



3.3

DEPARTMENT OF
PUBLIC WORKS

ENGINEERING DIVISION

CITY OF SACRAMENTO
CALIFORNIA

927 TENTH STREET
ROOM 200
SACRAMENTO, CA
95814-2705

916-449-8220
FAX 916-449-8678

CONSTRUCTION SECTION
640 BERKUT DRIVE
SUITE B
SACRAMENTO, CA
95814-0131

916-449-5282

APPROVED
BY THE CITY COUNCIL

JUN 4 1991

OFFICE OF THE
CITY CLERK

June 4, 1991

City Council
Sacramento, California

Honorable Members In Session:

SUBJECT: Water Main Crossing of I-80 at Truxel Road (PN:ZD46) - Notice of Intent to Adopt a Resolution of Necessity for Acquisition of Two Public Utility Easements

SUMMARY

It is requested that the City Council adopt the attached resolution authorizing the City Clerk to notify the property owners of a hearing to be held on July 9, 1991, regarding the adoption of the Resolution of Necessity to acquire two public utility easements needed for the water main crossing of I-80 at Truxel Road.

BACKGROUND

On April 30, 1991, the Council established just compensation, based on an appraisal prepared by Howard A. Pearson, MAI, an independent appraiser. On May 7, 1991, a letter dated May 6, 1991 stating the amount of just compensation for the two easements to be acquired was delivered to Russell Fong, the representative of the owners. The offer was accompanied by a copy of the summary of the appraisal. The record owners have not accepted the amount offered.

The acquisition is two public utility easements. There are no relocations involved. To insure acquisition in a timely manner, eminent domain proceedings are being initiated.

City staff will continue negotiations with the owners.

FINANCIAL DATA

Funds for acquisition of the property are available from account 413-500-ZD46-4813, Water Main Crossing of I-80 at Truxel Road.

City Council
Water Main Crossing of I-80 at Truxel Road (PN:ZD46) -
Notice of Intent to Adopt a Resolution of Necessity for
Acquisition of Two Public Utility Easements
June 4, 1991
Page 2

POLICY CONSIDERATIONS

This recommendation is consistent with the requirements of State Law pertaining to acquisitions for public use. (CCP 1230.010 et seq. and Government Code Section 37350.5).

MBE/WBE EFFORTS

Not applicable since there are no goods or services being purchased.

RECOMMENDATION

It is recommended that the attached Resolution announcing the Council's intent to hold a hearing for the purpose of adopting a Resolution of Necessity, authorizing City Clerk to give notice and setting public hearing be adopted.

Respectfully submitted,



THOMAS M. FINLEY
Engineering Division Manager

Recommendation Approved:



WALTER J. SLIPE
City Manager

Approved:



MELVIN H. JOHNSON
Director of Public Works

CONTACT PERSON

Edward Flowers, Real Property Agent
449-5627

EF:mb
RE1-05ED.C
05.2391.3

Attachment

June 4, 1991
District No. 1

RESOLUTION NO. 91-402

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

RESOLUTION AUTHORIZING GIVING OF NOTICE
OF INTENT TO ADOPT A RESOLUTION OF NECESSITY:

ACQUISITION OF TWO PARCELS FOR
WATER MAIN CROSSING OF I-80 AT TRUXEL ROAD
(PN:ZD46)
(ZD-1, ZD-2)

APPROVED
BY THE CITY COUNCIL

JUN 4 1991

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.
- B. The City desires to afford the owners of such parcels the opportunity to appear and be heard at a public hearing pursuant to 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 intends to hold a hearing for the purpose of considering the adoption of the attached proposed Resolution, marked Exhibit "A";
- 2. That the City Clerk is hereby authorized and directed to give the notice of said intention as required by Section 1245.235 of the Code of Civil Procedure; and

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

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 July 9, 1991, in the City Council Chamber, 915 I Street, Sacramento, California, 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 July 2, 1991.

MAYOR

ATTEST:

CITY CLERK

EF:mb
RE1-05ED.C
05.2391.3

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

EXHIBIT "A"

RESOLUTION OF NECESSITY
ACQUISITION OF TWO PARCELS
FOR
WATER MAIN CROSSING OF I-80 AT TRUXEL ROAD
(PN:ZD46)
(ZD-1, ZD-2)

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 two easements in real property hereinafter described as Parcels ZD-1 and ZD-2, (herein referred to as the "Subject Parcels").
2. That the City of Sacramento intends to acquire the interest in the Subject Parcels as public utility easements as expressly specified in the description of said Parcels.
3. That the Subject Parcels are to be taken for a public use namely, installation of a Water Main Crossing under I-80 at Truxel Road.
4. That the Subject Parcels are generally located on the north side and south side of I-80 and the east side of Truxel Road.
5. That the statute or statutes authorizing the City of Sacramento to acquire the Subject Parcels for the above-mentioned public purposes are as follows: Government Codes, Section 37350.5 and Code of Civil Procedure, Section 1230.010 et seq.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

6. That the City Council declares that it has found and determined each of the following:
 - a. The public interest and necessity requires the property acquisition for the water main crossing of I-80 at Truxel Road.
 - b. The project 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 planned improvements.
 - d. The offer required under Section 7267.2 of the Government Code has been made to the representative for owners of record.
7. That the City of Sacramento, a municipal corporation, its appropriate officers, employees, and agents, are hereby authorized and empowered:
 - a. To acquire two public utility easements, 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.
 - 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 ZD46-01
APN: 225-0160-010
(Fong)

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

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____

All that portion of the West one-half of Section 13, Township 9 North Range 4 East, M.D.M., described as follows:

Beginning at a point located on the existing Northwesterly right-of-way line of California Interstate Freeway Route 80, distant 180.65 Engineer's Station "A1" 419+92.50, as shown on the State of California Division of Highways Monument Map for said Route 80 (formerly Route 880), dated May 10, 1971; thence from said point of beginning along said Northwesterly right-of-way line, curving to the left on an arc of 500.00 feet radius, from a tangent bearing North 72° 48' 01" East, said arc being subtended by a chord bearing North 71° 54' 21" East 15.61 feet; thence North 34° 10' 30" West 99.15 feet; thence curving to the right on an arc of 710.00 feet radius, from a tangent bearing South 74° 08' 18" West, said arc being subtended by a chord bearing south 89° 00' 46" West 364.52 feet; thence North 76° 06' 46" West 373.33 feet; thence North 54° 28' 35" West 255.86 feet; thence North 35° 19' 15" West 222.17 feet; thence South 55° 49' 30" West 29.68 feet to the Westerly line of said Section 13; thence along said Westerly line South 00° 22' 45" East 18.05 feet; thence North 55° 49' 30" East 25.01 feet; thence South 35° 19' 15" East 210.00 feet; thence South 54° 28' 35" East 261.26 feet; thence South 76° 06' 46" East 376.20 feet; thence curving to the left on an arc of 725.00 feet radius, said arc being subtended by a chord bearing North 89° 26' 31" East 361.71 feet; thence South 34° 10' 30" East 84.08 feet to the point of beginning.

Parcel ZD46-02
APN: 225-0170-032
(Fong)

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

All that point of the West one-half of Section 13, Township 9 North, Range 4 East, M.D.M., described as follows:

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____

Beginning at a point located on the existing Southeasterly right-of-way line of California Interstate Freeway Route 80 located distant 154.62 feet Southeasterly, measured at right angles, from the baseline Engineer's Station "A1" 419+92.50, as shown on the State of California Division of Highways Monument Map for said Route 80 (formerly Route 880), dated May 10, 1971; thence from said point of beginning, along said Southeasterly right-of-way line, North 51° 29' 16" East 15.04 feet; thence South 34° 10' 30" East 32.06 feet; thence South 51° 29' 16" West 52.05 feet; thence curving to the left on an arc of 635.00 feet radius, said arc being subtended by a chord bearing South 11° 05' 27" West 823.06 feet; thence South 29° 18' 22" East 302.66 feet; thence South 60° 41' 25" West 136.85 feet; thence curving to the right on an arc of 941.17 feet radius, from a tangent bearing south 31° 09' 07" East, said arc being subtended by a chord bearing South 16° 10' 45" East 486.33 feet; thence South 01° 12' 22" East 11.18 feet to the Easterly prolongation of the Northerly line of "Villa San Juan Condominiums", the official plat of which is recorded in the Office of the Recorder of Sacramento County in Book 145 of Maps, Map No. 25; thence along said Easterly prolongation South 89° 31' 36" West 7.50 feet to the Northeast corner of said "Villa San Juan condominiums", thence along the Northerly line thereof South 89° 31' 36" West 7.50 feet; thence North 01° 12' 22" West 10.98 feet; thence curving to the left on an arc of 926.17 feet radius, said arc being subtended by a chord bearing North 16° 39' 30" West 493.53 feet to said existing Southeasterly right-of-way line of California Interstate Freeway Route 80; thence along said right-of-way line North 60° 41' 25" East 112.55 feet; thence leaving said right-of-way line North 60° 41' 25" East 24.92 feet; thence North 29° 18' 22" West 287.66 feet; thence curving to the right on an arc of 650.00 feet radius, said arc being subtended by a chord bearing North 11° 05' 27" East 842.50 feet; thence North 51° 29' 16" East 38.15 feet; thence North 34° 10' 30" West 17.02 feet to the point of beginning.

MAYOR

ATTEST:

CITY CLERK

EF:mb
RE1-05ED.D
05.2391.3

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____

FONG, ET. AL.

3.00°12'19"E
18.05'
N.55°19'38"E
15.01'
S.35°14'15"E
118.00'

S.55°49'50"W-77.68'
N.55°14'15"W-122.11'

N.54°28'55"N-155.84'

0.460 ACRE
N.17°00'42"W-373.33'

EASEMENT
ZD-1

S.69°00'46"W-364.51'
R=770'

N.54°10'30"W-99.15'

S.54°18'35"E
261.26'

EXISTING
RN
LINE

S.76°06'46"E-376.20'

N.89°16'31"E-561.71'
R=125'

S.34°10'30"E-84.08'

N.71°54'0"E-15.61'
R=500'

INTERSTATE
FREEWAY
ROUTE 80

EXISTING
RN
LINE

N.51°19'11"E-38.15'
N.34°10'30"W-17.02'
N.51°29'16"E-15.64'

S.34°10'30"E-32.06'

S.57°19'16"W-52.05'

EASEMENT
ZD-2

0.659 ACRE

N.19°18'32"W-187.46'

N.10°15'E-131.47'

EXISTING
RN
LINE

S.79°18'22"E
307.66'

S.60°41'15"W
136.85'

FONG

ET. AL.

N.16°39'30"W
413.53'-R=926.17'

S.16°10'45"E-486.33'
R=941.17'

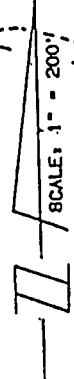
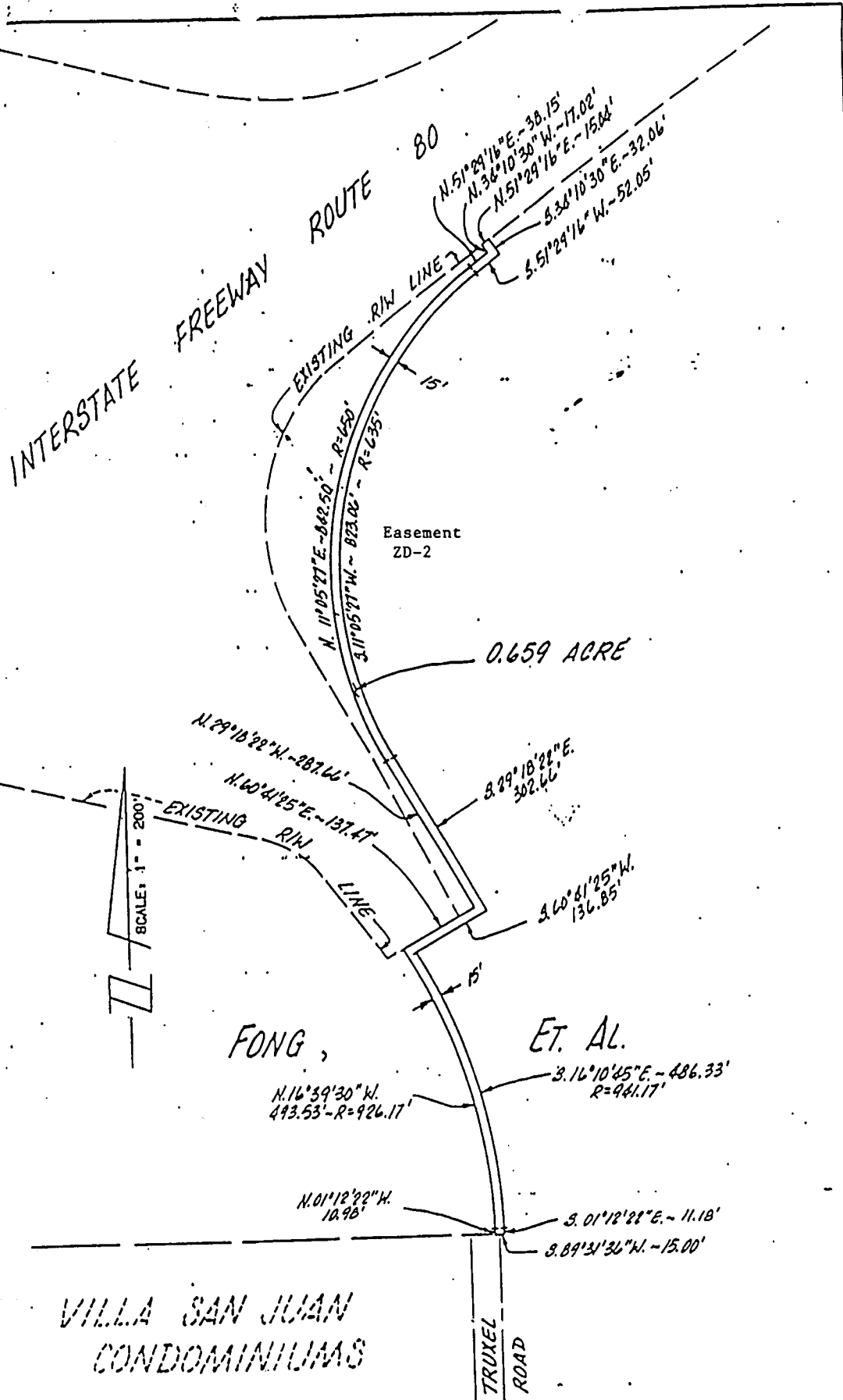
N.01°12'37"W
12.16'

S.01°12'21"E-11.18'
S.89°21'36"W-15.00'

VILLA SAN JUAN
CONDOMINIUMS

TRIPLE
ROAD





VILLA SAN JUAN
CONDOMINIUMS

FONG,

ET. AL.

JOB NO. 6726-025 DATE: 11/87 P.O. _____ SCALE: 1"=200' DRAWN BY: CL CHECKED BY: CW	TITLE: PROPOSED WATER LINE EASEMENT IN
	SACRAMENTO COUNTY A.P.N. 225-170-32
	OWNER: FONG, ET AL.
	CLIENT: PCPISSA



THE SPINK CORPORATION
ENGINEERS • PLANNERS • SURVEYORS

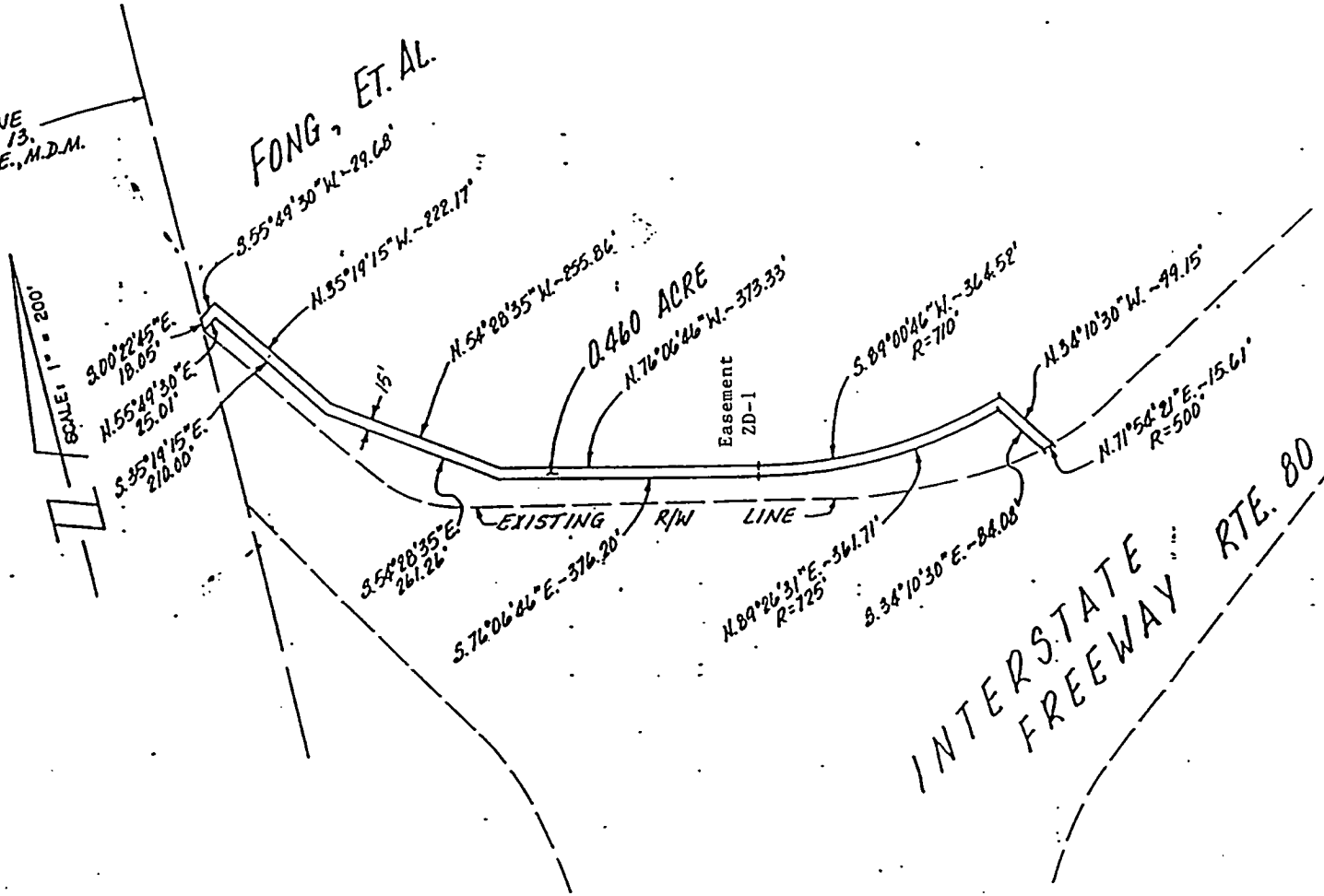
SCALE IN FEET

CODE: M-15 OR NO. H-6177

CENTENNIAL
DEVELOPMENT
FUND III

WEST LINE
SECTION 13,
T.9N., R.4E., M.D.M.

FONG, ET AL.

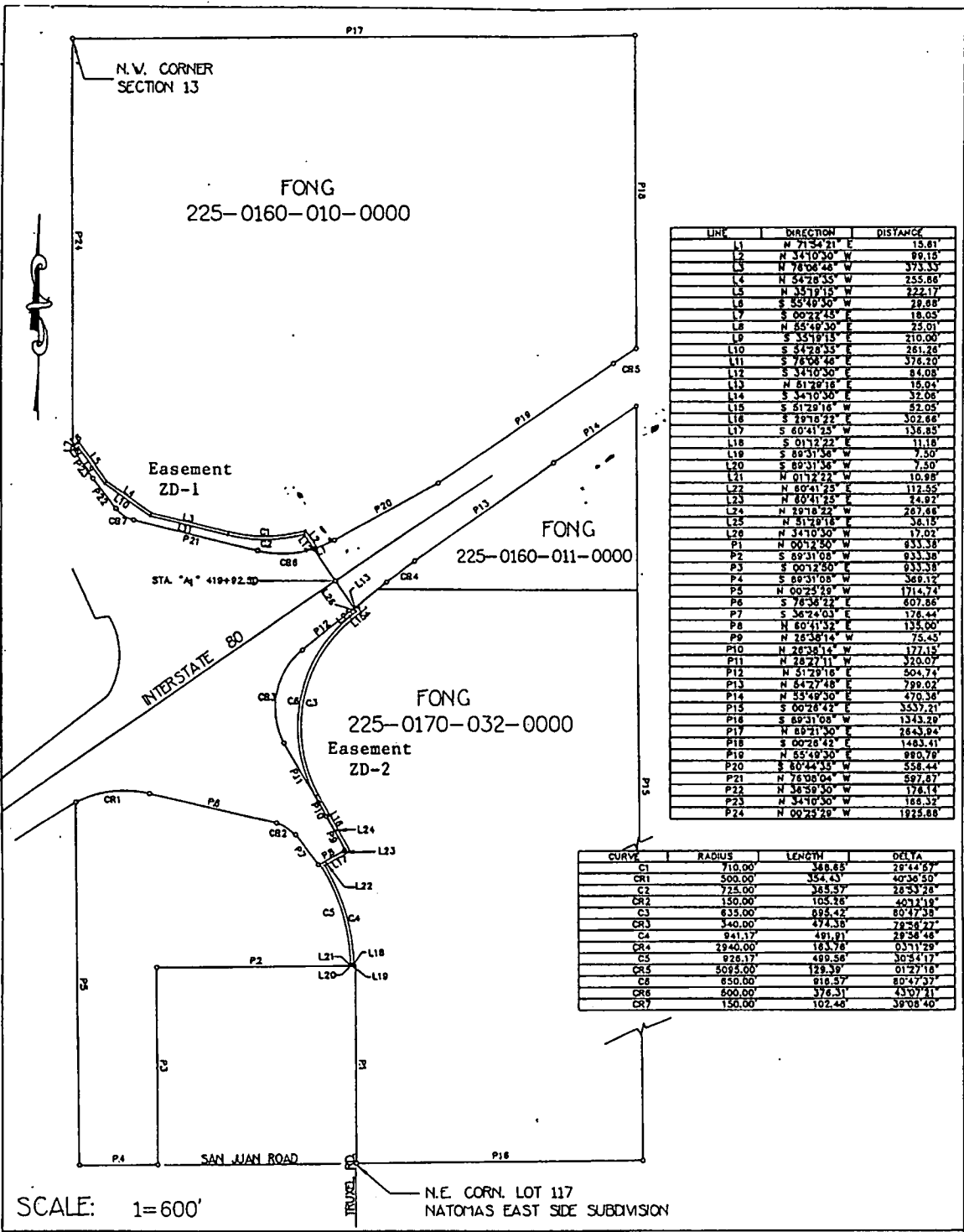


THE
SPINK
CORPORATION
ENGINEERS • PLANNERS • SURVEYORS

CODE: M-15 OR NO. H-6176

PROPOSED WATER LINE EASEMENT IN
SACRAMENTO COUNTY A.P.M. 285-160-10
OWNER: FONG, ET AL.
CLIENT: PCB 159A

JOB NO 678-215
DATE 11/87
SCALE 1"=200'
DRAWN BY: [Signature]
CHECKED BY: [Signature]



LINE	DIRECTION	DISTANCE
L1	N 71°54'21" E	15.61
L2	N 74°05'50" W	89.13
L3	N 78°08'48" W	373.33
L4	N 54°28'33" W	255.86
L5	N 35°19'15" W	222.17
L6	S 55°49'30" W	29.68
L7	S 00°22'45" E	18.03
L8	N 55°49'30" E	25.01
L9	S 35°19'15" E	210.00
L10	S 34°28'33" E	261.26
L11	S 78°08'48" E	376.30
L12	S 54°28'33" E	84.08
L13	N 81°28'16" E	18.04
L14	S 34°10'30" E	32.08
L15	S 81°29'16" W	52.05
L16	S 29°18'22" E	302.66
L17	S 60°41'25" W	136.83
L18	S 01°12'22" E	11.18
L19	S 89°31'54" W	7.50
L20	S 89°31'54" W	7.50
L21	N 01°12'22" W	10.98
L22	N 60°41'25" E	112.55
L23	N 80°41'25" E	24.92
L24	N 29°18'22" W	267.48
L25	N 81°28'16" E	36.35
L26	N 34°10'30" W	17.02
P1	N 00°12'50" W	833.38
P2	S 89°31'08" W	833.38
P3	S 00°12'50" E	833.38
P4	S 89°31'08" W	369.12
P5	N 00°23'29" W	1714.74
P6	S 78°36'22" E	607.66
P7	S 38°24'03" E	178.44
P8	N 60°41'32" E	138.00
P9	N 28°38'14" W	75.43
P10	N 28°38'14" W	177.12
P11	N 28°27'11" W	320.07
P12	N 31°29'16" E	504.74
P13	N 84°27'48" E	799.02
P14	N 55°49'30" E	470.38
P15	S 60°28'42" E	333.21
P16	S 89°31'08" W	1343.29
P17	N 88°21'30" E	2843.84
P18	S 00°28'42" E	1483.41
P19	N 55°49'30" E	880.79
P20	S 60°44'45" W	556.44
P21	N 78°08'04" W	897.87
P22	N 34°10'30" W	178.14
P23	N 34°10'30" W	166.32
P24	N 00°23'29" W	1923.69

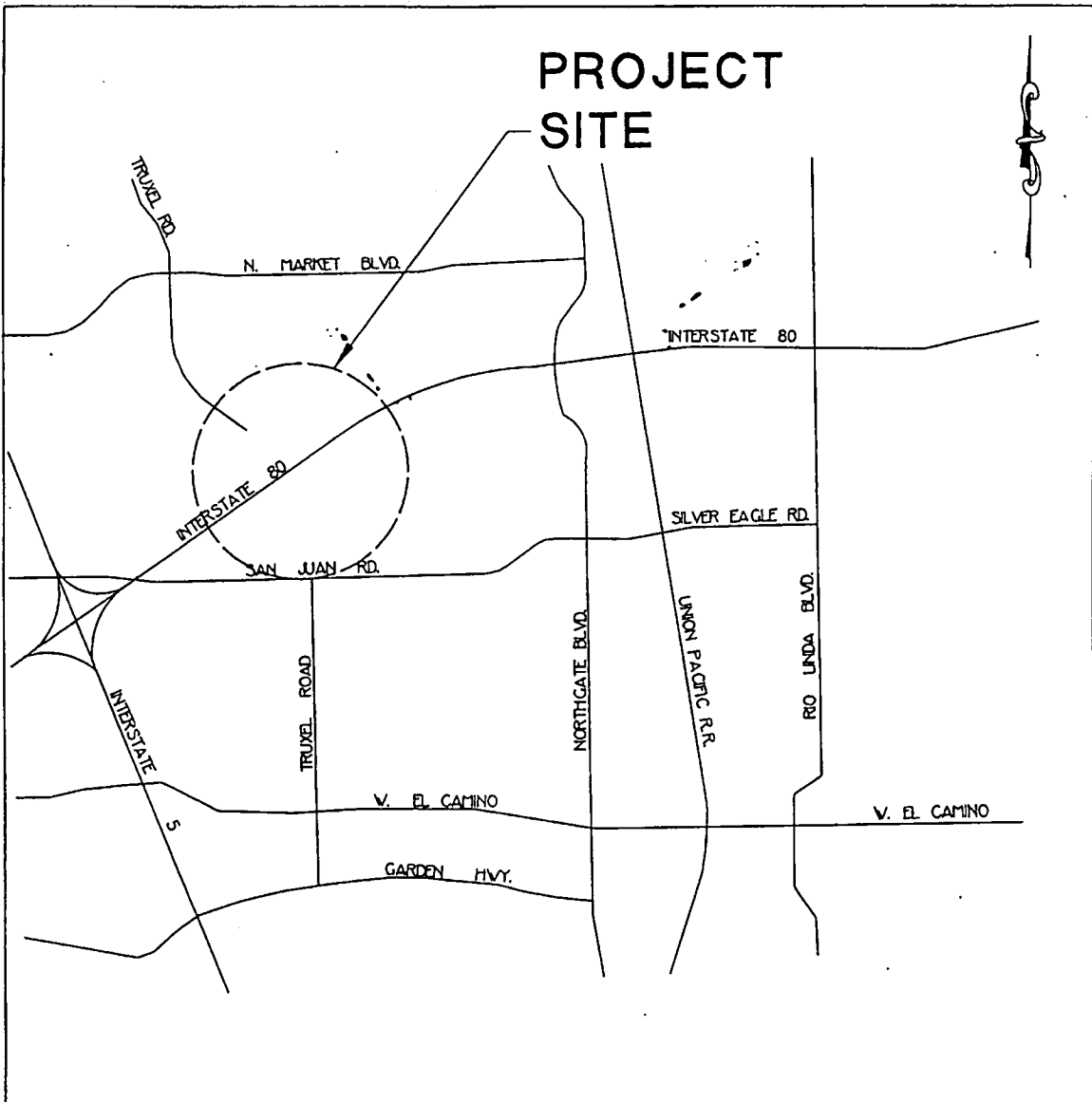
CURVE	RADIUS	LENGTH	DELTA
C1	718.00	368.65	28°44'39"
CR1	500.00	354.43	40°36'50"
C2	724.00	363.37	28°33'28"
CR2	150.00	105.26	40°11'18"
C3	635.00	895.42	80°47'38"
CR3	340.00	474.38	78°58'27"
C4	941.17	491.91	29°58'48"
CR4	2940.00	183.78	0°11'29"
C5	826.17	489.56	30°34'17"
CR5	5085.00	129.39	01°27'10"
C6	850.00	918.37	80°47'37"
CR6	600.00	376.31	43°07'31"
CR7	150.00	102.46	39°08'40"

**PLAT MAP
FONG PROPERTY**

A.P.N. 225-0160-010
225-0160-011
225-0170-032

CITY OF SACRAMENTO PUBLIC WORKS DEPT.

C.S. FILE 14551-20-46680



**PROJECT
SITE**

SCALE: N.T.S.

**LOCATION MAP
FOR
FONG PROPERTY**

225-0160-010-0000
 A.P.N. 225-0160-011-0000
 225-0170-032-0000

CITY OF SACRAMENTO PUBLIC WORKS DEPT.

CAD FILE \MISC\ZD46COVER

County Parcel Nos. :
APN: 250-0160-010
APN: 250-0160-011
APN: 250-0170-032

NOTICE OF PUBLIC HEARING ON ADOPTION
OF RESOLUTION AUTHORIZING ACQUISITION
OF PROPERTY BY EXERCISE OF THE POWER
EMINENT DOMAIN
(PN:ZD46)
(ZD-1, ZD-2)

TO: Parcel Owner

NOTICE IS HEREBY GIVEN that a public hearing will be held at 7:30 P.M. on July 2, 1991, in the Council Chamber, City Hall, 915 I Street, Sacramento, California, at which time the Council of the City of Sacramento will consider the adoption of the attached proposed resolution or resolutions authorizing the acquisition by the City of Sacramento of the real property, or interests therein, pursuant to the exercise of the power of Eminent Domain. For your convenience, maps are attached to this notice showing the property described in said proposed resolution or resolutions and the relationship of such property to the project for which it is proposed to be taken.

You are hereby notified that it is the intent of the Council of the City of Sacramento to adopt the attached proposed resolution unless objections thereto are raised and sustained by the City Council.

You are further notified that the law affords you the right to appear at the above-mentioned public hearing and to be heard in reference to each of the matters referred to in Section 1240.030 of the Code of Civil Procedure of the State of California, which matters may be generally stated as follows:

1. That the public interest and necessity require the public project described in the attached proposed resolution.

NOTICE OF PUBLIC HEARING ON ADOPTION OF
RESOLUTION AUTHORIZING ACQUISITION OF PROPERTY
BY EXERCISE OF THE POWER OF EMINENT DOMAIN
City Project No. PN:ZD46
Page 2

2. That the proposed public project is planned or located in the manner that will be the most compatible with the greatest public good and least private injury.
3. That the properties described in the attached proposed resolution are necessary for the public project.
4. The offer required by Section 7267.2 of the Government Code has been made to the representative for owners of record.

You are further notified that you must file with the City Clerk of the City of Sacramento, Room 300, City Hall, 915 I Street, Sacramento, California, a written request to appear and be heard at the City Council hearing not later than 5:00 P. M. on June 25, 1991. Your failure to file a timely written request will result in the waiver of your right to appear and be heard at the City Council hearing.

If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your written request to appear and be heard, if any, may be filed with the City Clerk on time.

Date of Mailing:

May 29, 1991

CITY CLERK

RE1-05ED.D
05.1691.2