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CITY OF SACRAMENTO

DEPARTMENT OF PUBLIC WORKS

ENGINEERING DIVISION

CITY MANAGER'S OFFICE
RECEIVED
MAR 28 1985

THOMAS M. FINLEY
Engineering Division Manager

March 26, 1985

APPROVED
BY THE CITY COUNCIL

City Council
Sacramento, California

APR 2 1985

OFFICE OF THE
CITY CLERK

Honorable Members In Session:

SUBJECT: Acquisition of the Necessary Right-of-Way to Widen Florin-Perkins Road between Folsom Boulevard and Elder Creek Road

SUMMARY

It is requested that the City Council adopt a Resolution directing the City Clerk to give notice of the City Council's intention to adopt the Resolution of Necessity to acquire certain parcels of property necessary to widen Florin-Perkins Road. Adoption of the Resolution is recommended.

BACKGROUND

Plans and specifications for the widening of Florin-Perkins Road between Folsom Boulevard and Elder Creek Road have been completed and the City is ready to call for bids on the project. Before we can advertise this project for construction as an F.A.U. project it is required that the City have possession of the right-of-way necessary to perform the work. Six property owners have refused to sell the required right-of-way to the City for the widening of Florin-Perkins Road. To obtain the right-of-way requires that the City exercise its Power of Eminent Domain. The properties being acquired have been appraised by a County of Sacramento appraiser and also by a private independent appraiser. They have placed a value of \$223,800 on the properties to be acquired.

FINANCIAL

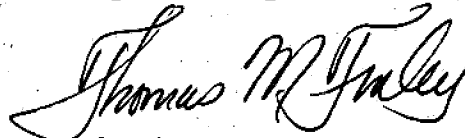
The funds necessary to acquire the right-of-way for the widening of Florin-Perkins Road (\$223,800) have been budgeted and included in the Capital Improvement Program for 1984-85 under Budget Number 2-09-3110-1818-4813 (Major City Street Funds).

City Council
Acquisition Letter on Widening
Florin-Perkins Road between Folsom
Blvd. & Elder Creek Road
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RECOMMENDATION

It is recommended that the Resolution Authorizing Giving
Notice of Intention to Adopt Condemnation Resolution be
adopted, which sets a Hearing for May 7, 1985.

Respectfully submitted,



THOMAS M. FINLEY
Engineering Division Manager

Recommendation Approved:



WALTER J. SLIPE
City Manager

Approved:



MELVIN H. JOHNSON
Director of Public Works

IEM:yg
Attachments

April 2, 1985
District No. 6

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RESOLUTION NO. 85-243

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

APRIL 2, 1985

RESOLUTION AUTHORIZING GIVING NOTICE OF INTENT TO ADOPT CONDEMNATION RESOLUTION:

ACQUISITION OF PARCELS FOR WIDENING FLORIN-PERKINS ROAD BETWEEN FOLSOM BOULEVARD AND ELDER CREEK ROAD.

APPROVED
BY THE CITY COUNCIL

APR 2 1985

OFFICE OF THE
CITY CLERK

Recitals:

A. It has been recommended to the City Council that certain parcels of property be acquired by the City for public use by this exercise of the Power of Eminent Domain as follow: 1818-9, 1818-10, 1818-13, 1818-28, 1818-29, 1818-30, 1818-31, 1818-33, 1818-34.

B. The City desires to afford the owners of such parcels the opportunity to appear and be heard at a public hearing concerning those matters specified in Section 1245.235 of the Code of Civil Procedure.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO AS FOLLOWS:

1. That the City Council announces its intent to adopt the attached Resolution marked Exhibit A.

2. That the City Clerk is hereby authorized and directed to give notice of said intention as required by Section 1245.235 of the Code of Civil Procedure.

3. That said notice shall provide that the City Council shall hold the hearing required by Section 1245.235 of the Code of Civil Procedure at the regular Council meeting to be held at 7:30 P. M. on May 7th, 1985, in the City Council Chambers and that the request to appear and be heard at said hearing shall be filed in writing in the office of the City Clerk not later than 5:00 P. M. on May 1st, 1985.

MAYOR

ATTEST:

CITY CLERK

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RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

MAY 7, 1985

RESOLUTION OF NECESSITY: ACQUISITION OF PARCELS FOR THE WIDENING OF FLORIN-PERKINS ROAD BETWEEN FOLSOM BOULEVARD AND ELDER CREEK ROAD.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO, TWO-THIRDS OF ALL MEMBERS OF SAID COUNCIL VOTING IN FAVOR THEREOF:

1. That the City of Sacramento intends to acquire through the exercise of the Power of Eminent Domain the real property or interests in real property hereinafter described as Parcels 1818-9, 1818-10, 1818-13, 1818-28, 1818-29, 1818-30, 1818-31, 1818-33 and 1818-34, (herein referred to as the "Subject Parcels")

2. That the City of Sacramento intends to acquire the Subject Parcels in fee simple absolute unless a lesser estate is expressly specified in the description of said parcels.

3. That the Subject Parcels are to be taken for street and Highway purposes in connection with the Florin-Perkins Road Widening Project (FAU-M-FO73(1)).

4. That the statute or statutes authorizing the City of Sacramento to acquire the Subject Parcels for the above-mentioned public purposes is Government Code, Section 37350.5.

5. That the Subject Parcels are generally located adjacent to the existing right-of-way of Florin-Perkins Road between Folsom Boulevard and Elder Creek Road.

6. That the City Council declares that it has found and determined each of the following:

a. The public interest and necessity require the widening of Florin-Perkins Road from Folsom Boulevard to Florin Road.

SEE ATTACHED "EXHIBIT "A"

b. The Widening of Florin-Perkins Road is planned or 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 widening of Florin-Perkins Road.

7. That the City of Sacramento, a municipal corporation, its appropriate officers, employees and agents, are hereby authorized and empowered:

a. To acquire in fee simple in the name of the City of Sacramento, a municipal corporation, the Subject Parcels by condemnation in accordance with the provisions of the Eminent Domain Law of the State of California.

b. To prepare, file and prosecute in the appropriate court, such proceedings in eminent domain as are necessary for the acquisition of the Subject Parcels; and,

c. To deposit the probable amount of compensation, as fixed by the City Council in accordance with law, with the Clerk of the appropriate court 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.

8. The Subject Parcels, being the real property or interest therein which the City is by this Resolution authorized to acquire are situated in the City of Sacramento, State of California, and described as follows:

Parcel 1818-9

All that portion of that certain parcel of land described in that certain right-of-way deed recorded in the office of the Recorder of said County in Book 2615 of Official Records, Page 227, described as follows:

BEGINNING at the most southerly corner of said parcel of land described in said right-of-way deed; thence along the southwesterly line of said parcel of land North 36° 16' 20" West 56.56 feet and curving to the left on an arc of 5631.85 feet radius, said arc being subtended by a chord bearing North 36° 25' 15" West 29.19 feet; thence North 00° 39' 20" West 66.92 feet to a point located on the northeasterly line of said parcel of land; thence along said northeasterly line of the following four (4) courses and distances: (1) curving to the right on an arc of 1852.16 feet radius, from a tangent bearing South 37° 55' 49" East, said arc being subtended by a chord bearing South 37° 33' 05" East 24.51 feet, (2) curving to the right of an arc of compound curvature, with a radius of 2,807.07 feet; said arc being subtended by a chord bearing South 36° 52' 20" East 29.40 feet, (3) curving to the right on an arc of compound curvature, with a radius of 5,671.85 feet, said arc being subtended by a chord bearing South 36° 25' 20" East 29.70 feet and (4) South 36° 16' 20" East 0.96 feet to a point located on the easterly line of Section 23, Township 8 North, Range 5 East, M.D.M.; thence along said easterly line of Section 23 and along the easterly line of said parcel of land described in said right-of-way deed South 00° 39' 20" East 68.39 feet to the point of beginning.

Parcel 1818-10

All that portion of the Southeast one-quarter of the Southeast one-quarter of Section 23, Township 8 North, Range 5 East, M.D.M., described as follows:

BEGINNING at the Northeast corner of said Southeast one-quarter of the Southeast one-quarter of Section 23; thence from said point of beginning along the easterly line of said Section 23 South 00° 39' 20" East 925.59 feet; thence South 89° 20' 40" West 69.00 feet; thence North 01° 08' 04" East 608.30 feet; thence North 00° 39' 20" West 317.30 feet to a point located on the northerly line of said Southeast one-quarter of the Southeast one-quarter of Section 23; thence along said northerly line North 89° 00' 50" East 50.00 feet to the point of beginning.

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Parcel 1818-13

All that portion of the Northwest one-quarter of Section 36, Township 8 North, Range 5 East, M.D.M., described as follows:

BEGINNING at a point located on the Westerly line of said Section 36, from which the Northwest corner thereof bears North 00° 28' 25" West 209.00 feet; thence from said point of beginning North 89° 22' 25" East 57.52 feet; thence South 00° 30' 53" West 36.33 feet; thence South 08° 20' 54" West 110.13 feet; thence South 00° 28' 25" East 193.78 feet to the South line of the lands of Hunt, Etal; thence along said South line South 89° 14' 25" West 40.00 feet to the Westerly line of said Section 36; thence along said Westerly line North 00° 28' 25" West 338.98 feet to the point of beginning.

Parcel 1818-28

All that portion of the Northwest one-quarter of Section 24, Township 8 North, Range 5 East, M.D.M., described as follows:

BEGINNING at a point located on the westerly line of said Section 24 from which the Northwest corner thereof bears North 00° 39' 20" West 880.05 feet; thence from said point of beginning North 89° 29' 10" East 50.00 feet; thence South 00° 39' 20" East 1175.66 feet; thence South 01° 08' 02" West 320.16 feet; thence South 00° 39' 20" East 279.51 feet; thence South 89° 29' 10" West 40.00 feet to a point located on said westerly line of Section 24; thence along said westerly line North 00° 39' 20" West 1775.19 feet to the point of beginning.

Parcel 1818-29

All that portion of the Northwest one-quarter of Section 24, Township 8 North Range 5 East, M.D.M., described as follows:

BEGINNING at a point located on the westerly line of said Section 24 from which the Northwest corner thereof bears North 00° 39' 20" West 20.00 feet; thence from said point of beginning North 89° 46' 00" East 50.00 feet; thence South 00° 39' 20" East 859.80 feet; thence South 89° 29' 10" West 50.00 feet to a point located on said westerly line of Section 24; thence along said westerly line North 00° 39' 20" West 860.05 feet to the point of beginning.

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Parcel 1818-30

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

All that portion of Sections 13 & 24, Township 8 North, Range 5 East, M.D.B. & M., described as follows:

BEGINNING at the Southwest corner of said Section 13, said point being the Northwest corner of said Section 24; thence from said point of beginning along the West line of said Section 13 North 00° 55' 00" West 1,361.38 feet; thence North 89° 05' 00" East 44.00 feet; thence South 00° 55' 00" East 99.79 feet, thence South 00° 52' 24" West 320.16 feet; thence South 00° 55' 00" East 383.00 feet; thence South 02° 42' 24" East 512.25 feet; thence South 00° 55' 00" East 47.19 feet; thence South 00' 39' 20" East 20.00 feet; thence South 89° 46' 00" West 50.00 feet to a point located on the westerly line of said Section 24; thence along said westerly line of Section 24 North 00° 39' 20" West 20.00 feet to the point of beginning.

Parcel 1818-31

All that portion of that certain parcel of land described in that certain Gift Deed recorded in the office of the Recorder of said County in Book 1428 of Official Records, at page 506, described as follows:

BEGINNING at the intersection of the centerline of Jackson Highway with the West line of Section 13, Township 8 North, Range 5 East, M.D.M., from which the West quarter corner of said Section 13 bears North 00° 55' 00" West 1045.02 feet; thence from said point of beginning along said centerline South 70° 24' 15" East 197.41 feet; thence South 19° 35' 45" West 33.00 feet; thence North 80° 03' 08" West 101.43 feet; thence curving to the left on an arc of 22.00 feet radius, from a tangent bearing North 70° 24' 15" West, said arc being subtended by a chord bearing South 54° 20' 23" West 36.16 feet; thence South 00° 55' 00" East 222.26 feet; thence South 89° 05' 00" West 44.00 feet to a point located on said West line of Section 13; thence along said West line North 00° 55' 00" West 323.82 to the point of beginning.

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Parcel 1818-33

All that portion of that certain parcel of land described in that certain Referee's Deed recorded in the office of the Recorder of said County in Book 68-10-21 of Official Records, at Page 79, described as follow:

BEGINNING at a point located on the westerly line of said Section 13, Township 8 North, Range 5 East, M.D.M., from which the West quarter corner of said Section 13 bears North 00° 55' 00" West 70.99 feet; thence from said point of beginning North 89° 11' 35" East 42.78 feet; thence South 00° 48' 25" East 30.00 feet; thence South 89° 11' 35" West 42.72 feet to a point located on said westerly line of Section 13; thence along said westerly line North 00° 55' 00" West 30.00 feet to the point of beginning.

Parcel 1818-34

All that portion of the West one-half of Section 13, Township 8 North, Range 5 East, M.D.M., described as follows:

BEGINNING at a point located on the westerly line of said Section 13 from which the quarter corner common to Sections 13 & 14 bears North 00° 55' 00" West 34.85 feet; thence from said point of beginning curving to the right on an arc of 240.00 feet radius, from a tangent bearing North 78° 54' 28" East, said arc being subtended by a chord bearing North 84° 03' 01" East 43.03 feet; thence South 00° 48' 25" East 40.00 feet to a point located on the centerline of Kiefer Boulevard; thence along said centerline South 89° 11' 35" West 42.78 feet to a point located on said westerly line of Section 13; thence along said westerly line North 00° 55' 00" West 36.14 feet to the point of beginning.

MAYOR

ATTEST:

CITY CLERK