

RESOLUTION NO. 2638
RESOLUTION OF NECESSITY FOR CONDEMNATION
PASO ROBLES MUNICIPAL WATER TANK
CITY OF EL PASO DE ROBLES, SAN LUIS OBISPO COUNTY

T H E C I T Y C O U N C I L

City of El Paso de Robles, California

The City Council of the City of El Paso de Robles, San Luis Obispo County, California, RESOLVES THAT:

It finds and determines and hereby declares that the public interest and necessity require an additional municipal water tank and in connection therewith and necessary therefor, the acquisition of interests in the real property described in Exhibit A attached hereto and incorporated herein by reference. The property described in this resolution is necessary for the proposed water tank. The following statutes authorize acquisition of said property by the City of El Paso de Robles: Government Code Section 50470 and Code of Civil Procedure Sections 1230.010 through 1250.370.

Said proposed public improvement is planned and located in the manner that will be most compatible with the greatest public good and the least private injury.

This City Council shall acquire in the name of City the said interests in real property described on Exhibit A, which property is necessary for the proposed project, by donation, purchase, or condemnation in accordance with the provisions for eminent domain in the Code of Civil Procedure.

Michael T. LeSage, City Attorney for the City of El Paso de Robles, is hereby authorized and empowered:

To acquire in City's name, by condemnation, the said interests in real property in accordance with the provisions

for eminent domain in the Code of Civil Procedure and the Constitution of California;

To prepare and prosecute in City's name such proceedings in the proper court as are necessary for such acquisition; and

To apply to said court for an order fixing the amount and nature of such security as it may direct, and to deposit such security as so directed, and for an order permitting City to take immediate possession and use of said real property or interest therein for said public uses and purposes.

The said interests in real property are more particularly described in Exhibit A attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 5th day of
January, 1982.



BARNEY SCHWARTZ

ATTEST:



DONALD B. KEEPER, City Clerk

Lot 9 of Tract No. 680 in the County of San Luis Obispo, State of California, according to map recorded October 25, 1978 in Book 9, Page 100 of Maps, in the office of the County Recorder of said County.

Except therefrom 50% of all oil, gas and other hydrocarbon substances situated and located upon or in said land and all oil rights and leases in existence for a period of 20 years only, from March 15, 1956, as reserved by Ruth M. Taylor, a married woman, in deed recorded March 21, 1956 in Book 840, Page 5 of Official Records.

By quitclaim deed dated February 10, 1965, Ruth H. Taylor, a married woman, quitclaims unto L. J. Killian and Mary Killian, husband and wife as joint tenants, all surface rights and subsurface rights to a depth of 500 feet below the surface thereof in and to the above described land.

(END OF DESCRIPTION)

EXHIBIT A

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

} SS.

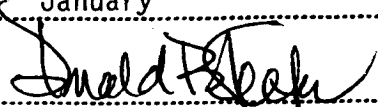
I, DONALD B. KEEFER, City Clerk of the City of El Paso de Robles, California, do hereby certify that the foregoing Resolution No. 2688 was duly and regularly adopted, passed, and approved by the City Council of the City of El Paso de Robles, California, at a regular meeting of said City Council held at the regular meeting place thereof, on the 5th day, of January 19 82, by the following vote:

AYES: Councilmen Minshull, Monroe, Parish, Stemper and Schwartz

NOES: Councilmen None

ABSENT: Councilmen None

Dated this 5th day of January, 19 82


City Clerk and Ex-Officio Clerk of the City Council,
City of El Paso De Robles, State of California.