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CITY OF SACRAMENTO
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**DEPARTMENT OF
PUBLIC WORKS**

ENGINEERING DIVISION

THOMAS M. FINLEY
ENGINEERING DIVISION MANAGER

**CITY OF SACRAMENTO
CALIFORNIA**

927 TENTH STREET
ROOM 200
SACRAMENTO, CA
95814-2705

916-449-8220

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

916-449-5282

RECEIVED
FEB 24 1988

APPROVED
BY THE CITY COUNCIL

AC 87199

MAR 3 1988

OFFICE OF THE
CITY CLERK

March 1, 1988

City Council
Sacramento, California

Honorable Members In Session:

SUBJECT: Oates Industrial Park Assessment District (JN:1451) - Resolutions Approving Reimbursement Agreement, Establishing Just Compensation to Acquire Right-of-Way for Elder Creek Road West of Florin-Perkins Road and Creating a Revolving Fund

SUMMARY

It is requested that the Council adopt resolutions that will approve a reimbursement agreement with Oates Industrial Park, composed of Northgate Partnership, a California general partnership and Massie and Oates, a California general partnership, establish just compensation to acquire the right-of-way necessary for construction of frontage improvements on Elder Creek Road west of Florin-Perkins Road and create a revolving fund.

BACKGROUND

On November 7, 1985, the Planning Commission approved the tentative map of Oates Industrial Park with a condition that improvements be constructed across 120 feet of frontage on Elder Creek Road. This requires the dedication or acquisition of a right-of-way that is not under the control of the developers of Oates Industrial Park.

The developers have attempted to acquire the right-of-way mentioned above and have been unable to do so. They have asked the City to use its powers of eminent domain to acquire said right-of-way and have executed a reimbursement agreement that states they will pay all costs to acquire the right-of-way with the understanding that they will be reimbursed their expenses if and when an assessment district is formed to construct the subdivision improvements.

1957-1958

1959-1960

1961-1962

1963-1964

1965-1966

1967-1968

1969-1970

1971-1972

1973-1974

City Council
Oates Industrial Park A. D.
March 1, 1988
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A private appraiser has established the value of the right-of-way necessary on Elder Creek Road at \$15,000. We are requesting that this value be established as just compensation so that City staff can make a formal offer to the owner of the property to acquire the right-of-way or take what other legal action may be necessary to acquire it.

FINANCIAL

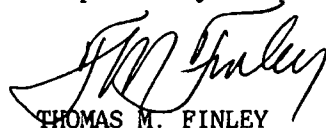
The entire cost to acquire the right-of-way is being financed by the developers of Oates Industrial Park with the intent that they will be reimbursed by the formation of an assessment district.

RECOMMENDATION

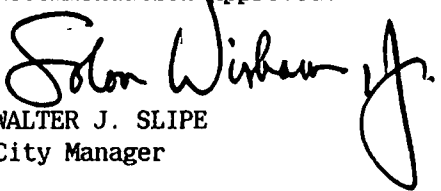
Adoption of the following resolutions is recommended:

- 1. Authorizing the Execution of a Reimbursement Agreement Between the City of Sacramento and the Developers of Oates Industrial Park
- 2. Authorizing Expenditure of Funds for Acquisition of Right-of-Way on Elder Creek Road West of Florin-Perkins Road and Establishing Just Compensation
- 3. Creating a revolving fund


Respectfully submitted,


 THOMAS M. FINLEY
 Engineering Division Manager

Recommendation Approved:

For: 
 WALTER J. SLIPE
 City Manager

Approved:


 MELVIN H. JOHNSON
 Director of Public Works

EF:dek
ASD2-32.D
02.2288.3

March 1, 1988
District No. 6

Attachment

THE UNIVERSITY OF CHICAGO
DEPARTMENT OF CHEMISTRY
5800 S. UNIVERSITY AVENUE
CHICAGO, ILLINOIS 60637

RECEIVED
JAN 15 1964

FROM
DR. J. H. GOLDSTEIN

TO
DR. R. F. SCHNEIDER

RE
NMR SPECTRA OF POLYMER SOLUTIONS

ATTENTION
DR. R. F. SCHNEIDER

DEPARTMENT OF CHEMISTRY
UNIVERSITY OF CHICAGO

5800 S. UNIVERSITY AVENUE
CHICAGO, ILLINOIS 60637

PLEASE RETURN TO
DR. J. H. GOLDSTEIN

DEPARTMENT OF CHEMISTRY
UNIVERSITY OF CHICAGO

RESOLUTION NO. 88-156

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN
THE CITY OF SACRAMENTO AND THE DEVELOPERS OF
OATES INDUSTRIAL PARK

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

That the City Manager and City Clerk are hereby authorized and directed to execute an agreement between the City of Sacramento and Oates Industrial Park, composed of Northgate Partnership, a California general partnership and Massie and Oates, a California general partnership to acquire the right-of-way necessary to construct frontage improvements on Elder Creek Road not owned by the developer.

This Resolution was passed and adopted by the City Council of the City of Sacramento, County of Sacramento, State of California this ____th day of _____, 1988.

MAYOR

ATTEST:

CITY CLERK

APPROVED
BY THE CITY COUNCIL
MAR 3 1988
OFFICE OF THE
CITY CLERK

RESOLUTION NO. 88-157

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

AUTHORIZING EXPENDITURE OF FUNDS FOR
ACQUISITION OF RIGHT-OF-WAY ON
ELDER CREEK ROAD WEST OF FLORIN-PERKINS ROAD AND
ESTABLISHING JUST COMPENSATION

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

That the Director of Finance be, and is hereby authorized and directed to expend the sum of \$15,000 for a right-of-way to construct frontage improvements on Elder Creek Road not owned by the owners of Oates Industrial Park, plus an additional sum of \$5,000 to cover contingency costs.

Pursuant to Section 7267.2 of the Government Code of the State of California, this Council does hereby find and determine that the amount set forth herein for the acquisition of real property is the amount which this Council believes to be just compensation for the parcel to be acquired.

This Resolution was passed and adopted by the City Council of the City of Sacramento, County of Sacramento, State of California this _____ day of _____, 1988.

MAYOR

ATTEST:

CITY CLERK

APPROVED
BY THE CITY COUNCIL

MAR 3 1988

OFFICE OF THE
CITY CLERK

RESOLUTION NO. 88-158

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

A RESOLUTION CREATING A REVOLVING FUND
OATES INDUSTRIAL PARK ASSESSMENT DISTRICT

APPROVED
BY THE CITY COUNCIL

MAR 3 1988

THE CITY COUNCIL OF THE CITY OF SACRAMENTO RESOLVES:

OFFICE OF THE
CITY CLERK

This City Council has undertaken proceedings for doing work and making improvements for Oates Industrial Park Assessment District, City of Sacramento, Sacramento County, California pursuant to the Municipal Improvement Act of 1913, Division 12 of the Streets and Highways Code of the State of California, with bonds to be issued upon the unpaid assessments pursuant to the appropriate assessment bond proceedings.

Section 10210 of said Municipal Improvement Act of 1913 provides that this Council, to expedite the conduct of proceedings and the making of any authorized acquisitions and improvements, may at any time transfer into a special fund out of any available funds of the City such sums as it deems necessary and that any sums so transferred are a loan to the special fund and shall be repaid out of the proceeds of the assessments.

The public convenience and necessity will be served by creating a special fund in connection with said assessment proceedings.

This Council, therefore, authorizes that a special fund be created and maintained, to be known as the Oates Industrial Park Assessment District Revolving Fund.

The sum of \$20,000, and such other sums as the Council may hereafter order, shall be transferred from available funds of the City to said Revolving Fund. The monies in said Revolving Fund shall be expended for the cost of the acquisitions and improvements, including the costs and expenses incidental thereto, of the Oates Industrial Park Assessment District Project as the funds are required therefor.

Said Revolving Fund shall be reimbursed from the assessments to be collected and the proceeds of the bonds to be issued and sold to represent the unpaid assessments in said proposed assessment proceedings and from such other sources as the City shall hereafter determine.

When the purposes for which said Revolving Fund is created have been fully accomplished, all monies remaining therein shall be returned to the general fund or to such other funds from which transfers were made to said Revolving Fund, and said Revolving Fund, shall then be discontinued.

A certified copy of this resolution shall be filed in the office of the Director of Finance of the City of Sacramento.

This Resolution was passed and adopted by the City Council of the City of Sacramento, County of Sacramento, State of California, this _____ day of _____, 1988.

MAYOR

ATTEST:

CITY CLERK

March 8, 1988

Oates Industrial Park
8401 Jackson Road
Sacramento, CA 95826

Dear Gentlemen:

On March 1, 1988, the Sacramento City Council adopted Resolution No. 88-156 authorizing the execution of City Agreement #87199, regarding Oates Industrial Park Right-Of-Way.

Enclosed, for your records, is one fully certified copy of said agreement and authorizing resolution.

Sincerely,



LORRAINE MAGANA
CITY CLERK

LM/cc/3
Enclosure

cc: Public Works
Risk Management