

RESOLUTION NO. 2002-040

ADOPTED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO

ON DATE OF
OCT - 8 2002

**DEL PASO NUEVO
RESOLUTION OF NECESSITY TO USE EMINENT DOMAIN TO ACQUIRE**

Assessors Parcel Number	Address
250-0140-008	556 South Avenue
250-0140-021	571 Hayes Avenue
250-0140-028	511 Hayes Avenue
250-0230-006	620 Ford Road
250-0230-013	Hayes Avenue
250-0230-015	680 Ford Road
250-0230-043	739 Carroll Avenue
250-0230-055	3300 Taylor Street

WHEREAS, the Redevelopment Agency of the City of Sacramento ("Agency") has adopted the Del Paso Heights Redevelopment Plan ("Redevelopment Plan") and a Five Year Implementation Plan for the Del Paso Heights Project Area ("Project Area");

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 Del Paso Heights five-year Implementation Plan 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, the Del Paso Nuevo Project is a comprehensive land development project which eliminates the blighting influences of improper parcelization, underutilized land, and inadequate public facilities and provides new integrated public improvements and affordable housing;

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2002-040

DATE ADOPTED: OCT - 8 2002

WHEREAS, by its Resolution No. 2001-042 adopted on June 26, 2001, the Agency has authorized the purchase of, and determined the amount of just compensation for, that real property located at

Assessors Parcel Number	Address
250-0140-008	556 South Avenue
250-0140-021	571 Hayes Avenue
250-0140-028	511 Hayes Avenue
250-0230-006	620 Ford Road
250-0230-013	Hayes Avenue
250-0230-015	680 Ford Road
250-0230-043	739 Carroll Avenue
250-0230-055	3300 Taylor Street

and more specifically described in the property list attached to this resolution as Attachment II (the "Subject Parcels"), which purchase is for the express purpose of developing the Del Paso Nuevo Project;

WHEREAS, the Subject Parcels are necessary to the completion of the Del Paso Nuevo Project;

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

WHEREAS, the Agency has engaged in serious negotiations with the owner of the Subject Parcels for the purpose of purchasing the Subject Parcels, which negotiations have not resulted in a negotiated purchase and sale of the Subject Parcels; and

WHEREAS, the Subject Parcels 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 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 property; and
- (b) The Del Paso Nuevo Project has been designed and thereafter redesigned in order to incorporate community concerns, as well as the highest principles of planning and redevelopment, to achieve the redevelopment and housing goals stated above and to

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2002-040

DATE ADOPTED: OCT - 8 2002

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

Section 1: The forgoing recitals are true and correct.

Section 2: The Redevelopment Agency is empowered to acquire the Subject Parcel by eminent domain pursuant to Health and Safety Code Section 33391.

Section 3: The public purpose for which the Subject Parcels 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 Heights Redevelopment Project Area to eliminate blight, to better utilize under utilized parcels and correct improper parcelization, to improve inadequate public facilities, and to provide a new affordable housing in a homeownership community.

Section 4: For the foregoing reasons the Redevelopment Agency of f the City of Sacramento 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 and improper parcelization;
- (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 are necessary for the proposed project; and
- (d) Just compensation has been established for the Subject Parcels by Resolution No. 2001-042; offers have been made to the owner of record of the Subject Parcels, as required by Section 7267.2 of the Government Code; and such owners of the Subject Parcels have been given reasonable opportunity to consider, reject or accept such offers.

Section 5: While continuing to make every reasonable effort to expeditiously acquire the Subject Parcels by negotiation, the Executive Director is authorized

- (a) to acquire in the name of the Agency, the Subject Parcels;
- (b) to institute and prosecute to conclusion one or more actions in eminent domain to acquire each of the Subject Parcels and to take any action necessary or desirable for such purpose in accordance with applicable law; and
- (c) to deposit the probable amount of just compensation, as fixed by the Executive Director in accordance with law, with the State Treasury, as the case may be, and to make application to the court for an order permitting the Agency to take immediate possession and use of the Subject Parcels.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2002-040

DATE ADOPTED: OCT - 8 2002

Section 6: By this resolution, the Agency is authorized to acquire certain real property situated in the County of Sacramento, State of California, and described as follows:

Heather Ingo

CHAIR

ATTEST:

Talene G. Burrows

SECRETARY

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2002-040
DATE ADOPTED: OCT - 8 2002

**ATTACHMENT - II
LEGAL DESCRIPTION**

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

The South 85 feet of Lot 25 in Block 37, as shown on the "Amended Plat of West Del Paso Heights", recorded in the office of the County Recorder of Sacramento County, December 5, 1911 in Book 12 of Maps. Map No.52.

APN: 250-0230-055
3300 Taylor St.

Lot 31 in Block 37, as shown on the Amended Plat of West Del Paso Heights, recorded in Book 12 of Maps, Map No. 52, records of said County.

APN: 250-0230-043
739 Carroll Ave.

The South 50 feet of the Easterly 50 feet of the Westerly 100 feet of the Northerly 150 feet of Lot 19 in Block 37, as shown on the "Amended Plat of West Del Paso Heights", recorded in Book 12 of Maps, Map No. 52, records of said County.

APN: 250-0230-013

Vacant Parcel on Hayes Ave.

Lot 21, Block 37 of Amended Map of West Del Paso Heights, according to the official plat thereof, recorded in the office of the Recorder of Sacramento County, California, December the 5th, 1911, in Book 12 of Maps. Map No. 52.

APN: 250-0230-006

620 Ford Rd.

The West one-half of Lot 14, in Block 34 of West Del Paso Heights, according to the Amended Plat thereof, filed in the Office of the Recorder of Sacramento County, California on December 5, 1911, in Book 12 of Maps. Map No. 52.

EXCEPTING THEREFROM the West 6 feet thereof.

APN: 250-0140-023

511 Hayes Ave.

Lot 17, in Block 34, as shown on the 'Plat of West Del Paso Heights', recorded in Book 12 of Maps. Map No. 52, records of said County.

APN: 250-0140-021

571 South Ave.

The West one-half of Lot 2 in Block 34 of West Del Paso Heights, according to the official plat thereof, filed in the office of the Recorder of Sacramento County, California, on December 6, 1991, in Book 12 of Maps. Map No. 52.

APN: 250-0140-008

556 South Ave.

(14)

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2002-040

DATE ADOPTED: OCT - 8 2002

ATTACHMENT II

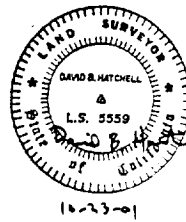
LEGAL DESCRIPTION OF ACQUISITION PARCEL

Being a portion of Lot 18 in Block 37 of the Amended Plat of Del Paso Heights, filed in Book 12, at Page 52 of Maps, in the Office of the County Recorder, County of Sacramento, State of California, described as follows:

The South 180 feet of Lot 18 of said amended plat of Del Paso Heights, containing an area of 23,760 square feet (0.545 Acres), more or less.

See Exhibit B attached hereto and made a part hereof.

Carter & Burgess, Inc
David B. Hatchell, LS 5559
License expires: 09-30-05
Date: 10-23-01

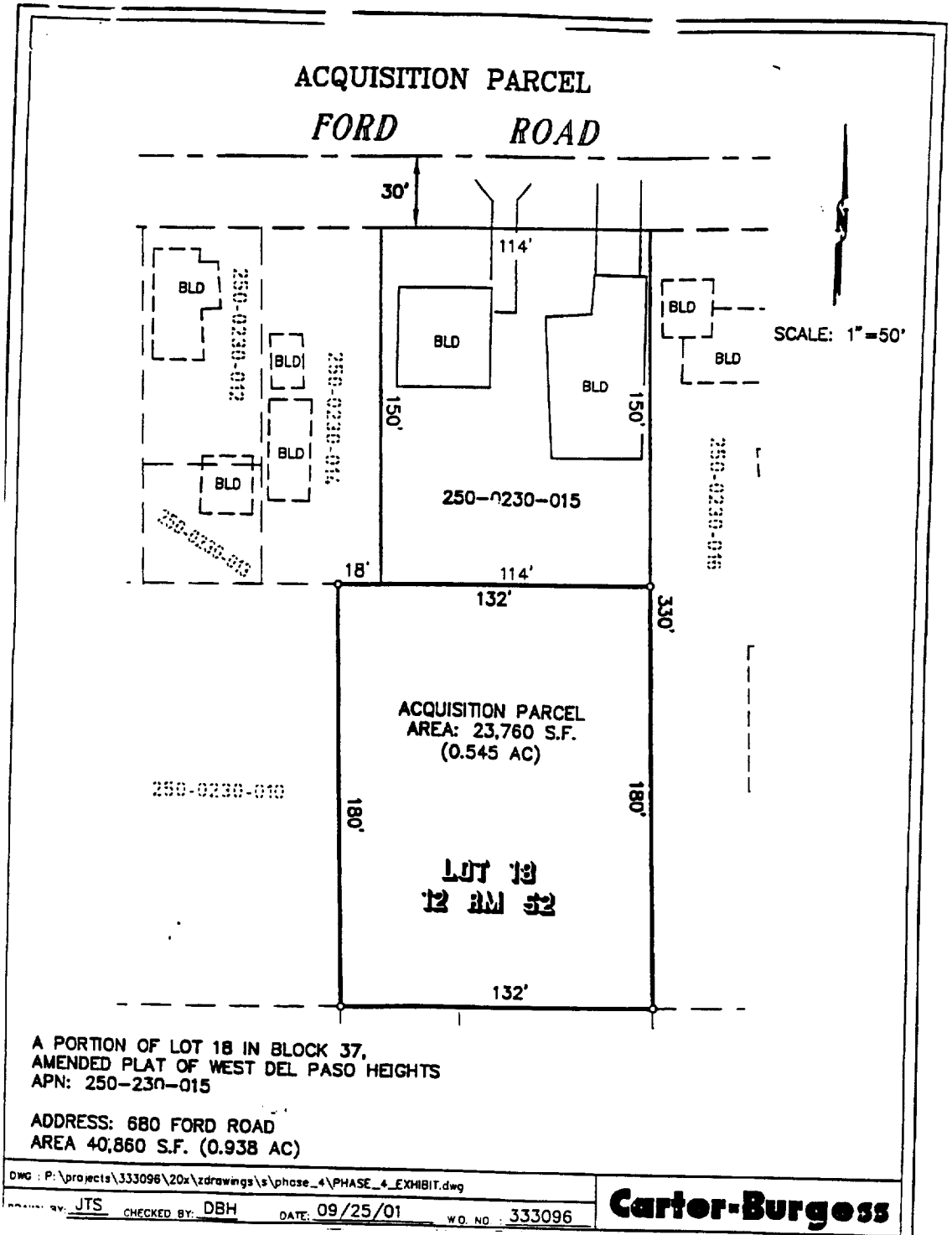


250 0230 015
Vacant Portion of 680 Ford Rd.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2002-040

DATE ADOPTED: OCT - 8 2002



(16)

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2002-040

DATE ADOPTED: OCT - 8 2002