

RESOLUTION NO. 2609

RESOLUTION OF THE CITY COUNCIL SETTING TIME
AND PLACE FOR PUBLIC HEARING ON ADOPTION OF
RESOLUTION OF NECESSITY TO ORDER ACQUISITION
BY EMINENT DOMAIN PROCEEDINGS.

WHEREAS, the CITY COUNCIL of the CITY OF EL PASO DE ROBLES, CALIFORNIA (hereinafter referred to as "Agency"), is conducting proceedings for a special assessment district pursuant to the terms and provisions of the "Municipal Improvement Act of 1913", being Division 12 of the Streets and Highways Code of the State of California, for the construction of certain public works of improvement, together with appurtenances and appurtenant work in connection therewith, including acquisition where necessary; said special assessment district known and designated as

ASSESSMENT DISTRICT NO. 81-01
(NIBLICK BRIDGE)

(hereinafter referred to as the "Assessment District"); and,

WHEREAS, under said special assessment district proceedings, it will be necessary that certain right-of-way acquisition be made in order to accomplish the construction of the works of improvement as proposed, and at this time this governing body is desirous of setting a time and place for a public hearing on the adoption of a Resolution of Necessity relating to the rights-of-way and/or easements not yet acquired for the project and improvements in said Assessment District; and,

WHEREAS, there has been presented to this Agency for consideration, a proposed Resolution of Necessity to Exercise the Right of Eminent Domain relating to this Assessment District, a copy of which is on file in the Office of Agency.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

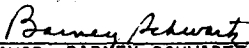
SECTION 1. That the above recitals are all true and correct.


SECTION 2. That certain right-of-way acquisition is necessary for the accomplishment of the improvements as proposed for the Assessment District, and said rights-of-way are as set forth and described in the proposed Resolution of Necessity to Exercise the Right of Eminent Domain, a copy of which is on file in the Office of Agency, with an Exhibit attached thereto setting forth the proper and legal description of all rights-of-way to be acquired.

SECTION 3. THAT NOTICE IS HEREBY GIVEN THAT ON WEDNESDAY, THE 14TH DAY OF OCTOBER, 1981, AT THE HOUR OF 7:30 O'CLOCK P.M., IN THE SPECIAL MEETING PLACE OF AGENCY, BEING THE PASO ROBLES HIGH SCHOOL, LOCATED ON NIBLICK ROAD, ANY AND ALL PERSONS WHERE EASEMENTS OR RIGHTS-OF-WAY ARE TO BE ACQUIRED, WILL HAVE AN OPPORTUNITY TO APPEAR AND TO BE HEARD ON THE MATTER OF THE ADOPTION OF THE RESOLUTION OF NECESSITY TO EXERCISE THE RIGHT OF EMINENT DOMAIN TO ACQUIRE EASEMENTS AND RIGHTS-OF-WAY NECESSARY FOR THE PROPOSED IMPROVEMENTS IN THE ASSESSMENT DISTRICT. ALL PERSONS OBJECTING TO THE PUBLIC INTEREST AND NECESSITY FOR THE PROJECT AND THE DETERMINATION AS TO WHETHER OR NOT THE PROJECT IS PLANNED OR LOCATED IN THE MANNER WHICH WILL BE MOST COMPATIBLE WITH THE GREATEST PUBLIC GOOD, AND THE NECESSITY FOR THE PROPERTY TO BE ACQUIRED, SHOULD BE PRESENT AT SAID TIME AND PLACE. PURSUANT TO SECTION 1245.235 OF THE CODE OF CIVIL PROCEDURE, THE FAILURE TO FILE A WRITTEN REQUEST TO APPEAR AND BE HEARD WITHIN FIFTEEN (15) DAYS AFTER THE MAILING OF THIS NOTICE WILL RESULT IN A WAIVER OF THE RIGHT TO APPEAR AND BE HEARD.

SECTION 4. That for further particulars, reference is made to the proposed Resolution of Necessity, with the Exhibits attached thereto, as on file in the Office of the Agency, and to Section 1245.235 of the Code of Civil Procedure and related Sections thereto.

APPROVED and ADOPTED this first day of September, 1981.


MAYOR BARNEY SCHWARTZ
CITY OF EL PASO DE ROBLES
STATE OF CALIFORNIA

ATTEST

CITY CLERK DONALD B. KEEFER
CITY OF EL PASO DE ROBLES
STATE OF CALIFORNIA




STATE OF CALIFORNIA
COUNTY OF SAN LUIS OBISPO
CITY OF EL PASO DE ROBLES

I, DONALD B. KEEFER, CITY CLERK of the CITY OF EL PASO DE ROBLES, CALIFORNIA,
DO HEREBY CERTIFY that the foregoing Resolution, being Resolution No. 2609
was duly passed, approved and adopted by said City, approved and signed by the
Mayor, and attested by the City Clerk, all at the regular meeting of said
City held on the first day of September, 1981, and that the same
was passed and adopted by the following vote:

AYES:	COUNCILMEN:	Minshull, Monroe, Parish, Stemper and Schwartz
NOES:	COUNCILMEN:	None
ABSENT:	COUNCILMEN:	None

EXECUTED this first day of September, 1981, at Paso Robles, California.


CITY CLERK DONALD B. KEEFER
CITY OF EL PASO DE ROBLES
STATE OF CALIFORNIA

[SEAL]

