

RESOLUTION NO. 2005-916

Adopted by the Sacramento City Council

December 13, 2005

ACQUIRING CERTAIN REAL PROPERTY BY EMINENT DOMAIN FOR THE 65th STREET AND BROADWAY DETENTION BASIN PROJECT (PN: WJ76).

BACKGROUND

- A. The City of Sacramento intends to acquire through the exercise of the power of eminent domain the real property hereinafter identified as the "Subject Parcels". The Subject Parcels are located one parcel east of the intersection of 65th Street and Broadway adjacent to Redding Avenue more specifically described in Exhibits "A & B". The Subject Parcels are to be taken for or in connection with the 65th Street and Broadway Detention Basin Project.
- B. The Statute authorizing the City of Sacramento to acquire the Subject Parcels for the above-mentioned public purpose is Government Code, Section 37350.5. An offer as required under Section 7267.2 of the Government Code has been made to the owners or representatives of the owners of record.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE STAFF REPORT AND OTHER EVIDENCE AND INFORMATION PRESENTED AT THE HEARING OF THIS MATTER, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The City Council finds and determines that the recitals set forth above are true.
- Section 2. The public interest and necessity requires the land acquisition for the project known as the 65th Street and Broadway Detention Basin Project. The project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury. The Subject Parcels are needed for the project, and an offer under Section 7267.2 of the Government Code has been made to the owners or representatives of the owners of record.
- Section 3. That the City of Sacramento, a municipal corporation, its appropriate officers, employees and agents, are 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 necessary for the acquisition of the Subject Parcels.
- 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 Subject Parcels.

Section 4 That the City, by this resolution is authorized to acquire certain real property situated in the County of Sacramento, State of California, and described in the attached legal descriptions marked EXHIBIT "A" and diagrammed in the corresponding attachment EXHIBIT "B".

Adopted by the City of Sacramento City Council on December 13, 2005 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters and Mayor Fargo.

Noes: None.

Abstain: None.

Absent: None.



Mayor Heather Fargo

Attest:



Shirley Concolino, City Clerk

Basin Property at Broadway and 65th Street

EXHIBIT A

LEGAL DESCRIPTION

The land herein referred to is situated in the State of California, County of Sacramento, City of Sacramento and is described as follows:

PARCEL 1:

Parcel 1, as shown on that certain Parcel Map entitled, "Por. Lot 10 Map of A.B. Davis Homestead Farm 2 B.M. 2", recorded in Book 42 of Parcel Maps, at Page 5, records of said County.

PARCEL 2:

Parcel 3, as shown on that certain Parcel Map entitled, "Por. Lot 11 Map of A.B. Davis Homestead Farm 2 B.M. 2", recorded in Book 42 of Parcel Maps, at Page 6, records of said County.

Assessor's Parcel No: 015-0091-044 and 045

Basin Property at Broadway and 65th Street

PARCEL MAP

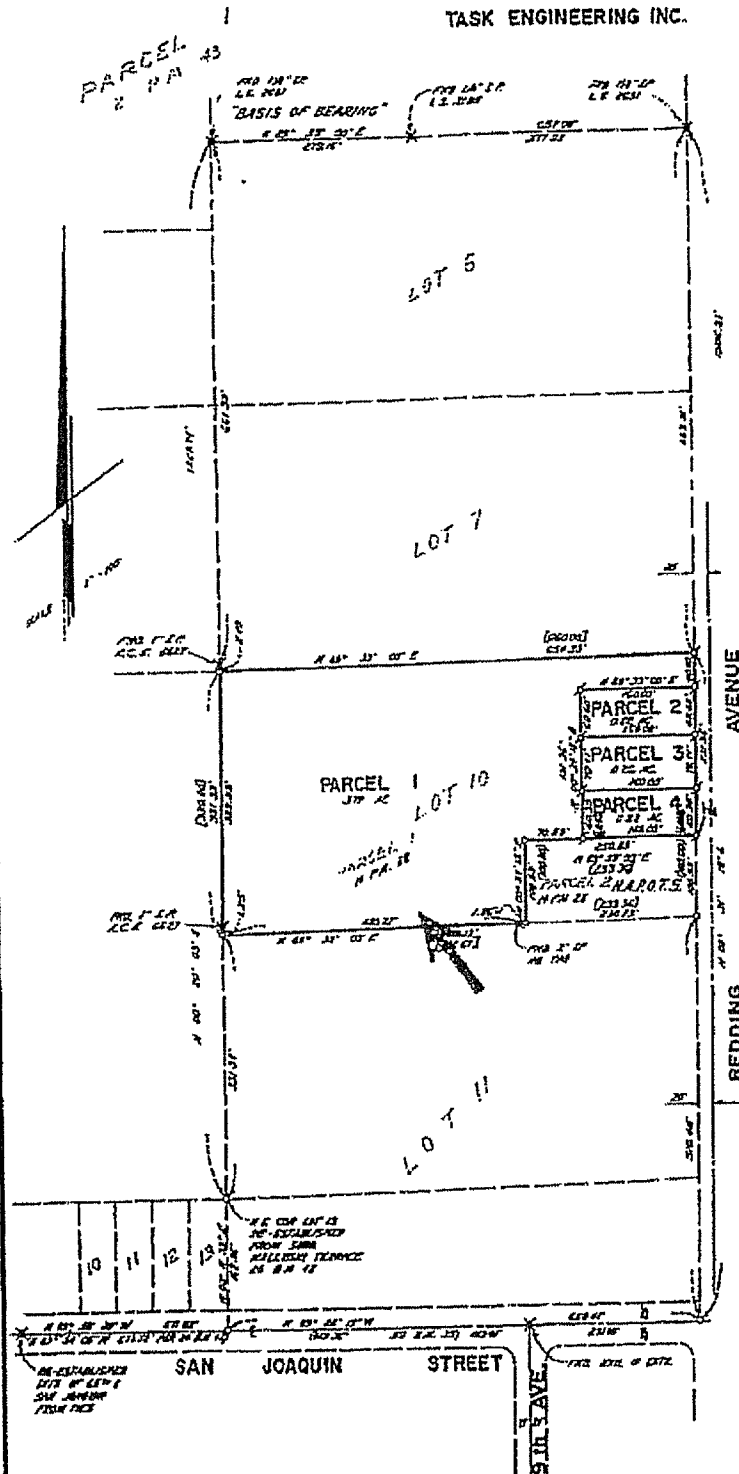
POR. LOT 10 MAP OF A.B. DAVIS
HOMESTEAD FARM
2 B.M. 2

CITY OF SACRAMENTO CALIFORNIA
SCALE 1" = 100'
JULY, 1978

TASK ENGINEERING INC.

EXHIBIT B

Page 1 of 2



OWNER'S CERTIFICATE:

WE HEREBY CERTIFY TO THE PREPARATION AND RECORDING OF THIS MAP

Alfred C. Resehen
ALFRED CHARLES RESEHEN
CITY ENGINEER

William Henry Resehen
WILLIAM HENRY RESEHEN JR.
CITY ENGINEER

Edwin J. Lundstrom
EDWIN J. LUNDSTROM
CITY ENGINEER

Richard P. Bradley
RICHARD P. BRADLEY
CITY ENGINEER

VITARY CERTIFICATE

STATE OF CALIFORNIA
COUNTY OF SACRAMENTO

ON THIS 15th DAY OF JULY, 1978, BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY, PERSONALLY APPEARED ALFRED C. RESEHEN, WILIAM HENRY RESEHEN JR., ALFRED CHARLES RESEHEN, EDWIN J. LUNDSTROM, RICHARD P. BRADLEY, TWO CERTIFIED COPIES OF THIS PARCEL MAP, TOGETHER WITH THE ORIGINAL, WHICH TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE VITARY INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME

IN WITNESS WHEREOF I HAVE HEREIN SET MY HAND AND AFFIXED MY OFFICIAL SEAL, THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN

Richard P. Bradley
NOTARY PUBLIC IN AND FOR
SAID COUNTY AND STATE



PREPARED BY'S CERTIFICATE:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AT THE REQUEST OF ERIC GARRIG IN JUNE 1978. I HEREBY STATE THAT THE PARCEL MAP PROCEDURES OF THE LOCAL AGENCY HAVE BEEN COMPLIED WITH AND THAT THIS PARCEL MAP CONFORMS TO THE APPROVED EXECUTIVE MAP AND THE CONDITIONS OF THE APPROVAL THEREOF WHICH WERE REQUIRED TO BE FULFILLED PRIOR TO THE FILING OF THE PARCEL MAP

Eric Garrig
U.S. 3052



CITY ENGINEER'S CERTIFICATE:

THIS MAP CONFORMS WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE

Gerald R. Young
CITY ENGINEER

CITY CLERK'S CERTIFICATE:

I HEREBY CERTIFY THAT THE CITY COUNCIL OF THE CITY OF SACRAMENTO HAS APPROVED THIS PARCEL MAP ENTITLED POR. LOT 10 MAP OF A.B. DAVIS HOMESTEAD FARM 2 B.M. 2

Ann Marie Rogers
CITY CLERK

139790

RECORDER'S CERTIFICATE:

FILED THIS 15th DAY OF JULY, 1978
AT 10:00 AM IN BOOK 452 OF PARCEL MAPS
AT PAGE 1 AT THE REQUEST OF TASK ENGINEERING

TITLE TO THE LAND ENCLOSED IN THIS PARCEL MAP BEING RECORDED AS PER CERTIFICATE NO. 139790 ON FILE AT THIS OFFICE.

Alvin V. Rodda
COUNTY RECORDER

Richard P. Bradley
NOTARY

LEGEND:

- SEE SURV. NEAR HYDRAULIC SURVEYED U.S. 3052
- FOUND MONUMENT AS NOTED
- DIMENSION POINT
- RECORD AS SHOWN
- RECORD PER 14 P.M. 78

BASES OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS IDENTICAL TO THAT PARCEL MAP FILED IN THE SACRAMENTO COUNTY RECORDER'S OFFICE IN BOOK 2 OF PARCEL MAPS AT PAGE 63, AND WAS ESTABLISHED FROM MONUMENTS AS SHOWN HEREON.

Basin Property at Broadway and 65th Street

PARCEL MAP

POR. LOT 11 MAP OF A.B. DAVIS

HOMESTEAD FARM

2 B.M. 2

CITY OF SACRAMENTO

SCALE 1" = 100'

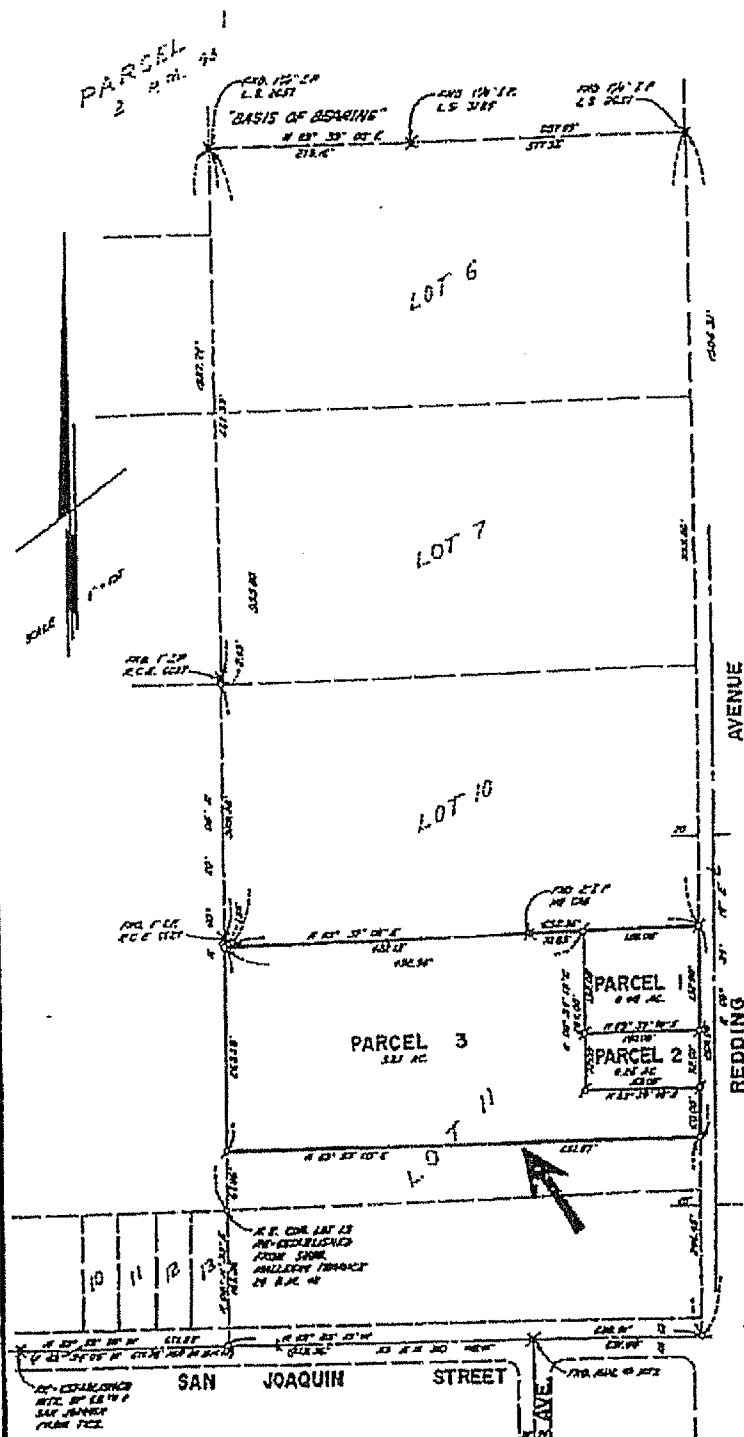
CALIFORNIA

JULY, 1978

TASK ENGINEERING INC.

EXHIBIT B

Page 2 of 2



OWNER'S CERTIFICATE:
 THE UNDERSIGNED HEREBY CONSENT TO THE PREPARATION AND RECORDING OF THIS MAP

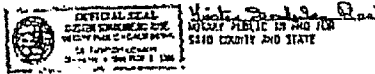
Charles E. Davis
 CHARLES E. DAVIS
 DOMESTIC LANDOWNER

Katherine O. Davis
 KATHERINE O. DAVIS
 DOMESTIC LANDOWNER

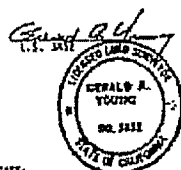
NOTICE CERTIFICATE:
 STATE OF CALIFORNIA)
 COUNTY OF SACRAMENTO)

ON THIS 11th DAY OF JULY, 1978, BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY, PERSONALLY APPEARED CHARLES E. DAVIS, KATHERINE O. DAVIS, AND ROBERTO SPADAROTTO AND ELIZABETH SPADAROTTO, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

IN WITNESS WHEREOF I HAVE HEREIN SET MY HAND AND AFFIXED MY OFFICIAL SEAL, THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.



SURVEYOR'S CERTIFICATE:
 THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AS THE RESULT OF FIELD WORK IN JUNE 1978. I HEREBY STATE THAT THE PARCEL MAP PROCEDURES OF THE LOCAL AGENCY HAVE BEEN COMPLETED WITH AND THAT THIS PARCEL MAP CONFORMS TO THE APPROVED SCHEMATIC MAP AND THE CONDITIONS OF APPROVAL THEREOF WHICH WERE REQUIRED TO BE FULFILLED PRIOR TO THE FILING OF THE PARCEL MAP.



CITY ENGINEER'S CERTIFICATE:
 THIS MAP CONFORMS WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE.

[Signature]
 CITY ENGINEER

CITY CLERK'S CERTIFICATE:
 I HEREBY CERTIFY THAT THE CITY COUNCIL OF THE CITY OF SACRAMENTO HAS APPROVED THIS PARCEL MAP ENTITLED POR. LOT 11 MAP OF A.B. DAVIS HOMESTEAD FARM 2 B.M. 2

[Signature] 8/10/78
 CITY CLERK

139791
RECORDER'S CERTIFICATE:
 FILED THIS 13th DAY OF SEPT. 1978 AT 10:42 A.M. IN BOOK 429 OF PARCEL MAPS AT PAGE 16 AT THE REQUEST OF TASK ENGINEERING.

FILED TO THE LAND INCLUDED IN THIS PARCEL MAP BEING VESTED AS PER CERTIFICATE NO. 918 ON FILE AT THIS OFFICE.

Alvin V. Rodda
 COUNTY RECORDER

[Signature]
 CITY

LEGEND:
 SEE 3117 REBAR W/PLASTIC CAP STAMPED L.S. 1951
 FOUND POINTS RE-MEASURED
 DIMENSION POINT
 RECORD AS SHOWN

BASES OF BEARING:
 THE BASIS OF BEARINGS FOR THIS SURVEY IS IDENTICAL TO THAT PARCEL MAP FILED IN THE SACRAMENTO COUNTY RECORDER'S OFFICE IN BOOK 2 OF PARCEL MAPS AT PAGE 43, AND WAS ESTABLISHED FROM MONUMENTS AS SHOWN HEREON.