

RESOLUTION NO. 444

RESOLUTION AUTHORIZING CITY CLERK TO CANCEL
AND CHARGE OFF TAXES ASSESSED BY THE CITY OF
EL PASO DE ROBLES ON REAL PROPERTY ACQUIRED
BY THE UNITED STATES OF AMERICA

WHEREAS, the United States of America by decree on Declaration of Taking, duly filed and entered in the District Court of the United States, in and for the Southern District of California, Central Division, on the 14th day of May, 1941, being numbered Civil case 1533Y in said Court, acquired title to certain real property located in the City of El Paso de Robles, particularly described by meets and bounds in said decree, a copy of which decree is attached hereto and marked "Exhibit A" and made a part hereof; and

WHEREAS, upon the assessment roll of taxes for the fiscal year 1941-1942, the following of the said real property acquired by the United States of America by said decree are assessed, to-wit:

Assessment No. 941:

Tax - \$35.64
Penalties - 2.49
Costs - .50
\$38.63

On Blocks 1, 2, 3, and 4 of
Putnam & Hord's Sub. of Blocks 203
and 204 and Lots 7, 8, 9, and 10
of Block 205.

Assessment No. 942:

Tax - \$19.69
Penalties - 1.39
Costs - .50
\$21.58

Sold for Taxes June 30, 1942,
Sales No. 1503 and 1504.

;and

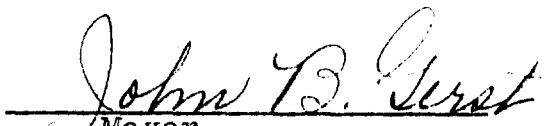
WHEREAS, the Department of Justice of the United States of America, through the United States Attorney, Southern District of California, in a communication addressed to the Tax Collector of the City of El Paso de Robles has requested that inasmuch as the United States has acquired title to the property assessed as hereinabove set forth that the City taxes thereon be cancelled, the County of San Luis Obispo having heretofore cancelled its taxes on said property;

NOW, THEREFORE, be it and the same is hereby resolved by the City Council of the City of El Paso de Robles, meeting in regular session this 7th day of December, 1942, that the Tax Collector be and he is hereby authorized to cancel and charge off the above set forth assessed taxes and

is further directed to strike from the assessment roll of City taxes the said property acquired by the United States of America by said decree during the continuance of said ownership.

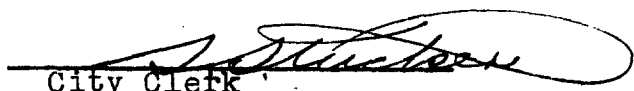
DATED: This 7th day of December, 1942.

CITY OF EL PASO DE ROBLES



Mayor

ATTEST:



City Clerk

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comes now the plaintiff, United States of America, by its attorneys, United States Attorney for the Southern District of California, and
 Irl B. Swift and Francis C. Mealin, Special Attorneys, Lands Division,
 Department of Justice, and moves the court to enter a decree vesting
 title in the United States of America in and to the real property here-
 inafter described in the Declaration of Taking and the Condemnation Com-
 plaint, together with all improvements thereon.
 Thereupon the court proceeds to hear and pass upon said Motion,
 Complaint and Declaration of Taking, and finds and decrees as follows:
 FIRST, That the United States is entitled to acquire property
 by eminent domain for the purpose of a site for housing for persons en-
 gaged in national defense activities and their families, as more particu-
 larly set forth and described in the Act of October 14, 1940 (Public No.
 605, Seventy-sixth Congress), and funds have been appropriated for the
 acquisition thereof under the Act of September 9, 1940 (Public No. 781,
 Seventy-sixth Congress), to be located upon and within the acreage set
 forth and described in said Complaint and Declaration of Taking and this
 decree;

IN THE DISTRICT COURT OF THE UNITED STATES
 IN AND FOR THE SOUTHERN DISTRICT OF CALIFORNIA
 GENERAL DIVISION

PLAINTIFF)
 UNITED STATES OF AMERICA)
 vs.)
 DEFENDANTS)
 GREATLY INTERESTED PARTIES OF LAND IN
 THE CITY OF PASO ROBLES,
 COUNTY OF SAN JUAN, STATE OF CALIFORNIA; SALES
 N. W. WILSON, et al

RECEIVED ON
 REGISTRATION OF TAKING

FILED

NO. 1533 CIV-41

MAY 14 1941

R. S. ZIMMERMAN, Clerk

RESOLUTION NO. 4
 F.F.F.

FILE COPY

1 request of the Federal Works Administrator of the Federal Works Agency
2 of the United States, the authority empowered by law to acquire the
3 lands described in said Complaint, and also under direction of the Attor-
4 ney General of the United States;

5 **THIRD**, That in said Complaint and Declaration of Taking, the
6 statement of authority under which and the public use for which said
7 lands were taken, is set out, and that John M. Carney, Federal Works
8 Administrator of the Federal Works Agency of the United States, is the
9 person duly authorized and empowered by law to acquire lands such as are
10 described in the Complaint for the purposes as aforesaid, and that the
11 Attorney General of the United States is the person authorized by law
12 to direct the institution of such condemnation proceedings;

13 **FOURTH**, That a proper description of the lands sought to be
14 taken, sufficient for the identification thereof, is set out in said
15 Declaration of Taking;

16 **FIFTH**, A statement of the estate or interest in said lands
17 taken for said public use is set out in said Declaration of Taking;

18 **SIXTH**, A plan showing the lands taken is annexed to and in-
19 corporated in said Declaration of Taking;

20 **SEVENTH**, A statement of the sum of money estimated by said
21 acquiring authority to be just compensation for the lands taken, to-wit,
22 the sum of Seven Thousand One Dollars (\$7,001.00) is set out in said
23 Declaration of Taking, and that said sum was deposited in the Registry
24 of this Court coincident with the filing of said Declaration of Taking;

25 **EIGHTH**, That there is a statement in said Declaration of Taking
26 that the estimated ultimate award of damages for the taking of said
27 property, in the opinion of said Federal Works Administrator of the
28 Federal Works Agency of the United States, probably will be within any
29 limits prescribed by Congress to be paid as a price therefor.

30 And the Court, having fully considered said Condemnation Com-
31 plaint and the Declaration of Taking and the statutes in such case made
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1 and provided, is of the opinion that the United States is entitled to
2 take said property and have the title thereto vested in it pursuant to
3 the Act of Congress approved February 26, 1931 (46 Stat. 1431; Title 40
4 Sec. 288 (a), U.S.C.A.)

5
6 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED:**

7 That the title to the following described lands, including all
8 buildings and improvements thereon, if any, and all appurtenances thereto,
9 and all interests therein, in fee simple absolute, be and the same is
10 hereby vested in the United States of America, and said lands, improve-
11 ments and appurtenances are deemed to be condemned and taken, and are
12 condemned and taken for the use of the United States, and the right to
13 just compensation for the same shall vest in the persons entitled thereto
14 when said compensation shall be ascertained and awarded in this proceed-
15 ing and established by judgment thereunder pursuant to law. The lands
16 so condemned and taken are described as follows:

17
18 **Parcel 1.** A piece of land lying within the City
19 of Pass de Robles comprising Lots 7, 8, 9 and 10
20 of Block 205, as shown on the Map of the City of
21 Pass de Robles, filed for record in the office of
22 the County Recorder of said County on October 25,
23 1889, Blocks 1, 2, 3 and 4 of Putnam and Nord's
24 Subdivision, as shown on map thereof, filed for
25 record in the aforesaid office on July 29, 1892;
26 together with all those streets and alleys, and
27 portions thereof, which have reverted to the owners
28 of the aforesaid lots and blocks by reason of their
29 vacation by City Ordinance, recorded in Official
30 Records 43, page 259, of said County; and excepting
31 therefrom those portions of Blocks 2 and 3 of Putnam
32 and Nord's Subdivision which were conveyed to the

1 Southern Pacific Railroad Company by deeds recorded
2 in Deed Book 40, pages 200 and 202, of said County,
3 and more particularly described as follows:

4 Beginning at the intersection of the
5 northerly line of Twenty-eighth Street and the east-
6 erly line of Spring Street in said City of El Paso de
7 Hobbes; thence along said northerly line of Twenty-
8 eighth Street, North 86 degrees and 10 minutes East,
9 a distance of 300.00 feet to the true point of be-
10 ginning; thence parallel to the easterly line of
11 Spring Street, North 3 degrees and 30 minutes West,
12 a distance of 2280.00 feet to the center line of
13 Thirty-fourth Street; thence along the center line
14 of Thirty-fourth Street, prolonged easterly, North
15 86 degrees and 10 minutes East, a distance of 412.61
16 feet to a point on the westerly boundary line of the
17 Southern Pacific Railroad Company's right-of-way;
18 thence southerly along curve of said right-of-way line
19 for a distance of 300.72 feet whose radius is 1859.91
20 feet to a point; thence along a curve whose radius is
21 2261.88 feet for a distance of 29.25 feet to a point;
22 thence along a curve whose radius is 2614.425 feet
23 for a distance of 29.48 feet to a point; thence along
24 a curve whose radius is 3768.75 feet for a distance
25 of 29.61 feet to a point; thence along a curve whose
26 radius is 5679.80 feet for a distance of 29.74 feet
27 to a point; thence along a curve whose radius is
28 11,409.17 feet for a distance of 29.87 feet to a
29 point, said point being the end of a curve; thence
30 South 9 degrees 21 minutes East for a distance of
31 885.64 feet to a point; thence South 3 degrees 20
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minutes East for a distance of 937.37 feet to a point in the northerly side of Twenty-eighth Street, said point being the southeasterly corner of the above described tract of land; thence South 86 degrees 10 minutes West along the northerly side of Twenty-eighth Street a distance of 876.10 feet to the point or place of beginning, containing an area of 27.8 acres, more or less, except the area of a strip approximately 30 feet wide traversing the above described parcel of land, extending in a north-easterly direction from the westerly boundary of the above described parcel of land to the westerly line of a right-of-way of the Southern Pacific Railroad Company, as shown by plat "Land proposed to be acquired through condemnation proceedings for the Defense Housing Project at Camp Roberts, San Miguel-Pase Robles, California", blueprint of which is attached hereto and by reference made a part hereof, together with the improvements thereon.

Parcel 2. The area of a strip of land approximately 30 feet wide traversing the above described Parcel 1, extending in a north-easterly direction from the westerly boundary of the above described parcel of land to the westerly line of a right-of-way of the Southern Pacific Railroad Company, as shown by plat "Land proposed to be acquired through condemnation proceedings for the Defense Housing Project at Camp Roberts, San Miguel-Pase Robles, California", blueprint of which is attached hereto and by reference made a part hereof, together with the improvements thereon.

This cause is held open for such other and various orders,
judgments and decrees as may be necessary in the premises.

Entered on this, the 14th day of May, 1941.
at 2:15 P.M.

LEON R. YANKWICH
United States District Judge

Presented by:
WM. FLEET PALMER
United States Attorney

IRL D. HENRY
FRANCIS C. WHELAN
Special Attorneys, Land Division
Department of Justice

FILED
May 14, 1941
R. S. ZIMMERMAN,
Clerk
By LOUIS J. SOMERS
Deputy Clerk

By FRANCIS C. WHELAN

Judgment entered May 14, 1941
Docketed May 14, 1941
C.O. Book 5, Page 477

R. S. Zimmerman, Clerk
By Louis J. Somers,
Deputy