

RESOLUTION NO. R.A. 22-2009

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 (552 EAST WILLOW STREET) 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 real property, and fixtures and equipment pertaining to the realty, located at 552 East Willow Street, 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 552 EAST WILLOW STREET, LONG BEACH, CALIFORNIA, WHICH REAL PROPERTY IS LEGALLY DESCRIBED AS FOLLOWS:

LOTS 6 and 7 IN BLOCK 1 OF JUNCTION  
PARK TRACT, IN THE CITY OF LONG  
BEACH, COUNTY OF LOS ANGELES, STATE  
OF CALIFORNIA, AS PER MAP RECORDED  
IN BOOK 8, PAGE 97 OF MAPS, IN THE  
OFFICE OF THE COUNTY RECORDER OF  
SAID COUNTY.

ASSESSOR PARCEL NUMBER: 7208-006-918

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 interests; 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.

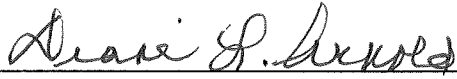
Section 7. The Long Beach City Attorney's office, as the Agency's general counsel, is hereby authorized to engage special counsel to prepare and prosecute in the name of the Agency such proceeding or proceedings in the court having jurisdiction thereof as are necessary for such acquisition; and to prepare 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 3<sup>rd</sup> day of August, 2009.

  
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Exec. Director/Secretary

APPROVED:

  
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Chair