



# CITY OF SACRAMENTO

## DEPARTMENT OF PUBLIC WORKS

ENGINEERING DIVISION

THOMAS M. FINLEY  
Engineering Division Manager

July 8, 1986

**APPROVED**  
BY THE CITY COUNCIL

CITY MANAGER'S OFFICE  
**RECEIVED**  
JUL 1 1986

JUL 8 1986

City Council  
Sacramento, California  
OFFICE OF THE  
CITY CLERK

Honorable Members In Session:

**SUBJECT:** Authorizing Giving of Notice of Intent to Adopt Condemnation Resolutions - East End Parking Garage, 10th and I Streets (City Project No. VA66)

SUMMARY

Attached is a resolution authorizing the City Clerk to notify the property owners of a hearing to be held on August 12, 1986 regarding the adoption of the Resolution of Necessity to acquire their property. Adoption of the resolution is recommended.

BACKGROUND

Over the past six months, City staff has attempted to acquire the north half of the block bounded by 10th, 11th, I and J Streets for the purpose of constructing the East End Parking Garage. There are five separate parcels comprising the north half of the block with five different owners. As of this date, only one parcel has been acquired. The owners of the other four parcels have refused to sell to the City at the price that has been determined by the City as just compensation. It appears that we have reached an impasse, and it is necessary that these parcels be acquired by the City exercising its powers of eminent domain.

FINANCIAL

The estimated cost to acquire the remaining four parcels is \$1,479,000 and has been apportioned in the 1985-86 budget under the Parking Fund.

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City Council  
East End Parking Garage (Project #VA66)  
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RECOMMENDATION

It is recommended that the attached Resolution Authorizing Giving Notice of Intent to Adopt Condemnation Resolution be adopted.

Respectfully submitted,

*David E. Morales*  
for THOMAS M. FINLEY  
Engineering Division Manager

Recommendation Approved:

*Walter J. Slipe*  
WALTER J. SLIPE  
City Manager

Approved:

*Melvin H. Johnson*  
MELVIN H. JOHNSON  
Director of Public Works

IEM:vr  
RE1-07.B  
06.2586

July 8, 1986  
District No. 1

Attachment

**RESOLUTION NO. 86-522**

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

**RESOLUTION AUTHORIZING GIVING OF NOTICE  
OF INTENT TO ADOPT CONDEMNATION RESOLUTION:**

**ACQUISITION OF FOUR PARCELS. NORTH ONE-HALF  
OF THE BLOCK BOUNDED BY 10TH, 11TH, I AND J STREETS  
(EAST END PARKING GARAGE, CITY PROJECT NO. VA66)**

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 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 the notice of said intention as required by Section 1245.235 of the Code of Civil Procedure; and
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 August 12, 1986, 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 August 5, 1986.

**APPROVED**  
BY THE CITY COUNCIL

JUL 8 1986

OFFICE OF THE  
CITY CLERK

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

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 interests therein, which the City is, by this resolution, authorized to acquire is situated in the City of Sacramento, State of California, and described as follows:

County Parcel No. 006-0044-001

Lot 1, and the West twenty-five (25) feet of Lot 2 in the block bounded by 10th and 11th Streets and "I" and "J" Streets of said City, as said Lots and Block are delineated on the official map thereof on file in the office of the County Recorder of said County.

County Parcel No. 006-0044-003

The North one-half of Lot 4 in the block bounded by "I" and "J" Streets, 10th and 11th Streets of the City of Sacramento, according to the official plat thereof.

County Parcel No. 006-0044-004

The North one-half of the South one-half of Lot 4 in the block bounded by 10th and 11th Streets and "I" and "J" Streets of the City of Sacramento according to the official plat thereof.

County Parcel No. 006-0044-005

The South one-quarter of Lot 4 in the block bounded by "I" and "J" Streets, 10th and 11th Streets of the City of Sacramento, according to the official map or plan of said City.

\_\_\_\_\_  
MAYOR

ATTEST:

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CITY CLERK

**RESOLUTION NO. ~~000000~~**

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

**RESOLUTION OF NECESSITY: ACQUISITION OF COUNTY  
PARCEL NOS. 006-0044-001, 003, 004 AND 005  
FOR THE FUTURE EAST END PARKING GARAGE**

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 County Parcel Nos. 006-0044-001, 003, 004 and 005 (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 the following public uses: A public parking garage known as the East End Parking Garage.
4. 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 Code, Section 37350.5.
5. That the Subject Parcels are generally located in the north one-half of the block bounded by 10th, 11th, I and J Streets.
6. That the City Council declares that it has found and determined each of the following:
  - a. The public interest and necessity requires that a public parking garage be constructed at this location.
  - b. The parking garage 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 to provide additional public parking to serve the downtown area.
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;

SEE ATTACHED EXHIBIT "A"