

LONG BEACH REDEVELOPMENT AGENCY



333 WEST OCEAN BOULEVARD, THIRD FLOOR • LONG BEACH, CA 90802 • (562) 570-6615 • FAX (562) 570-6215

December 18, 2006

REDEVELOPMENT AGENCY BOARD MEMBERS

City of Long Beach
California

RECOMMENDATION:

Recommendation to receive the supporting documentation into the record, conduct and conclude the hearing and adopt the Resolutions for acquiring and authorizing the condemnation of real property at 340-346 East 3rd Street, APN 7281-017-001 and 7281-017-002; 352-390 East 3rd, APN 7281-017-004; and 269 Elm Avenue, APN 7281-017-006 including land, improvements and fixtures and equipment. (Downtown – District 2)

DISCUSSION

The primary objective of the Redevelopment Plan with respect to the Downtown Project Area is to revitalize the City's downtown by restoring this area to a center for business and commerce. General objectives of the Redevelopment Plan include diversifying land uses in the downtown to make it the principal focus of the City's cultural, employment, retail, service and visitor activities and a meaningful place in which to live and work. Since the Downtown Project Area was adopted, the public and private sector have invested more than \$1 billion. The redevelopment of Downtown has created more than 25,000 permanent jobs and annually attracts millions of shoppers, tourists, and residents.

Conditions in the Downtown Project Area before adoption of the Redevelopment Plan met statutory conditions for blight with findings of high vacancy rates, poor housing accommodations, and older, substandard, and deteriorated commercial structures. Effective redevelopment strategies ensure the thoughtful integration of new commercial and residential development, the protection and encouragement of diversity in both the community and land uses, and the creation of sophistication and vitality through cultural facilities and events.

The Redevelopment Agency continues to implement a comprehensive program designed to make Downtown a more successful and inviting environment to shop, live and work. Implementation of this program occurs in a variety of ways, including the elimination of incompatible land uses and aged and obsolete structures, and the assembly of blighted properties for redevelopment.

REDEVELOPMENT AGENCY BOARD MEMBERS

December 18, 2006

Page 2

One area in which the Redevelopment Agency has invested significant resources in implementing the redevelopment program in Downtown is the City block bounded by Broadway on the South, 3rd Street on the North, Long Beach Boulevard on the West and Elm Avenue on the East. This block contains 3.44 acres, of which, the Redevelopment Agency owns 1.91 acres, just over 50% of the block. The Redevelopment Agency is negotiating with the remainder of the property owners and has recently entered into escrow for the property located at 348-350 East 3rd Street. The property at 348-350 East 3rd Street is surrounded by four parcels under a single ownership. In order for the proper assembly of property suitable for modern, integrated development, the surrounding property must also be assembled. Please see the attached Exhibit A.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

Pursuant to the California Environmental Quality Act (CEQA), the acquisition of these properties is categorically exempt pursuant to Public Resources Code, Division 13, Section 15301 as the acquisition activities contemplated are not intended to expand the use beyond that which currently exists. Future development on the property will be subject to further review under the California Environmental Quality Act when a definitive development is proposed.

RESOLUTIONS OF NECESSITY

The properties under consideration are all owned by Michener Trust and include the following.

The property located at 340-346 East 3rd Street contains 2,500 square feet of land and is improved with a one-story commercial building and other miscellaneous site improvements. An appraisal of the subject property was prepared by an independent appraiser, R.P. Laurain & Associates, Inc., on September 5, 2006. The fair market value of the property and improvements was \$505,000. An offer to purchase the property at fair market value pursuant to Government Code section 7267(a), dated October 4, 2006, was submitted to the Trustee of the owner. The Trustee rejected the offer and subsequent negotiations have been unsuccessful. Acquisition of this property will not be possible without the Agency's use of its power of eminent domain.

The property located at 352 and 390 East 3rd Street contains 3,750 square feet of land and is improved with a one-story and two-story commercial building and other miscellaneous site improvements. An appraisal of the subject property was prepared by an independent appraiser, R.P. Laurain & Associates, Inc., on September 5, 2006. The fair market value of the property and improvements was \$945,000. An offer to purchase the property at fair market value pursuant to Government Code section 7267(a), dated October 4, 2006, was submitted to the Trustee of the owner. The Trustee rejected the offer and subsequent negotiations have been unsuccessful. Acquisition of this property will not be possible without the Agency's use of its power of eminent domain.

REDEVELOPMENT AGENCY BOARD MEMBERS

December 18, 2006

Page 3

The property located at 269 Elm Avenue contains 7,500 square feet of land and is used as a surface parking lot for 30 vehicles. An appraisal of the subject property was prepared by an independent appraiser, R.P. Laurain & Associates, Inc., on September 5, 2006. The fair market value of the property and improvements was \$475,000. An offer to purchase the property at fair market value pursuant to Government Code section 7267(a), dated October 4, 2006, was submitted to the Trustee of the owner. The Trustee rejected the offer and subsequent negotiations have been unsuccessful. Acquisition of this property will not be possible without the Agency's use of its power of eminent domain.

A notice of the hearing on the Resolutions of Necessity was mailed on December 1, 2006 by certified mail, return receipt requested, and by First Class Mail to the Trustee of the owner of record. Said Trustee was notified that if the Trustee wished to appear at the hearing and be heard, the Trustee must file a written request to appear with the City Clerk within fifteen (15) days from the date the notice was mailed. The Resolutions of Necessity are attached.

Code of Civil Procedure Section 1245.230 requires the Resolutions of Necessity be adopted after a hearing at which time the governing body of the public entity must find and determine each of the following:

1. Whether the public interest and necessity require the proposed project;
2. Whether the proposed project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
3. Whether the property sought to be acquired is necessary for the proposed project; and
4. Whether the offer required by Government Code section 7267.2(a) has been made to the property owner or owners of record, or the offer has not been made because the owner(s) cannot be located with reasonable diligence.

Recommended findings of the Redevelopment Agency Board as they relate to the acquisition of properties located at 340-346 East 3rd Street, APN 7281-017-001 and 7281-017-002; 352-390 East 3rd, APN 7281-017-004; and 269 Elm Avenue, APN 7281-017-006, including land, improvements and fixtures and equipment, are as follows:

1. Public interest and necessity require the proposed project.

The Redevelopment Plan for the Downtown Long Beach Redevelopment Project Area was first adopted on June 17, 1975. The goals of the Redevelopment Plan include the elimination of incompatible land uses and aged and obsolete structures, and the assembly of blighted properties for redevelopment. Intervening and surrounding properties have either been acquired or are in escrow. The assembly of this land will create contiguous land sufficient for integrated and compatible redevelopment.

REDEVELOPMENT AGENCY BOARD MEMBERS

December 18, 2006

Page 4

2. The proposed project is planned and located in such a way as to do the greatest public good and the least private injury.

The fundamental purpose of the Redevelopment Plan is to improve the quality of life for residents and business enterprises within the Downtown Project Area. Additionally, persons who are owners of real property in the Downtown Project Area have been given a reasonable opportunity to participate in the redevelopment of the Downtown Project Area consistent with the objectives of the Redevelopment Plan. The acquisition of these properties from a single owner will result in the assembly of land sufficient for integrated and compatible development, resulting in the greatest public good with the least private injury.

3. The property sought to be acquired is necessary for the proposed project.

The subject property is integral to the assembly of land necessary for integrated and compatible development. Intervening and surrounding properties have either been acquired or are in escrow. This action will further the goals and objectives of the Redevelopment Plan for the Downtown Long Beach Redevelopment Project.

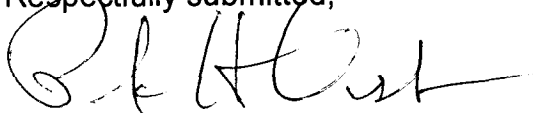
4. The offer of just compensation has been made to the property owners.

The subject properties were appraised by an independent appraiser, R.P. Laurain & Associates, Inc., September 5, 2006. Offers at fair market value were submitted to the Trustee of the owner. The offers were rejected. Due to the refusal of the Trustee to accept the Agency's offer of just compensation based on the fair market value, the properties cannot be acquired except by the Agency's exercise of its power of eminent domain.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



PATRICK H. WEST
EXECUTIVE DIRECTOR

PHW:CB:MBC

APPROVED:



GERALD R. MILLER
CITY MANAGER

Attachments: Exhibit A – Site Map
Resolutions

R:\RDA Board\RDA Board Meetings\2006\December 18\3rd & Elm.doc

RESOLUTION NO. R. A.

A RESOLUTION OF THE REDEVELOPMENT
AGENCY OF THE CITY OF LONG BEACH, CALIFORNIA,
FINDING AND DETERMINING THE PUBLIC INTEREST
AND NECESSITY FOR ACQUIRING AND AUTHORIZING
THE CONDEMNATION OF CERTAIN REAL PROPERTY
(340-346 EAST 3rd STREET) WITHIN THE DOWNTOWN
LONG BEACH REDEVELOPMENT PROJECT AREA

WHEREAS, the Redevelopment Agency of the City of Long Beach, California ("Agency"), pursuant to the provisions of the Community Redevelopment Law of the State of California, Health and Safety Code Section 33000, *et seq.*, is engaged in redevelopment activities necessary for the execution of the Redevelopment Plan ("Redevelopment Plan") for the Downtown Long Beach Redevelopment Project Area ("Redevelopment Project"); and

WHEREAS, the Agency desires to implement the Redevelopment Plan for the Redevelopment Project by acquiring and assembling certain parcels of real property, including the real property located at 340-346 East 3rd Street, Long Beach, California more particularly described as:

Parcel 1:

THE WEST 25 FEET OF LOTS 1 AND 3 IN BLOCK
91 IN THE TOWN SITE OF LONG BEACH, COUNTY
OF LOS ANGELES, STATE OF CALIFORNIA, AS

PER MAP RECORDED IN BOOK 19 PAGE 91 ET SEQ., OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

Parcel 2:

THE EAST 25 FEET OF THE WEST 50 FEET OF LOTS 1 AND 3 IN BLOCK 91 IN THE TOWN SITE OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 19 PAGE 91 ET SEQ., OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES IN, UNDER AND/OR THAT MAY BE PRODUCED FROM A DEPTH BELOW 500 FEET FROM THE SURFACE OF SAID PROPERTY. PROVIDED THAT SUCH RESERVATION SHALL NOT ENTITLE THE GRANTORS, OR HEIRS OR ASSIGNS, TO ANY USE OR RIGHTS IN OR TO ANY PORTION OF THE SURFACE OF SAID PROPERTY TO A DEPTH OF 500 FEET BELOW THE SURFACE THEREOF, AND THAT THE RIGHT OF ENTRY IS HEREBY WAIVED, AS RESERVED BY EDITH JONES, A WIDOW, AND CHARLES K. JONES AND MAXINE JONES, HUSBAND AND WIFE, RECORDED JUNE 4, 1959 AS INSTRUMENT NO. 39, OF OFFICIAL RECORDS OF LOS ANGELES.

and as shown on the site plan attached hereto as Exhibit A, and incorporated herein by this reference ("Subject Property); and

WHEREAS, the Agency has given written notice by first class mail at least fifteen (15) days prior to the date of this resolution to those persons whose property is to be acquired by eminent domain and whose names and addresses appear on the last equalized Los Angeles County assessment roll; and

WHEREAS, the Agency's notice to those persons sets forth the intent of the Agency to adopt a Resolution of Necessity for acquisition by eminent domain of the Subject Property, and further provides that such persons shall have a right to appear and to be heard on the matters referred to in Code of Civil Procedure Section 1240.030, and further provides that failure of such persons to file a written notice of intent to appear and to be heard within fifteen (15) days following the date of mailing of the Agency's notice shall result in a waiver of such right, and further contained all of the other matters required by Code of Civil Procedure Section 1245.235;

NOW, THEREFORE, the Redevelopment Agency of the City of Long Beach, California, resolves as follows:

Section 1. The public interest and necessity requires the acquisition of the Subject Property, including the improvements thereon, for a public use, to wit, for redevelopment purposes in connection with and located in the Redevelopment Project, pursuant to the Redevelopment Plan and the California Community Redevelopment Law.

Sec. 2. The Agency is authorized to acquire the Subject Property, including the improvements thereon, pursuant to the California Community Redevelopment Law, including but without limitation, Health and Safety Code Section 33391(b).

Sec. 3. The Redevelopment Project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury.

Sec. 4. The Subject Property is necessary for the proposed project.

Sec. 5. The offer required by Government Code Section 7267.2(a), together with the accompanying statement of, and summary of the basis for, the amount established as just compensation, was made to the owner or owners of record, which offer and accompanying statement/summary were in a form and contained all of the factual disclosures provided by Government Code Section 7267.2(a).

Sec. 6. The Agency is hereby authorized and empowered to acquire by condemnation in its name to be used for said public purposes in accordance with the provisions of the Code of Civil Procedure, the California Community Redevelopment Law, and the Constitution of California relating to eminent domain, the fee title or interest in the Subject Property, including the improvements thereon.

Sec. 7. The Long Beach City Attorney's office, as the Agency's general counsel, is hereby authorized to engage special counsel to prepare and prosecute in the name of the Agency such proceeding or proceedings in the court having jurisdiction thereof as are necessary for such acquisition; and to prepare and file such pleadings, documents, and other instruments and to make such arguments and generally to take such action as may be necessary in the opinion of said attorneys to acquire for the Agency the Subject Property, including the improvements thereon. Said attorneys are specifically authorized to take whatever steps and/or procedures are available to them under the eminent domain law of the State of California.

APPROVED AND ADOPTED by the Redevelopment Agency of the City of

////

Long Beach, California, on this _____ day of _____, 2006.

Executive Director/Secretary

APPROVED:

Chair

HAM:fl
11/30/06
L:\APPS\CtyLaw32\WPDOCS\D030\PO05\00097410.WPD
#06-06275

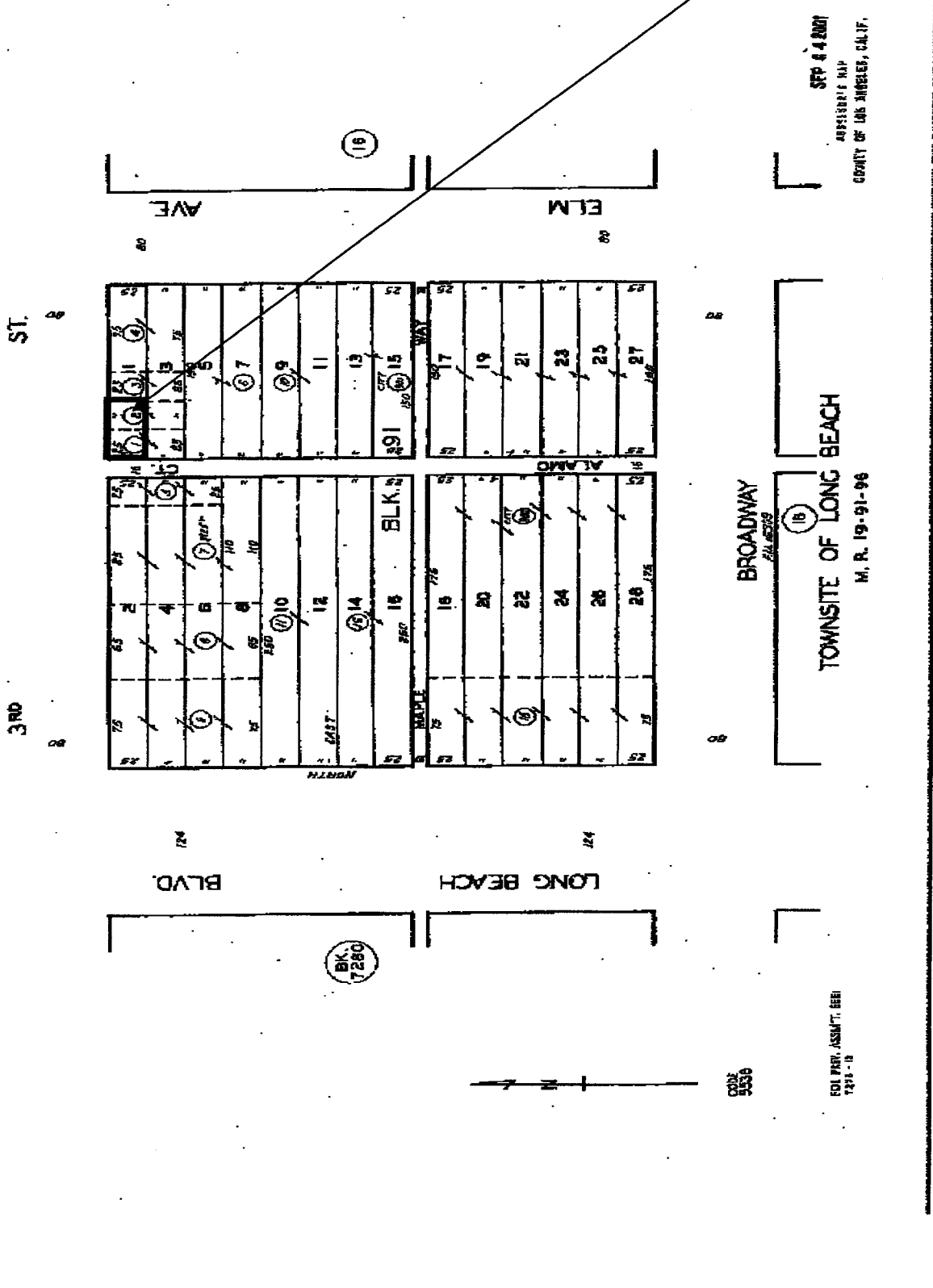
Exhibit A

340-346 E Third St

7281 17
SCALE 1" = 60'

2002

REVISED
8-14-02
7/14/2006
2104/STP06
7/14/06
2104/STP06
3/22/06
2104/STP06
2006/08/03/04/05/06/07/08



SFP # 4 2001
ASSISTANT CITY
COUNTY OF LOS ANGELES, CALIF.

BROADWAY
TOWNSITE OF LONG BEACH
M. R. 19-91-96

CODE
5336

FOR PART. ASSUM'T: SEE
1295-18

RESOLUTION NO. R. A.

A RESOLUTION OF THE REDEVELOPMENT
AGENCY OF THE CITY OF LONG BEACH, CALIFORNIA,
FINDING AND DETERMINING THE PUBLIC INTEREST
AND NECESSITY FOR ACQUIRING AND AUTHORIZING
THE CONDEMNATION OF CERTAIN REAL PROPERTY
(352 -390 EAST 3rd STREET) WITHIN THE DOWNTOWN
LONG BEACH REDEVELOPMENT PROJECT AREA

WHEREAS, the Redevelopment Agency of the City of Long Beach,
California ("Agency"), pursuant to the provisions of the Community Redevelopment Law
of the State of California, Health and Safety Code Section 33000, *et seq.*, is engaged in
redevelopment activities necessary for the execution of the Redevelopment Plan
("Redevelopment Plan") for the Downtown Long Beach Redevelopment Project Area
("Redevelopment Project"); and

WHEREAS, the Agency desires to implement the Redevelopment Plan for
the Redevelopment Project by acquiring and assembling certain parcels of real
property, including the real property located at 352-390 East 3rd Street, Long Beach,
California more particularly described as:

THE EAST 75 FEET OF LOTS 1 AND 3 IN BLOCK 91 IN
THE TOWN SITE OF LONG BEACH, COUNTY OF LOS
ANGELES, STATE OF CALIFORNIA, AS PER MAP
RECORDED IN BOOK 19 PAGE 91 ET SEQ., OF
MISCELLANEOUS RECORDS, IN THE OFFICE OF THE

OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING UNTIL MAY 31, 1975, ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES IN, UNDER OR THAT MAY BE PRODUCED AND SAVED FROM THOSE PORTIONS OF THE HEREINABOVE DESCRIBED LANDS LOCATED 500 FEET OR MORE, BELOW THE SURFACE THEREOF, TOGETHER WITH ALL RIGHTS OF EVERY KIND AND DESCRIPTION WHATSOEVER TO DRILL FOR OR THROUGH, DEVELOP, TAKE, REMOVE AND SEVER THE SAME, OR ANY PART THEREOF, FROM SAID LANDS, PROVIDED THAT GRANTOR SHALL NOT HAVE THE RIGHT TO USE THE SURFACE OF SAID LANDS, OR ANY PORTION THEREOF LESS THAN 500 FEET BELOW THE SURFACE IN CONNECTION WITH THE DEVELOPMENT OR REMOVAL OF SAID OIL, GAS AND OTHER HYDROCARBON SUBSTANCES. SUBSEQUENT TO JUNE 1, 1975 ALL INTEREST OF GRANTOR IN AND TO THAT CERTAIN OIL AND GAS LEASE RECORDED OCTOBER 19, 1955 IN BOOK 49271 PAGE 420, OFFICIAL RECORDS, SHALL INSURE TO THE THEN RECORD OWNERS OF SAID PROPERTY, AS RESERVED BY PHYLLIS B. SANDISON, A WIDOW BY DEED RECORDED JUNE 1, 1970 AS INSTRUMENT NO. 20, OF OFFICIAL RECORDS OF LOS ANGELES.

and as shown on the site plan attached hereto as Exhibit A, and incorporated herein by this reference ("Subject Property"); and

WHEREAS, the Agency has given written notice by first class mail at least fifteen (15) days prior to the date of this resolution to those persons whose property is to be acquired by eminent domain and whose names and addresses appear on the last equalized Los Angeles County assessment roll; and

WHEREAS, the Agency's notice to those persons sets forth the intent of the Agency to adopt a Resolution of Necessity for acquisition by eminent domain of the Subject Property, and further provides that such persons shall have a right to appear

and to be heard on the matters referred to in Code of Civil Procedure Section 1240.030, and further provides that failure of such persons to file a written notice of intent to appear and to be heard within fifteen (15) days following the date of mailing of the Agency's notice shall result in a waiver of such right, and further contained all of the other matters required by Code of Civil Procedure Section 1245.235;

NOW, THEREFORE, the Redevelopment Agency of the City of Long Beach, California, resolves as follows:

Section 1. The public interest and necessity requires the acquisition of the Subject Property, including the improvements thereon, for a public use, to wit, for redevelopment purposes in connection with and located in the Redevelopment Project, pursuant to the Redevelopment Plan and the California Community Redevelopment Law.

Sec. 2. The Agency is authorized to acquire the Subject Property, including the improvements thereon, pursuant to the California Community Redevelopment Law, including but without limitation, Health and Safety Code Section 33391(b).

Sec. 3. The Redevelopment Project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury.

Sec. 4. The Subject Property is necessary for the proposed project.

Sec. 5. The offer required by Government Code Section 7267.2(a), together with the accompanying statement of, and summary of the basis for, the amount established as just compensation, was made to the owner or owners of record,

which offer and accompanying statement/summary were in a form and contained all of the factual disclosures provided by Government Code Section 7267.2(a).

Sec. 6. The Agency is hereby authorized and empowered to acquire by condemnation in its name to be used for said public purposes in accordance with the provisions of the Code of Civil Procedure, the California Community Redevelopment Law, and the Constitution of California relating to eminent domain, the fee title or interest in the Subject Property, including the improvements thereon.

Sec. 7. The Long Beach City Attorney's office, as the Agency's general counsel, is hereby authorized to engage special counsel to prepare and prosecute in the name of the Agency such proceeding or proceedings in the court having jurisdiction thereof as are necessary for such acquisition; and to prepare and file such pleadings, documents, and other instruments and to make such arguments and generally to take such action as may be necessary in the opinion of said attorneys to acquire for the Agency the Subject Property, including the improvements thereon. Said attorneys are specifically authorized to take whatever steps and/or procedures are available to them under the eminent domain law of the State of California.

APPROVED AND ADOPTED by the Redevelopment Agency of the City of Long Beach, California, on this _____ day of _____, 2006.

Executive Director/Secretary

APPROVED:

Chair

HAM:fi
12/1/06
L:\APPS\CtyLaw32\WPDOCS\D001\005\00097418.WPD; #06-06276

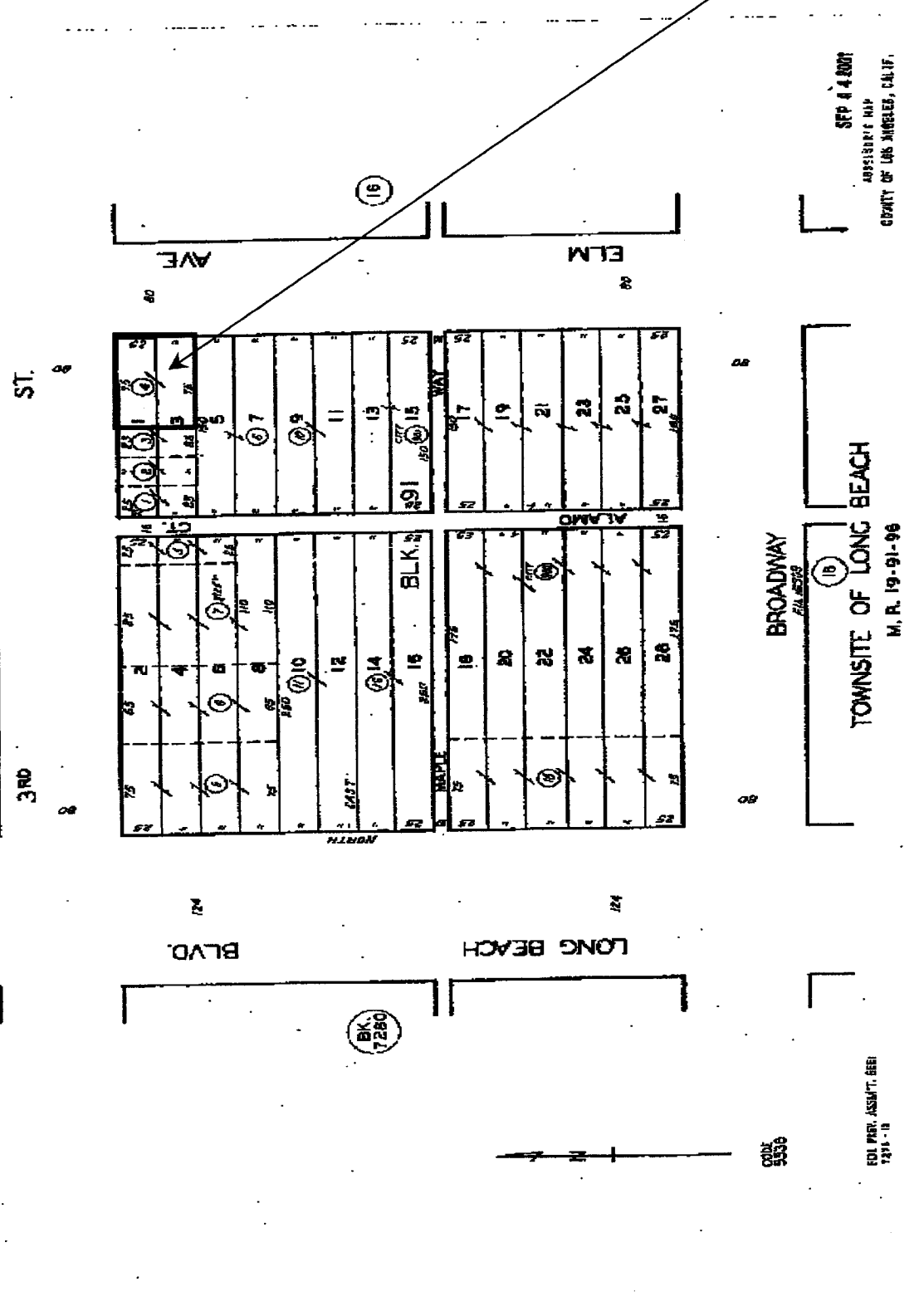
Exhibit A

352-390 E 3rd St

74
SCL

PLANNED
JULY 20
6-14-02
7/10/15/06
7/26/06
7/26/06
5/7/26/06
2007/08/06/2008/08/08/09/08

7281 17
SCALE 1" = 60'
2002



SEP 4 4 2007
ASSessor's MAP
COUNTY OF LOS ANGELES, CALIF.

BROADWAY
TOWNSITE OF LONG BEACH
M. R. 19-91-96

CODE
9536

FOR MORE ASSUMPT. SEE
1251-13

RESOLUTION NO. R. A.

A RESOLUTION OF THE REDEVELOPMENT
AGENCY OF THE CITY OF LONG BEACH, CALIFORNIA,
FINDING AND DETERMINING THE PUBLIC INTEREST
AND NECESSITY FOR ACQUIRING AND AUTHORIZING
THE CONDEMNATION OF CERTAIN REAL PROPERTY
(269 ELM AVENUE) WITHIN THE DOWNTOWN LONG
BEACH REDEVELOPMENT PROJECT AREA

WHEREAS, the Redevelopment Agency of the City of Long Beach, California ("Agency"), pursuant to the provisions of the Community Redevelopment Law of the State of California, Health and Safety Code Section 33000, *et seq.*, is engaged in redevelopment activities necessary for the execution of the Redevelopment Plan ("Redevelopment Plan") for the Downtown Long Beach Redevelopment Project Area ("Redevelopment Project"); and

WHEREAS, the Agency desires to implement the Redevelopment Plan for the Redevelopment Project by acquiring and assembling certain parcels of real property, including the real property located at 269 Elm Avenue, Long Beach, California more particularly described as:

LOTS 5 AND 7 IN BLOCK 91 IN THE TOWN SITE OF
LONG BEACH, COUNTY OF LOS ANGELES, STATE OF
CALIFORNIA, AS PER MAP RECORDED IN BOOK 19
PAGE 91 OF MISCELLANEOUS RECORDS, IN THE
OFFICE OF THE COUNTY RECORDER OF SAID

COUNTY.

EXCEPT ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES LYING IN AND UNDER SAID LAND BELOW A DEPTH OF 200 FEET FROM THE SURFACE THEREOF, BUT WITHOUT THE RIGHT OF SURFACE ENTRY, AS RESERVED BY FERN MOSS, A WIDOW, HAROLD G. HOPKINS AND THELMA J. HOPKINS ALSO KNOWN AS JOAN HOPKINS, HUSBAND AND WIFE AND BETTY S. DAVIS, A WIDOW, IN DEED RECORDED JULY 22, 1971 AS INSTRUMENT NO. 538, OF OFFICIAL RECORDS OF LOS ANGELES.

and as shown on the site plan attached hereto as Exhibit A, and incorporated herein by this reference ("Subject Property);

WHEREAS, the Agency has given written notice by first class mail at least fifteen (15) days prior to the date of this resolution to those persons whose property is to be acquired by eminent domain and whose names and addresses appear on the last equalized Los Angeles County assessment roll; and

WHEREAS, the Agency's notice to those persons sets forth the intent of the Agency to adopt a Resolution of Necessity for acquisition by eminent domain of the Subject Property, and further provides that such persons shall have a right to appear and to be heard on the matters referred to in Code of Civil Procedure Section 1240.030, and further provides that failure of such persons to file a written notice of intent to appear and to be heard within fifteen (15) days following the date of mailing of the Agency's notice shall result in a waiver of such right, and further contained all of the other matters required by Code of Civil Procedure Section 1245.235;

NOW, THEREFORE, the Redevelopment Agency of the City of Long Beach, California, resolves as follows:

Section 1. The public interest and necessity requires the acquisition of the Subject Property, including the improvements thereon, for a public use, to wit, for redevelopment purposes in connection with and located in the Redevelopment Project, pursuant to the Redevelopment Plan and the California Community Redevelopment Law.

Sec. 2. The Agency is authorized to acquire the Subject Property, including the improvements thereon, pursuant to the California Community Redevelopment Law, including but without limitation, Health and Safety Code Section 33391(b).

Sec. 3. The Redevelopment Project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury.

Sec. 4. The Subject Property is necessary for the proposed project.

Sec. 5. The offer required by Government Code Section 7267.2(a), together with the accompanying statement of, and summary of the basis for, the amount established as just compensation, was made to the owner or owners of record, which offer and accompanying statement/summary were in a form and contained all of the factual disclosures provided by Government Code Section 7267.2(a).

Sec. 6. The Agency is hereby authorized and empowered to acquire by condemnation in its name to be used for said public purposes in accordance with the provisions of the Code of Civil Procedure, the California Community Redevelopment Law, and the Constitution of California relating to eminent domain, the fee title or interest in the Subject Property, including the improvements thereon.

Sec. 7. The Long Beach City Attorney's office, as the Agency's general counsel, is hereby authorized to engage special counsel to prepare and prosecute in the name of the Agency such proceeding or proceedings in the court having jurisdiction thereof as are necessary for such acquisition; and to prepare and file such pleadings, documents, and other instruments and to make such arguments and generally to take such action as may be necessary in the opinion of said attorneys to acquire for the Agency the Subject Property, including the improvements thereon. Said attorneys are specifically authorized to take whatever steps and/or procedures are available to them under the eminent domain law of the State of California.

APPROVED AND ADOPTED by the Redevelopment Agency of the City of Long Beach, California, on this ____ day of _____, 2006.

APPROVED AND ADOPTED by the Redevelopment Agency of the City of Long Beach, California, on this ____ day of _____, 2006.

Executive Director/Secretary

APPROVED:

Chair

HAM:fl
12/1/06
L:\APPS\CtyLaw32\WPDOCS\D001\P005\00097420.WPD
#06-06274

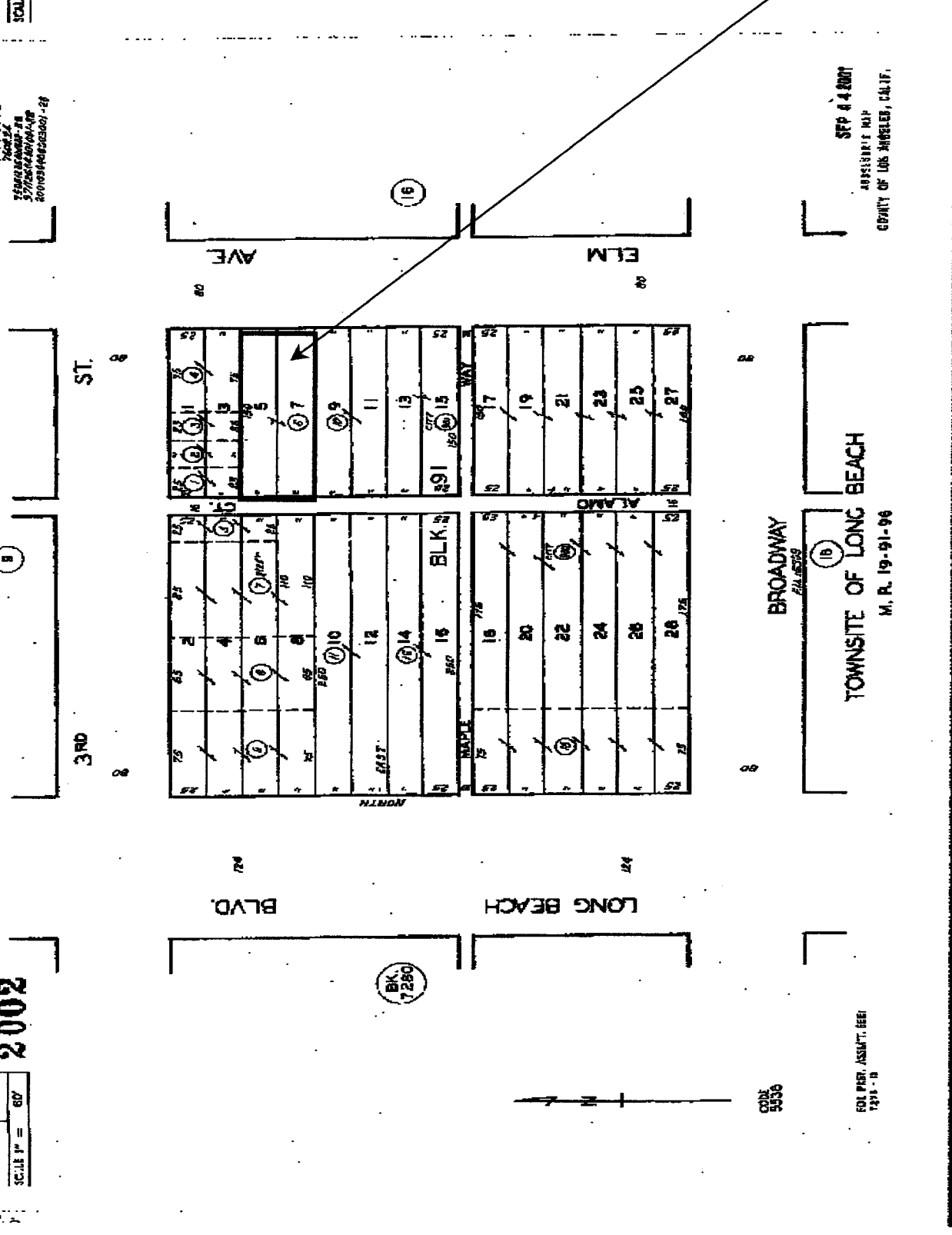
Exhibit A

269 Elm Ave

71
SCL

REVISED
JULY 2007
6-14-05
7/04/2006
NOVELL
TERRILL
5770000000-28
5770000000-08
5770000000-08
5770000000-08

7281 17
SCALE 1" = 60'
2002



SEP 6 4 2007
APPROPRIATE MAP
CITY OF LOS ANGELES, CALIF.

BROADWAY
SALAS

TOWNSITE OF LONG BEACH
M. R. 19-91-96

CODE
5536

FOR PER. ASSUMPT. SEE:
1251 - 10