

RESOLUTION NO. R. A. 15-2010

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 LEASEHOLD
INTERESTS IN REAL PROPERTY AND FIXTURES AND
EQUIPMENT PERTAINING TO REAL PROPERTY (925-945
EAST PACIFIC COAST HIGHWAY) 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 certain leasehold interests in real property, and fixtures and equipment pertaining to the realty, located at 925-945 East Pacific Coast Highway, Long Beach, California more particularly described as:

ANY AND ALL LEASES OR LEASEHOLD INTERESTS AND ANY AND ALL LESSEES' FIXTURES AND EQUIPMENT PERTAINING TO THE REAL PROPERTY LOCATED AT 925-945 EAST PACIFIC COAST HIGHWAY, LONG BEACH, CALIFORNIA, WHICH REAL PROPERTY IS LEGALLY DESCRIBED AS FOLLOWS:

LOT 22, 23 AND 24 OF RESUBDIVISION OF THE WERNER TRACT, IN

THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 10, PAGE 47, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THERE FROM ALL MINERAL AND ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES IN AND UNDER SAID LAND BELOW A DEPTH OF 500 FEET, WITHOUT THE RIGHT OF SURFACE ENTRY, AS RESERVED IN DEED FROM ATLANTIC RICHFIELD COMPANY, RECORDED MAY 27, 1976 AS INSTRUMENT NO. 758, OFFICIAL RECORDS.

ASSESSOR PARCEL NUMBERS: 7210-013-900 AND 7210-013-901 (FORMERLY KNOWN AS ASSESSOR PARCEL NUMBERS 7210-013-024 AND 7210-013-025)

and as shown on the site plan attached hereto as Exhibit "A", and incorporated herein by this reference. Said leases and/or leasehold interests and fixtures and equipment are herein referred to as the "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 as well as the owners of the leasehold interest; 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, FINDS, DETERMINES, DECLARES AND RESOLVES as follows:

Section 1. The public interest and necessity requires the acquisition of the Subject Property for a public use, to wit, the elimination of blight and blighting influences, pursuant to the Redevelopment Plan and the California Community Redevelopment Law.

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

Section 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.

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

Section 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 the Subject Property 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).

Section 6. The Agency is hereby authorized and empowered to acquire the Subject Property 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.

Section 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. 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 2nd day of August, 2010.



Executive Director/Secretary

APPROVED:



Chair

Exhibit A

925-945 EAST PACIFIC COAST HIGHWAY

925-945 East Pacific Coast Highway
APNs: 7210-013-900 and 7210-013 901
(formerly known as 7210-013-024
and 7210-013-025)

