

CITY OF SAN ANSELMO

RESOLUTION NO. 782<sup>a</sup>

A RESOLUTION AUTHORIZING AND ORDERING THE CONDEMNATION OF CERTAIN REAL PROPERTY REPUTED TO BE OWNED BY AMOS STACKHOUSE AND ANNA A. STACKHOUSE, HIS WIFE, IN THE CITY OF SAN ANSELMO, STATE OF CALIFORNIA.

WHEREAS, the public convenience and necessity require the acquisition of an easement in, over, and upon the hereinafter described real property for the construction and maintenance of a storm water culvert and appurtenances,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of San Anselmo, and the City Council does hereby find and declare as follows, to wit:

1. That the public interest and necessity require the acquisition of an easement and right of way in, over and upon the hereinafter described real property for the construction and maintenance of a storm water culvert and appurtenances.

2. That it is hereby found necessary, and the City Council does hereby resolve that all of that said hereinafter described property is necessary to be taken for the easement and right of way purposes hereinabove set forth, and is required as aforesaid by the public interest and necessity.

3. That the following is a particular description of all that certain real property situate in the City of San Anselmo, County of Marin, State of California, described as follows:

All that parcel of land in the City of San Anselmo, County of Marin, beginning at a point on the subdivision line between lots 199 and 200, as said lots are shown on the Bush Tract Amended Map of 1905, recorded November 28, 1905 in Book 3 of Maps at page 78, Marin County Records; distant on said line, S.74°28'E. 107.51 feet from the most westerly corner of said Lot 199 and running thence along the exterior boundary of said Stackhouse property; S.39°15'W. 10.66 feet, S.59°17'24"E. 72.76 feet and N.39°15'E. 41.0 feet; thence crossing said property, S.88°30'W.37.0 feet and N.42°00'W.44.0 feet to the northwesterly boundary of said Stackhouse; thence S.39°15'W.23.34 feet to the point of beginning.

4. That the use for which said property is to be

taken is necessary for the function of the City of San Anselmo as a city of the sixth class, and the taking thereof is authorized by law, and that all of said land is to be used for the purposes hereinabove mentioned.

5. That the City Attorney be, and he is hereby, ordered and directed to forthwith prepare and file on behalf of the City of San Anselmo, a municipal corporation, an action in the Superior Court of the State of California in and for the County of Marin, to condemn a right of way in, over and upon all of the hereinabove described property for the public use and purposes hereinabove set forth, to wit: For the construction and maintenance of a storm water culvert and appurtenances, and the City Engineer of the City of San Anselmo is hereby authorized and directed to sign and verify said complaint, and said City Engineer and said City Attorney are authorized and directed and empowered to do any and all other acts and things necessary to acquire immediate possession and to complete the condemnation of the hereinabove described lands, to the end that the City of San Anselmo, a municipal corporation, shall have an easement and right of way over the property described as aforesaid.

The foregoing Resolution was duly passed and adopted at regular adjourned meeting of the City Council of the City of San Anselmo held in said City on the 8th day of April, 1959, and passed by the following vote:

AYES: Councilman: Booth, Martinelli, Little, Franchini, Smith

NOES: Councilman: none

ABSENT: Councilmen: none

ATTEST:

Anita Gannon  
ANITA GANNON, City Clerk

Arthur W. Smith  
ARTHUR W. SMITH, Mayor