

CITY OF SAN ANSELMO

RESOLUTION NO. 1061

A RESOLUTION DETERMINING AND DECLARING THAT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY OF THE CITY OF SAN ANSELMO REQUIRE THE ACQUISITION, CONSTRUCTION, OPERATION AND MAINTENANCE OF A PUBLIC VEHICULAR PARKING LOT AND APPURTENANCES THERETO ON CERTAIN REAL PROPERTY REPUTEDLY OWNED BY JOHN ONGARO NEAR SIR FRANCIS DRAKE BOULEVARD, AS PARTICULARLY DESCRIBED IN THIS RESOLUTION, ALL WITHIN THE COUNTY OF MARIN, STATE OF CALIFORNIA; AND THAT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY DEMAND THE ACQUISITION OF SAID CERTAIN REAL PROPERTY TO BE USED BY THE CITY FOR THE CONSTRUCTION, MAINTENANCE AND OPERATION OF SAID PUBLIC VEHICULAR PARKING LOT WITHIN THE AREA AFORESAID; AND DECLARING THE INTENTION OF THE CITY OF SAN ANSELMO TO ACQUIRE SAID PROPERTY IN FEE SIMPLE UNDER EMINENT DOMAIN PROCEEDINGS, AND DIRECTING THE CITY ATTORNEY OF THE CITY OF SAN ANSELMO TO COMMENCE AN ACTION IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE COUNTY OF MARIN, FOR THE PURPOSE OF ACQUIRING SAID REAL PROPERTY, FOR A PUBLIC VEHICULAR PARKING LOT.

BE IT RESOLVED by the City Council of the City of San Anselmo as follows:

Section 1. The public interest, convenience and necessity of said City and the inhabitants thereof demand the acquisition and taking of the hereinafter described real property, in fee simple, for the construction, operation and maintenance of a public vehicular parking lot and appurtenances thereto.

Section 2. The property to be condemned is described in particularity in Exhibit A. attached hereto and incorporated herein as though fully set forth and thereby made a part hereof.

Section 3. Said property to be condemned is further delineated in a plat designated as Exhibit B. attached hereto and made a part hereof.

Section 4. The taking and acquiring by said City of the property described in said Exhibit A. is deemed necessary for the construction, operation and maintenance of said public vehicular parking lot and appurtenances thereto by the City of

San Anselmo and the inhabitants thereof for a municipal purpose; such use is a public use, and that for such public use it is necessary that the City of San Anselmo condemn and acquire said property; said property is to be used for the construction, operation and maintenance of said public vehicular parking lot and appurtenances thereto.

Section 5. The City Attorney of the City of San Anselmo be, and he is hereby authorized and directed to commence an action in the Superior Court of the State of California, in and for the County of Marin, in the name and on behalf of the City of San Anselmo, against all owners and claimants of the property described in Exhibit A, for the purpose of condemning and acquiring said property for the use of said City.

Section 6. All of the land described herein is necessary for the public use of said City for public vehicular parking purposes and that it is necessary that a fee simple title be taken by said City in said land for said public purposes.

Anita Gannon

CITY CLERK

I, ANITA GANNON, do hereby certify that I am the City Clerk of the City of San Anselmo and that the foregoing Resolution was regularly passed and adopted on ^{Aug. 24}~~July 27~~, 1965, at a regular meeting of the City Council held in the City Hall commencing at 8:00 p.m. of said day, being passed by the following vote:

AYES: COUNCILMEN: FRANCHINI, SMITH, CAPURRO
NOES: COUNCILMEN: CLUTE
ABSENT: COUNCILMEN: REICHMUTH

ATTEST:

Anita Gannon

ANITA GANNON,
City Clerk

DESCRIPTION OF ONGARO PROPERTY PER PACIFIC COAST TITLE COMPANY LITIGATION REPORT
DATED FEBRUARY 1, 1965, APPLICATION NO. 14862-A.

All that certain real property situate in the City of San Anselmo, County of Marin, State of California, described as follows:

PARCEL ONE:

BEGINNING at a point on the Northerly line of the property described in the deed to John J. Ongaro, et ux, recorded January 13, 1944 in Book 460 of Official Records, at page 16, Marin County Records, said point being distant thereon North $76^{\circ} 45' 30''$ West 53.04 feet from the Northeasterly corner of said property; running thence South $2^{\circ} 54'$ West 90.98 feet to a point on the Southerly boundary line of said Ongaro Tract, running thence along said Southerly line South $69^{\circ} 43'$ West 53.24 feet, thence leaving said Southerly line and running North $27^{\circ} 36' 28''$ West 140.39 feet, thence South $87^{\circ} 06'$ East 120.21 feet to a point which bears North $2^{\circ} 54'$ East 9.02 feet from the point of beginning, thence South $2^{\circ} 54'$ West 9.02 feet to the point of beginning.

PARCEL TWO:

An easement for ingress and egress as described in the Deed from John J. Ongaro, et ux, to the Town of San Anselmo, recorded December 14, 1950 in Book 671 of Official Records, at page 203, Marin County Records.

PARCEL THREE:

BEGINNING at a point on the Westerly line of the property described in deed to John J. Ongaro, et ux, recorded January 13, 1944 in Book 460 of Official Records, at page 16, Marin County Records, distant thereon South $27^{\circ} 36' 28''$ East 16.81 feet from the Northwesterly corner of the property described in said deed above referred to; running thence North $87^{\circ} 06'$ West 80 feet, more or less, to the Northeasterly line of that certain public street established by Resolution No. 485 of the Town of San Anselmo, on March 21, 1950 and recorded October 10, 1950 in Book 661 of Official Records, at page 328; running thence along said last named line in a Southeasterly direction 159 feet, more or less, to a point on an extended line which bears North $87^{\circ} 06'$ West from a point on the Southerly line of the aforementioned tract deeded to Ongaro, et ux, which said last mentioned point is distant South $69^{\circ} 43'$ West 56.76 feet from the Southeast corner of said Ongaro Tract, running thence South $87^{\circ} 06'$ East 15 feet, more or less, to the Westerly line of the aforementioned Ongaro Tract, thence along said last mentioned line North $27^{\circ} 36' 28''$ West 116.07 feet to the point of beginning.

PARCEL FOUR:

BEGINNING at the most Southerly corner of that parcel of land described in the Deed to John J. Ongaro, et ux, recorded January 13, 1944 in Book 460 of Official Records, at page 16, Marin County Records, said point being distant thereon South $69^{\circ} 43'$ West 110.00 feet from the Southeast corner thereof, running thence along the Westerly boundary line of said parcel North $27^{\circ} 36' 28''$ West 24.32 feet to a point on the Southerly line of the parcel of land conveyed to John J. Ongaro, by Deed recorded December 14, 1950 in Book 673 of Official Records, at page 148, Marin County Records, running thence along the Southerly line of said parcel North $87^{\circ} 06'$ West 15 feet, more or less, to the Northeasterly line of that certain public street established by Resolution No. 485 of the Town of San Anselmo, on March 21, 1950 and recorded October 10, 1950 in Book 661 of Official Records, at page 328, running thence along said last named line in a Southeasterly direction to the point of beginning.

EXHIBIT A.

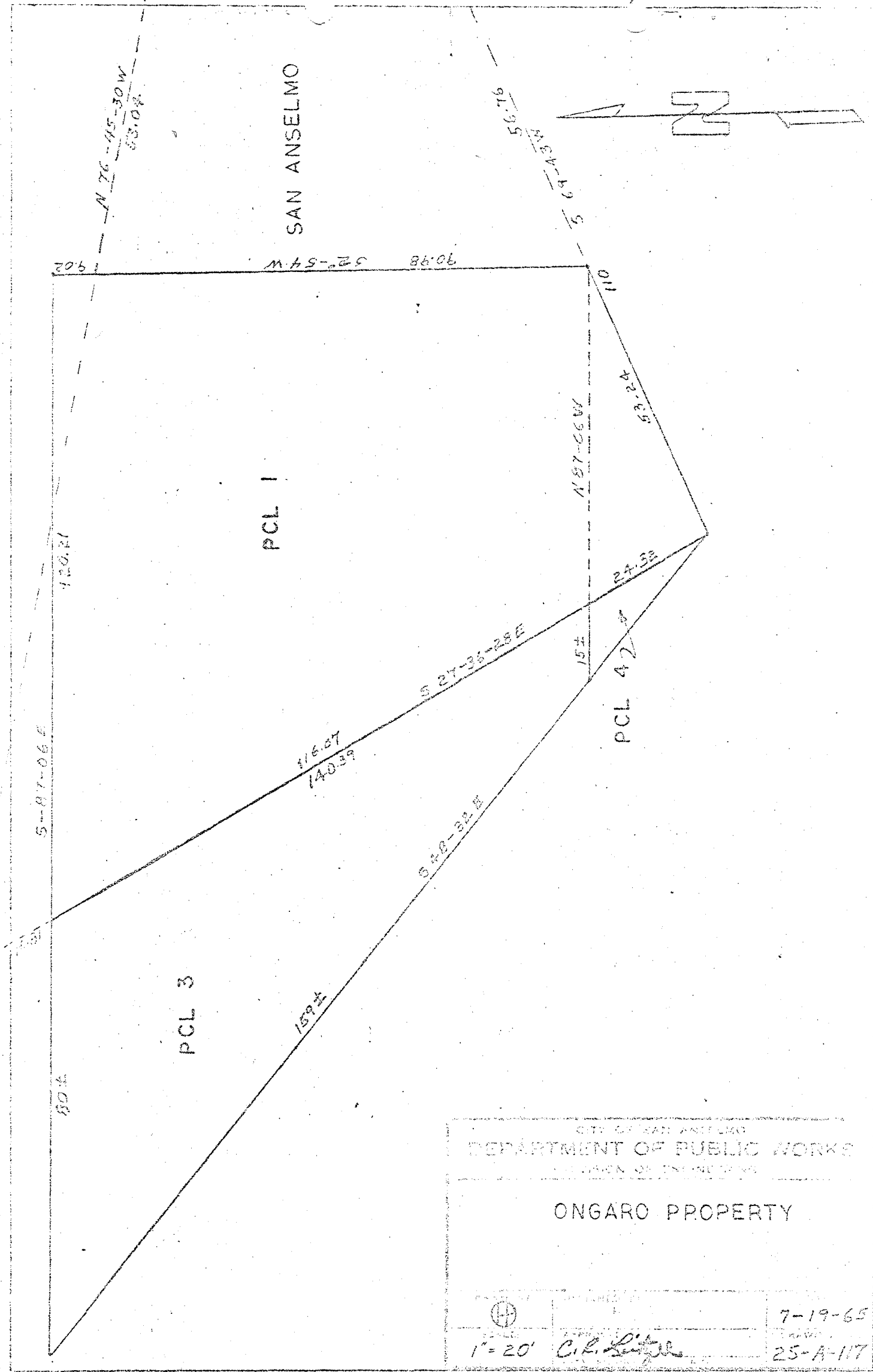


EXHIBIT B.