



**DEPARTMENT OF  
PUBLIC WORKS**

ENGINEERING DIVISION

THOMAS M. FINLEY  
ENGINEERING DIVISION MANAGER

**CITY OF SACRAMENTO  
CALIFORNIA**

**APPROVED  
BY THE CITY COUNCIL**

**NOV 24 1987**

**OFFICE OF THE  
CITY CLERK**

**CITY MANAGER'S OFFICE  
RECEIVED  
NOV 16 1987**

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

November 24, 1987

City Council  
Sacramento, California

Honorable Members in Session:

**SUBJECT: Hearing on Resolution of Necessity (PN:9917) - Acquisition of Three  
Parcels Necessary for the Extension of Long Haul Drive from Elk Grove-  
Florin Road to Elder Creek Industrial Park**

**SUMMARY**

It is requested that the City Council adopt the attached Resolution of Necessity to acquire three (3) parcels of property for the extension of Long Haul Drive from Elk Grove-Florin Road to Elder Creek Industrial Park. Adoption of a resolution creating a revolving fund is also requested.

**BACKGROUND**

On October 20, 1987, by Resolution 87-883, the City Council authorized the extension of Long Haul Drive from Elk Grove-Florin Road to the western boundary of Elder Creek Industrial Park.

There is only one property owner, and he has been offered an amount that has been established as just compensation, based on an appraisal prepared by an independent M.A.I. appraiser.

The property owner is not willing to sell his property to the City. It is, therefore, necessary for the City to use its power of eminent domain to acquire the necessary right-of-way. The parcels to be acquired for the right-of-way involves a partial take through unimproved land, and will not require any relocation of persons or businesses.

City Council  
Hearing on Resolution of Necessity  
Long Haul Drive Extension (PN:9917)  
November 24, 1987  
Page 2

To enable this project to go forward, we need to start eminent domain proceedings now so the City will have the required right-of-way prior to awarding the contract for the project.

Additional background information is included in the attached Engineer's Report.

FINANCIAL

Funds to acquire the right-of-way will be deposited with the City, into the revolving fund, by the developer of Elder Creek Industrial Park, Elder Creek 45, a joint venture, Charles Somers, an individual, and Morrison Creek Investors, a California limited partnership, in accordance with Agreement 87005, authorized July 14, 1987 by Resolution No. 87-552.

No City funds are being used to acquire the right-of-way.

RECOMMENDATION

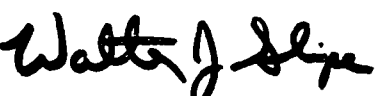
It is recommended that the hearing be closed and the attached Resolution of Necessity be adopted (six ayes or two-thirds vote is required). Adoption of the Resolution Creating A Revolving Fund is also recommended.

Respectfully submitted,



THOMAS M. FINLEY  
Engineering Division Manager

Recommendation Approved:



WALTER J. SLIPE  
City Manager

Approved:



MELVIN H. JOHNSON  
Director of Public Works

EF:dek  
9917.D  
11.0987.3

November 24, 1987  
District No. 6

Attachment

November 24, 1987

CITY COUNCIL OF THE CITY OF SACRAMENTO

In the Matter of Acquiring the Property                    )  
Necessary for the Extension of Long Haul Drive :           ENGINEER'S REPORT  
from Elk Grove-Florin Road to Provide Access        )  
to Elder Creek Industrial Park (PN:9917)                )

A Public Hearing is scheduled for this date pertaining to the acquisition of:

real property necessary for the extension of Long Haul Drive from Elk Grove-Florin Road to provide access to Elder Creek Industrial Park. This proposed project has been undertaken because of the following facts and will provide the following benefits:

1. That the City Council approved the tentative map for the proposed subdivision, Elder Creek Industrial Park. One condition was to extend Long Haul Drive to the proposed subdivision from Elk Grove-Florin Road.
2. One of the goals of the South Sacramento Community Plan (1986) was to improve the flow of traffic on City streets. The extension of Long Haul Drive to Elk Grove-Florin Road will improve traffic circulation, and is consistent with this goal.
3. That on October 20, 1987, the City Council adopted the Resolution Authorizing Giving of Notice of Intent to Adopt Condemnation Resolution to acquire said Parcels.
4. That on October 21, 1987, the City Clerk mailed, by certified mail, notice of a hearing to be held on November 24, 1987, for the adoption of the Resolution Authorizing Acquisition of Property by Exercise of the Power of Eminent Domain to the known owners of said Parcels.
5. That the final day for receiving written requests to appear and be heard by the Council was November 17, 1987.
6. That no request to appear before the Council was received by the City Clerk prior to 5:00 P. M., November 17, 1987.

EXECUTED THIS 24th DAY of November, 1987

\_\_\_\_\_  
MELVIN H. JOHNSON  
City Engineer

# RESOLUTION NO. 87 960

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

RESOLUTION OF NECESSITY  
ACQUISITION OF THREE PARCELS  
FOR RIGHT-OF-WAY FOR THE EXTENSION OF  
LONG HAUL DRIVE FROM ELK GROVE-FLORIN ROAD  
TO ELDER CREEK INDUSTRIAL PARK (PN:9917)

APPROVED  
BY THE CITY COUNCIL

NOV 24 1987

OFFICE OF THE  
CITY CLERK

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 interest in real property hereinafter described as Parcels 9917-01, 02, 03 (herein referred to as the "Subject Parcels").

2. That the City of Sacramento intends to acquire the Subject Parcels in fee simple absolute as expressly specified in the description of said Parcels.

3. That the Subject Parcels are to be taken for the following public uses in connection with the extension of Long Haul Drive from Elk Grove-Florin Road to provide access to Elder Creek Industrial Park.

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 Codes, Section 37350.5.

5. That the Subject Parcels are generally located west of Elk Grove-Florin Road south of Elder Creek Road, north of Florin Road and east of Florin-Perkins Road.

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

a. The public interest and necessity requires the construction of the extension of Long Haul Drive between Elk Grove-Florin Road and Elder Creek Industrial Park.

b. The property to be acquired 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 extension of Long Haul Drive from Elk Grove-Florin Road to provide access to Elder Creek Industrial Park.

d. The offer required under Section 7267.2 of the Government Code was made to the owner of record on July 17, 1987, and amended on August 28, 1987.

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.

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 is situated in the City of Sacramento, State of California, and described as follows:

Parcels 9917-01, 02, 03 (Yeong Jen Chiu, Et al.)  
A Portion of APN 064-0020-048

In the State of California, County of Sacramento, and being:

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

Parcel No. 9917-01 (For Roadway Purposes)

Beginning at a point on the westerly line of Elk Grove-Florin Road from which the southeast corner of the northeast one-quarter of said Section 36 bears South 00° 04' 17" West 724.17 feet to a point on the southerly line of said northeast one-quarter and thence along said southerly line North 89° 55' 00" East 110.00 feet; thence from said point of beginning curving to the left on an arc of 25.00 feet radius, said arc being subtended by a chord bearing North 45° 04' 03" West 35.27 feet; thence South 89° 47' 34" West 358.35 feet; thence North 00° 05' 15" East 58.00 feet; thence North 89° 47' 34" East 358.59 feet; thence curving to the left on an arc of 25.00 feet radius, said arc being subtended by a chord bearing North 45° 01' 18" East 35.21 feet to a point on the westerly line of Elk Grove-Florin Road; thence along said westerly line curving to the left on an arc of 2055 feet radius, said arc being subtended by a chord bearing South 00° 09' 49" West 6.22 feet; thence continuing along said westerly line South 00° 04' 17" West 101.50 feet to the point of beginning, containing 0.517 acre more or less.

Parcel No. 9917-02 (For Public Utilities)

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

A strip of land twelve and one-half (12.5) feet in width the North line of which is more particularly described as follows:

Beginning at a point from which the Northeast corner of said Section 36 bears the following two (2) courses: One (1) North 00° 05' 15" East 1900.35 feet and two (2) North 89° 57' 23" East 492.93 feet; thence from said point of beginning North 89° 47' 34" East 383.47 feet to the point of ending, said point of ending being further described as a point on the west line of Elk Grove-Florin Road an existing 110-foot County road right-of-way, containing 0.117 acre more or less.

Parcel No. 9917-03 (For Public Utilities)

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

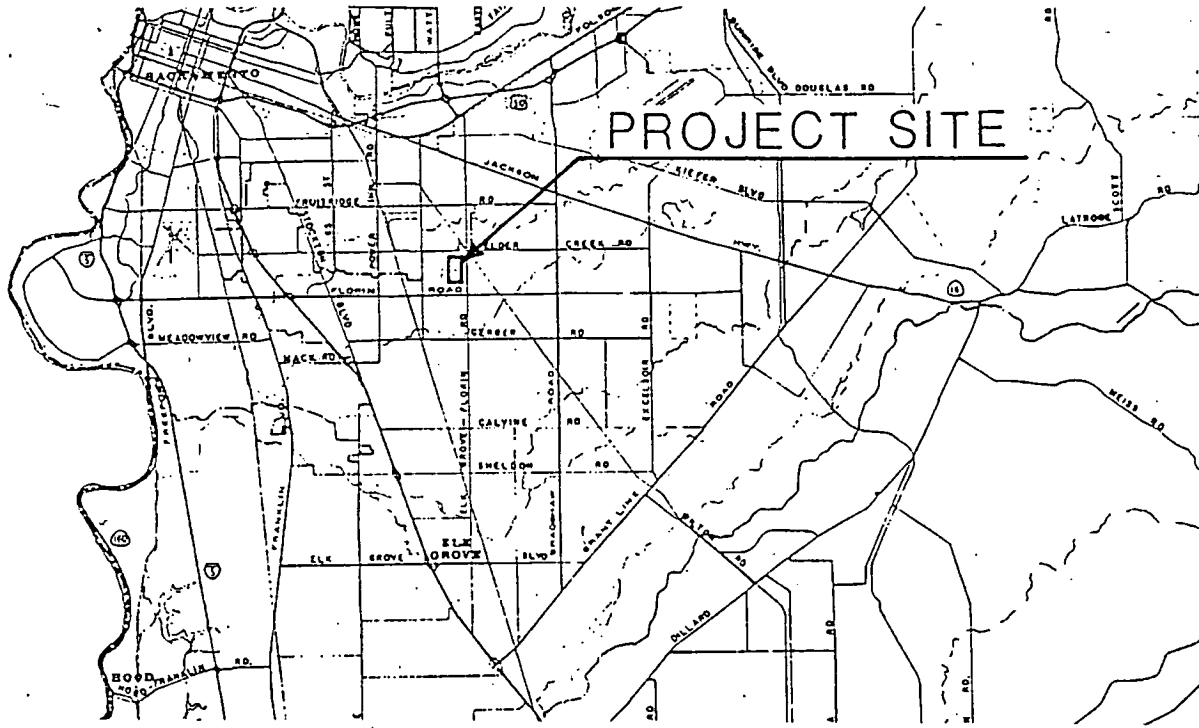
A strip of land twelve and one-half (12.5) feet in width the South line of which is more particularly described as follows:

Beginning at a point from which the Northeast corner of said Section 36 bears the following two (2) courses: One (1) North 00° 05' 15" East 1842.35 feet and two (2) North 89° 57' 23" East 492.93 feet; thence from said point of beginning North 89° 47' 34" East 383.39 feet to the point of ending, said point of ending being further described as a point on the west line of Elk Grove-Florin Road an existing 110-foot County Road right-of-way, containing 0.117 acre more or less.

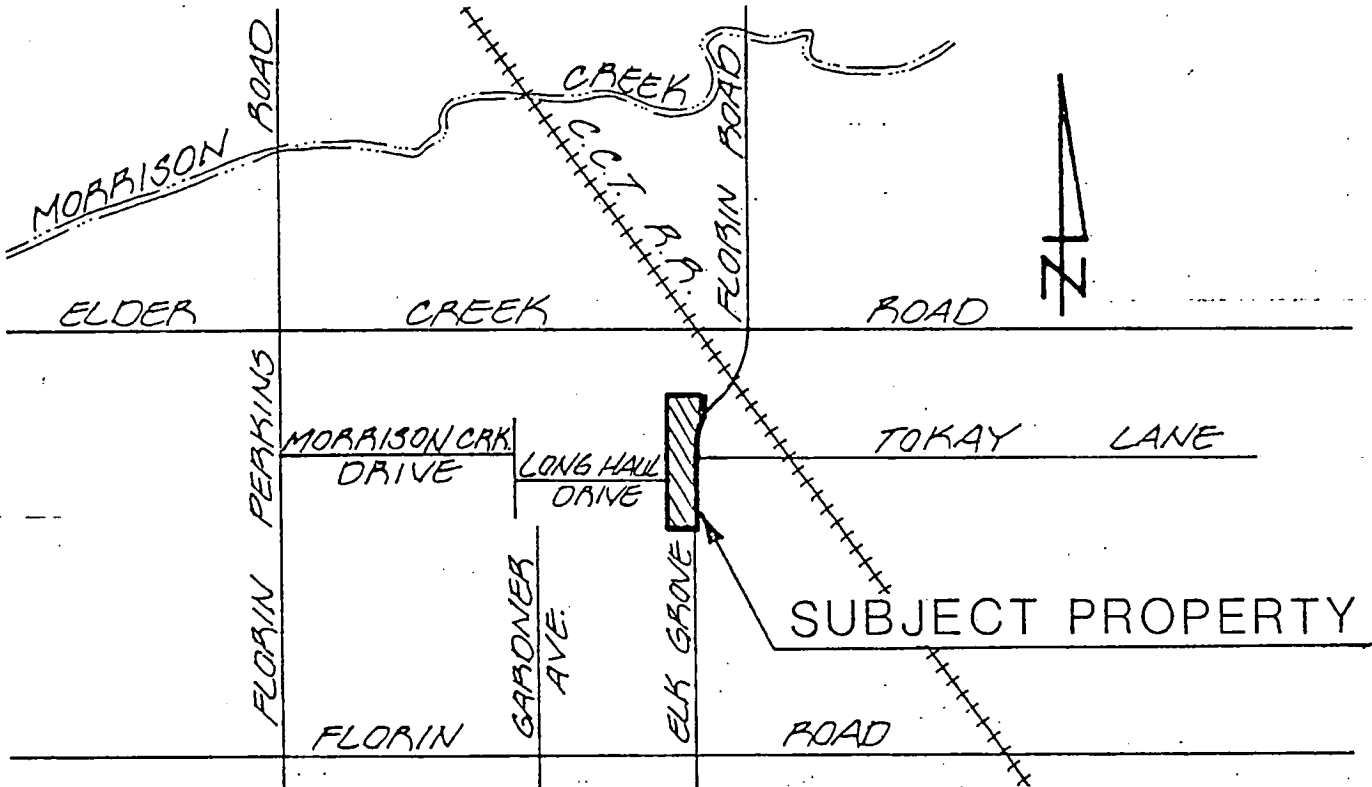
\_\_\_\_\_  
MAYOR

ATTEST:

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



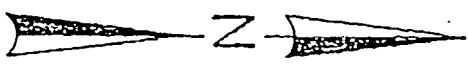
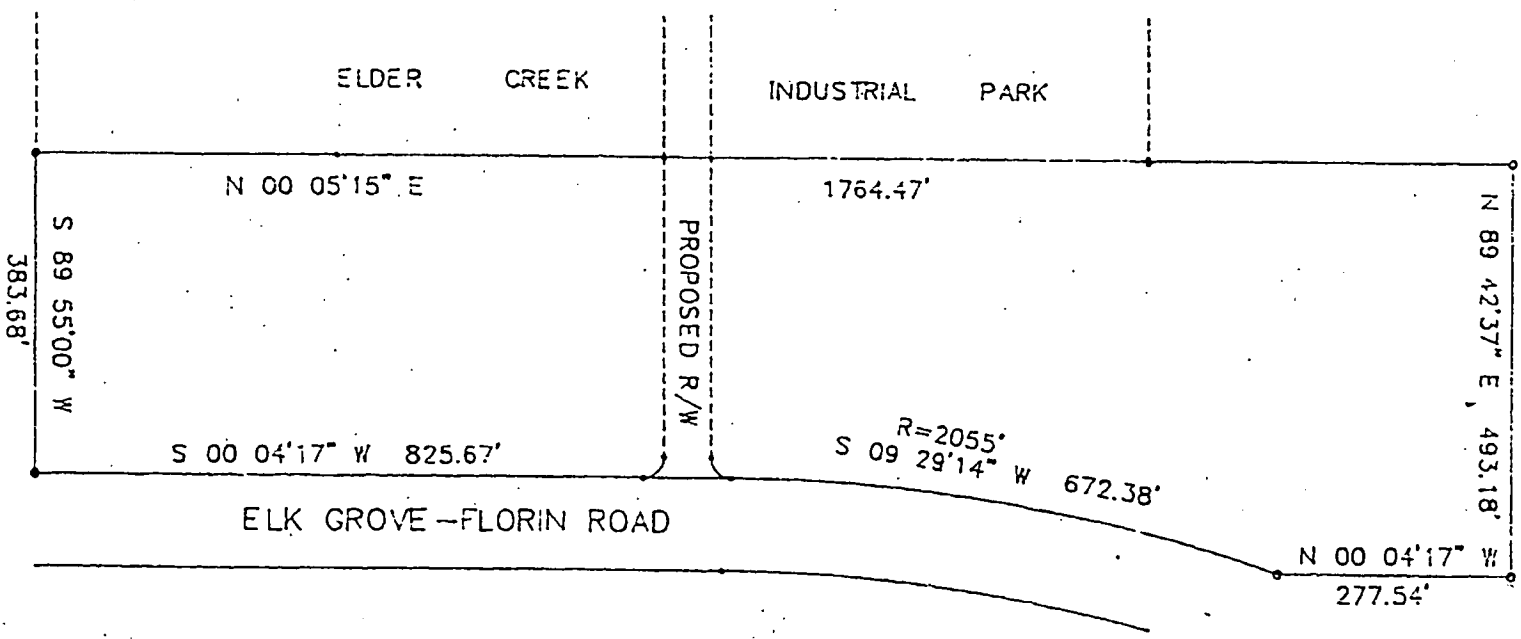
VICINITY MAP



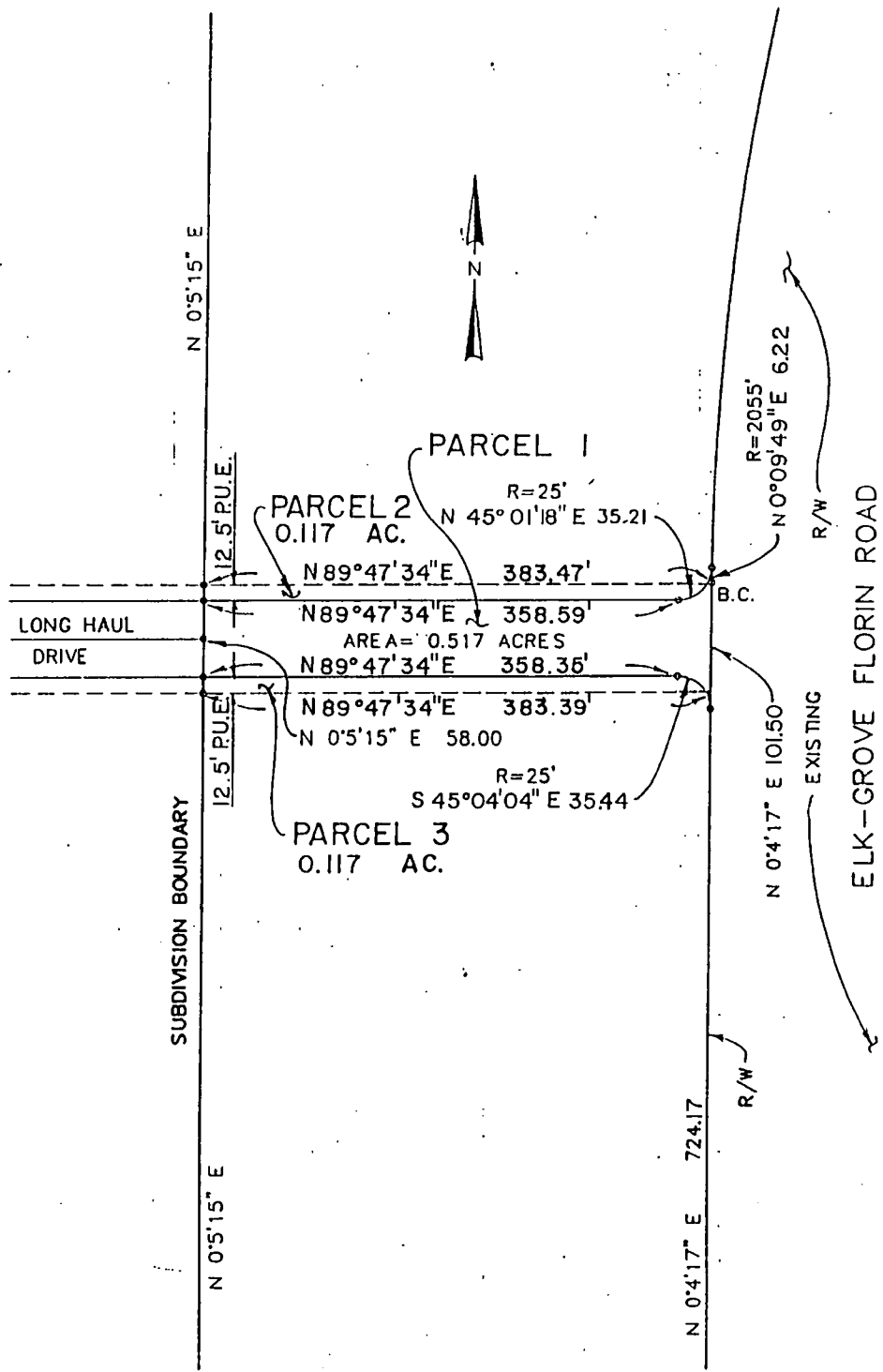
LOCATION MAP

**COUNTY ASSESSORS PARCEL 64-020-48  
CITY OF SACRAMENTO, CALIFORNIA**

ASSESSORS PARCEL NO. 64--020--48  
COUNTY OF SACRAMENTO  
SCALE: 1"=200'







ELDER CREEK INDUSTRIAL PARK

R/W REQUIRED FOR LONG HAUL ROAD  
 ASSESSORS PARCEL NO. 64-020-48  
 ROBERT E. YOUNG ENGINEERS  
 SCALE 1"=100'

ELDER 2. DWG

# RESOLUTION NO. 87-961

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

A RESOLUTION CREATING A REVOLVING FUND  
ELDER CREEK INDUSTRIAL PARK ASSESSMENT DISTRICT

APPROVED  
BY THE CITY COUNCIL

NOV 24 1987

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 public improvements for Elder Creek 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 Elder Creek Industrial Park Assessment District Revolving Fund.

The sum of \$32,000, 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 Elder Creek 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 24th day of November, 1987.

\_\_\_\_\_  
MAYOR

ATTEST:

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

9917.D

November 24, 1987

CITY COUNCIL OF THE CITY OF SACRAMENTO

In the Matter of Acquiring the Property )  
 Necessary for the Extension of Long Haul Drive : ENGINEER'S REPORT  
 from Elk Grove-Florin Road to Provide Access )  
 to Elder Creek Industrial Park (PN:9917) )

A Public Hearing is scheduled for this date pertaining to the acquisition of:

real property necessary for the extension of Long Haul Drive from Elk Grove-Florin Road to provide access to Elder Creek Industrial Park. This proposed project has been undertaken because of the following facts and will provide the following benefits:

1. That the City Council approved the tentative map for the proposed subdivision, Elder Creek Industrial Park. One condition was to extend Long Haul Drive to the proposed subdivision from Elk Grove-Florin Road.
2. One of the goals of the South Sacramento Community Plan (1986) was to improve the flow of traffic on City streets. The extension of Long Haul Drive to Elk Grove-Florin Road will improve traffic circulation, and is consistent with this goal.
3. That on October 20, 1987, the City Council adopted the Resolution Authorizing Giving of Notice of Intent to Adopt Condemnation Resolution to acquire said Parcels.
4. That on October 21, 1987, the City Clerk mailed, by certified mail, notice of a hearing to be held on November 24, 1987, for the adoption of the Resolution Authorizing Acquisition of Property by Exercise of the Power of Eminent Domain to the known owners of said Parcels.
5. That the final day for receiving written requests to appear and be heard by the Council was November 17, 1987.
6. That no request to appear before the Council was received by the City Clerk prior to 5:00 P. M., November 17, 1987.

EXECUTED THIS 24th DAY of November, 1987

\_\_\_\_\_  
 MELVIN H. JOHNSON  
 City Engineer

November 24, 1987

CITY COUNCIL OF THE CITY OF SACRAMENTO

In the Matter of Acquiring the Property )  
Necessary for the Extension of Long Haul Drive : ENGINEER'S REPORT  
from Elk Grove-Florin Road to Provide Access )  
to Elder Creek Industrial Park (PN:9917) )

A Public Hearing is scheduled for this date pertaining to the acquisition of:

real property necessary for the extension of Long Haul Drive from Elk Grove-Florin Road to provide access to Elder Creek Industrial Park. This proposed project has been undertaken because of the following facts and will provide the following benefits:

1. That the City Council approved the tentative map for the proposed subdivision, Elder Creek Industrial Park. One condition was to extend Long Haul Drive to the proposed subdivision from Elk Grove-Florin Road.
2. One of the goals of the South Sacramento Community Plan (1986) was to improve the flow of traffic on City streets. The extension of Long Haul Drive to Elk Grove-Florin Road will improve traffic circulation, and is consistent with this goal.
3. That on October 20, 1987, the City Council adopted the Resolution Authorizing Giving of Notice of Intent to Adopt Condemnation Resolution to acquire said Parcels.
4. That on October 21, 1987, the City Clerk mailed, by certified mail, notice of a hearing to be held on November 24, 1987, for the adoption of the Resolution Authorizing Acquisition of Property by Exercise of the Power of Eminent Domain to the known owners of said Parcels.
5. That the final day for receiving written requests to appear and be heard by the Council was November 17, 1987.
6. That no request to appear before the Council was received by the City Clerk prior to 5:00 P. M., November 17, 1987.

EXECUTED THIS 24th DAY of November, 1987

\_\_\_\_\_  
MELVIN H. JOHNSON  
City Engineer

9917.D