

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
(1730 MAGNOLIA AVENUE) WITHIN THE CENTRAL
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 Central 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 acquiring fee simple title to the real property located at 1730 Magnolia Avenue, Long Beach, CA 90813 (APN 7269-037-017) and more particularly described as follows:

THE EAST 73 FEET OF LOTS 5 AND 6 IN BLOCK 1 OF
PACIFIC HOME TRACT, IN THE CITY OF LONG BEACH,
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS

PER MAP RECORDED IN BOOK 6 PAGE 17 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES, LYING BELOW A DEPTH OF 500 FEET WITHOUT THE RIGHT OF SURFACE ENTRY, AS RESERVED IN INSTRUMENTS OF RECORDS.

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

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

WHEREAS, pursuant to the California Environmental Quality Act, the acquisition of these properties is categorically exempt under Public Resources Code, Division 13, Section 15301 as the acquisition activities contemplated are not intended to expand the use beyond that which currently exists; and

WHEREAS, said notice states forth the intent of the governing body 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 be heard on the matters referred to in Code of Civil Procedure Section 1240.030 and on compliance with the requirements of Government Code Section 7267.2, 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 that notice shall

result in a waiver of such right;

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

Section 1. The public interest and necessity require the Redevelopment Project.

Sec. 2. The Redevelopment Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

Sec. 3. The Subject Property is necessary for the proposed project.

Sec. 4. The offer required by Government Code Section 7267.2(a), was made to the owner or owners of record.

Sec. 5. The law firm of Nossaman, Guthner, Knox, and Elliott, LLP, as special legal counsel, is authorized and directed to take all steps necessary to commence legal proceedings, in a court of competent jurisdiction, to acquire the property described herein by eminent domain. Said law firm is also authorized and directed to seek and obtain an Order of Possession of said property interest in accordance with the provisions of the eminent domain law.

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

Executive Director/Secretary

APPROVED:

Chair

Exhibit A

County of Los Angeles: Rick Auerbach, Assessor

