



APPROVED
BY THE CITY COUNCIL

30

OCT 14 1986

OFFICE OF THE
CITY CLERK

DEPARTMENT OF
PUBLIC WORKS

ENGINEERING DIVISION

CITY OF SACRAMENTO
CALIFORNIA

CITY HALL
ROOM 300
915 I STREET
SACRAMENTO, CA
95814-2608

CITY MANAGER'S OFFICE
RECEIVED
OCT 8 1986

916-449-5307

THOMAS M. FINLEY
ENGINEERING DIVISION
MANAGER

October 14, 1986

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: East End Parking Garage, 10th and I Streets, (PN:VA66)

SUMMARY

Attached are resolutions that rescind actions previously taken by the City Council regarding the acquisition of certain properties necessary for the East End Parking Garage and establish a new hearing date.

BACKGROUND

The City Attorney's office has discovered that Resolution No. 86-640 adopted by the City Council on August 9, 1986, (Resolution of Necessity to Acquire Property For the East End Parking Garage), did not have all of the findings required by law.

Rather than jeopardize our future legal action to obtain title to the property required for the East End Parking Garage, we are submitting a Resolution to rescind Resolution No. 86-640 and hold a new hearing of the matter prior to adopting a new Resolution of Necessity that contains all of the necessary findings.

FINANCIAL

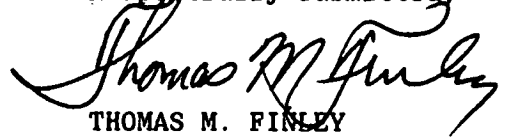
The estimated cost to acquire the remaining four parcels is \$1,479,000 and has been apportioned in the 1985-86 budget under the Parking Fund.

City Council
East End Parking Garage
October 14, 1986
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RECOMMENDATION

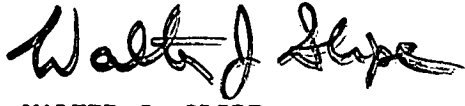
It is recommended that the attached Resolution be adopted Rescinding Resolution No. 86-640, and it is further recommended that the Resolution Authorizing Giving Notice of Intent be adopted that sets a Hearing for November 18, 1986 for the Resolution of Necessity, etc.

Respectfully submitted,



THOMAS M. FINLEY
Engineering Division Manager

Recommendation Approved:



WALTER J. SLIPE
City Manager

Approved:



MELVIN H. JOHNSON
Director of Public Works

IEM:jd
RE1-07.D.1
10.0686

October 14, 1986
District No. 8

Attachments

RESOLUTION NO. 86-789

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

**RESOLUTION RESCINDING RESOLUTION
NO. 86-640, RESOLUTION OF NECESSITY
AND ACQUISITION OF COUNTY PARCEL
NOS. 006-0044-001, 003, 004 AND 005
FOR THE FUTURE EAST END PARKING
GARAGE**

APPROVED
BY THE CITY COUNCIL

OCT 14 1986

**OFFICE OF THE
CITY CLERK**

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

That Resolution No. 86-640 adopted by this Council on August 19, 1986 relating to the acquisition of County Parcel Nos. 006-0044-001, 003, 004 and 005 for the future East End Parking Garage be, and the same is hereby rescinded.

MAYOR

ATTEST:

CITY CLERK

RESOLUTION NO. 86-790

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

APPROVED
BY THE CITY COUNCIL

OCT 14 1986

OFFICE OF THE
CITY CLERK

**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 November 18, 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 November 11, 1986.

MAYOR

ATTEST:

CITY CLERK

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, 1 AND J STREETS
(EAST END PARKING GARAGE, CITY PROJECT NO. VA68)

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 November 18, 1980, 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 November 11, 1980.

MAYOR

ATTEST:

CITY CLERK

RESOLUTION NO.

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 AND/OR
MUNICIPAL OFFICES

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO, TWO-THIRDS (2/3) 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 public parking, known as the East End Parking Garage and/or municipal office purposes.
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 and/or municipal offices be constructed at this location.
 - b. The East End Parking Garage and/or municipal offices 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 and/or municipal offices to serve the downtown area.
 - d. The offer required by Section 7267.2 of the Government Code has been made to the owner or 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 in fee simple in the name of the City of Sacramento, a municipal corporation, the Subject Parcels by condemnation in

EXHIBIT "A"

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 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:

CITY CLERK

accordance with the provisions of the Eminent Domain Law of the State of California;

d. 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. 008-0044-001

Lot 1, and the West twenty-five (25) feet of lot 2 in the block bounded by 10th and 11th Streets and "1" and "3" 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. 008-0044-002

The North one-half of lot 4 in the block bounded by "1" and "3" Streets, 10th and 11th Streets of the City of Sacramento, according to the official plat thereof.

County Parcel No. 008-0044-003

The North one-half of the South one-half of lot 4 in the block bounded by 10th and 11th Streets and "1" and "3" Streets of the City of Sacramento according to the official plat thereof.

County Parcel No. 008-0044-004

The South one-quarter of lot 4 in the block bounded by "1" and "3" Streets, 10th and 11th Streets of the City of Sacramento, according to the official map or plan of said City.

MAYOR

ATTEST:

CITY CLERK