

# REGIONAL TRANSIT ISSUE PAPER

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
14	12/14/09	Open	Action	12/03/09

Subject: Setting Public Hearing to Consider Adoption of a Resolution of Necessity for Property (Welch Property) located at 7915 Ann Arbor Way, Sacramento CA 95823, APN: 053-0141-021.

## ISSUE

Setting a public hearing to consider adoption of a resolution of necessity for property located at 7915 Ann Arbor Way, further identified as Sacramento County Assessor's Parcel Number 053-0141-021.

## RECOMMENDED ACTION

Adopt Resolution No. 09-12 - \_\_\_\_\_, Setting a Public Hearing to Consider Adoption of a Resolution of Necessity for Property Located at 7915 Ann Arbor Way, Further Identified as Sacramento County Assessor's Parcel Number 053-0141-021.

## FISCAL IMPACT

None.

## DISCUSSION

The Property located at 7915 Ann Arbor Way, (Sacramento County Assessor's Parcel Number 053-0141-021) "the Subject Property" is needed for construction of RT's South Sacramento Corridor Phase 2 Project (SSCP2).

On August 19, 2009, pursuant to authority granted by the Board, RT made formal offers in the amount of its approved appraisal to the owners to purchase the Subject Property pursuant to Government Code Section 7267.2. Negotiations with two of the owners have been successful and negotiation with a third owner is pending. Negotiations with one remaining owner have not been successful and this negotiation is now at an impasse.

State law requires that RT hold a public hearing regarding the intent to adopt a resolution of necessity prior to filing an action in eminent domain, give notice to all persons listed on the last equalized County assessment roll, and allow at least 15 days for owners to respond to the notice. At the hearing, staff will present the need and necessity for the property. Owners and any others with an interest in the property will be given an opportunity to be heard. Adoption of the resolution of necessity requires a two-thirds vote of the Board.

The action currently before the Board is setting the date and time for the public hearing, which will be held at the regularly scheduled Board meeting on January 11, 2009. Staff recommends

Approved:

  
General Manager/CEO

Presented:

  
Director of Real Estate

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approval of the attached resolution setting a public hearing for adoption of a resolution of necessity for the property located at 7915 Ann Arbor Way (APN: 053-0141-021).

RESOLUTION NO. 09-12-\_\_\_\_\_

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

December 14, 2009

**SETTING A PUBLIC HEARING TO CONSIDER ADOPTION OF A RESOLUTION OF  
NECESSITY FOR PROPERTY LOCATED AT 7915 ANN ARBOR WAY, FURTHER  
IDENTIFIED AS SACRAMENTO COUNTY ASSESSOR'S  
PARCEL NUMBER 053-0141-021**

BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE  
SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, a public hearing is set for January 11, 2010 to hear public testimony regarding adoption of a resolution of necessity for the property located at 7915 Ann Arbor Way, (further identified as Sacramento County Assessor's Parcel Number 053-0141-021) owned by William Harold Welch (AKA Salih Akil Qawi), Gaye Juanita Welch-Brown, Gladys Gelene Welch, Mattie Lue Welch, and Vermelle G. Welch.

\_\_\_\_\_  
STEVE COHN, Chair

A T T E S T:

MICHAEL R. WILEY, Secretary

By: \_\_\_\_\_  
Cindy Brooks, Assistant Secretary