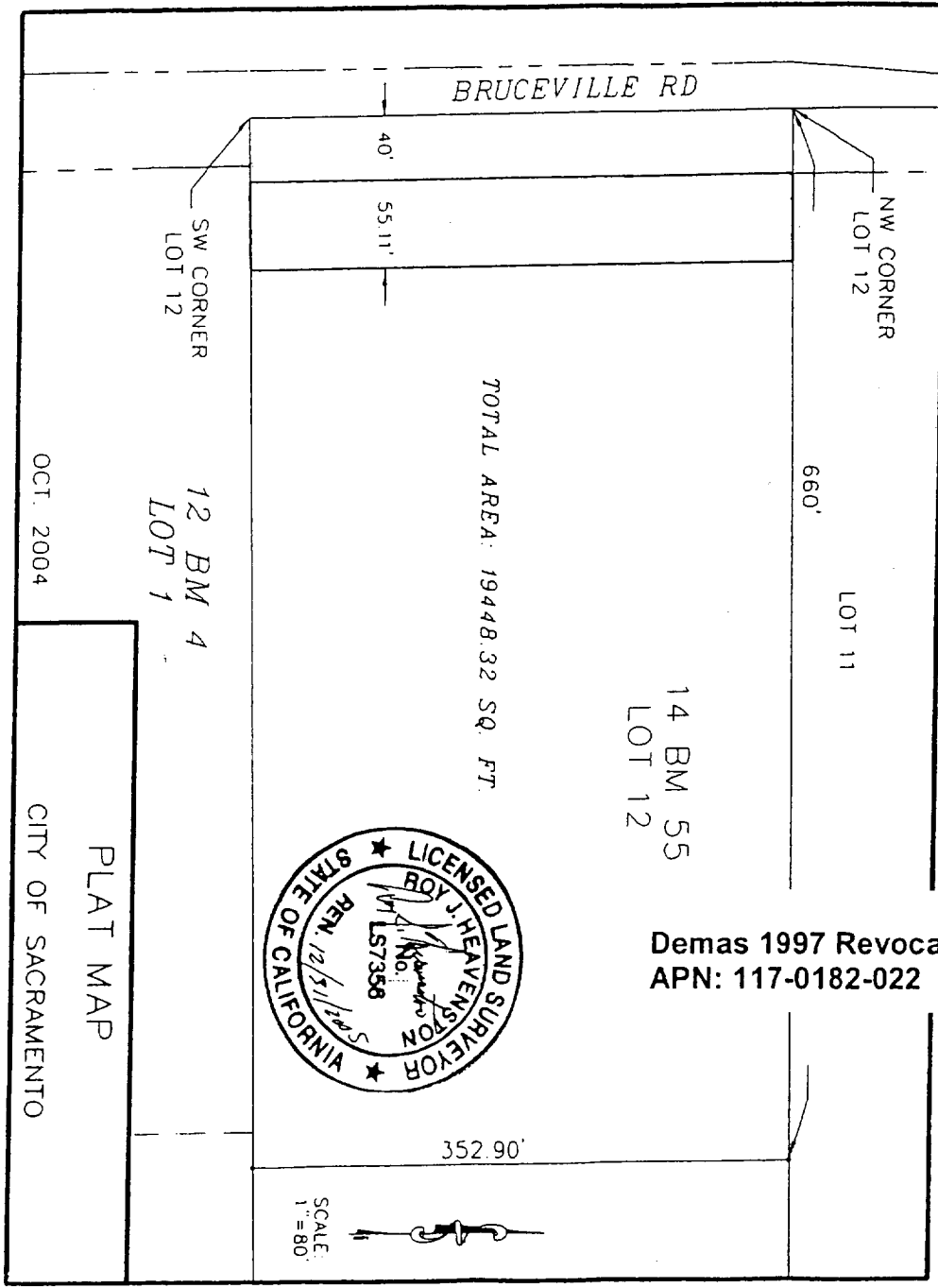
Demas 1997 Revocable Trust
APN: 117-0182-022



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EXHIBIT B-2



Demas 1997 Revocable Trust
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**EXHIBIT A-3
AND
EXHIBIT B-3**

**RICHARD SUNDQUIST ET AL
APN: 117-0140-016**

**LEGAL DESCRIPTION
AND
PLAT MAP**

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EXHIBIT A - 3

LEGAL DESCRIPTION

All that certain real property situated in the City of Sacramento, County of Sacramento, State of California, described as follows:

All that portion of Parcel B, as shown on the official Parcel Map of a Portion of the NW ¼ Sec 22, T.7N., R.5E., M.D.B.&M., filed in the office of the County Recorder of Sacramento County, on November 22, 1972, in Book 9 of Parcel Maps, Page 12, described as follows:

Beginning at a point from which the North ¼ of Section 22 bears North 89° 15' 37" East 71.70 feet, and North 00° 44' 23" West 1081.57 feet, thence South 89° 30' 12" West 0.73 feet; thence North 00° 29' 48" West 0.93 feet; thence along a curve concave southwesterly having a radius of 23.33 feet and an arc length of 36.65 feet, subtended by a chord bearing North 45° 29' 48" West 32.99 feet; thence South 89° 30' 12" West 0.94 feet; thence North 00° 29' 48" West 0.74 feet; thence along a curve concave southwesterly having a radius of 25.00 feet and an arc length of 39.27 feet, subtended by a chord bearing South 45° 29' 48" East 35.36 feet to the Point of Beginning, containing 18.925 square feet, more or less.

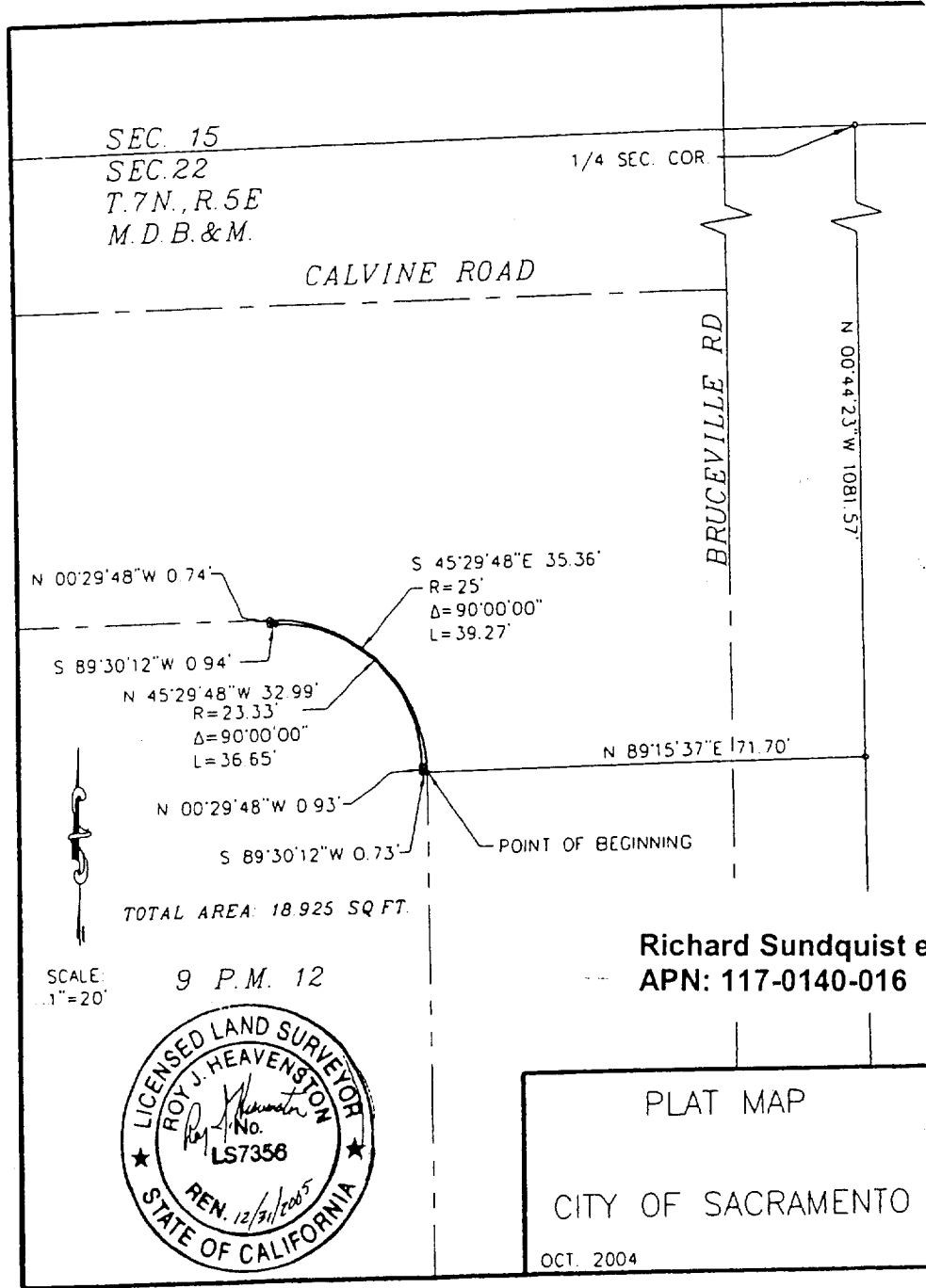
Richard Sundquist et al
APN: 117-0140-016



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EXHIBIT B -3



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