

CITY OF SAN ANSELMO

RESOLUTION NO. 1176

A RESOLUTION AUTHORIZING AND ORDERING THE ACQUISITION, BY AND THROUGH EMINENT DOMAIN PROCEEDINGS, OF THE UNIMPROVED REAL PROPERTY IN THE CITY OF SAN ANSELMO, OWNED BY EDWARD R. SALZA AND PHYLLIS SALZA, HIS WIFE.

WHEREAS, the City of San Anselmo, County of Marin, State of California, is a sixth class municipal corporation of the State of California; and

WHEREAS, the public interest, welfare, safety and necessity require that said City reconstruct and repair Woodside Drive, a public street which abuts on the real property hereinafter described; and

WHEREAS, the real property hereinafter described abuts on Woodside Drive, a public street, and said real property is owned by Edward R. Salza and Phyllis M. Salza, his wife, but that said property is not being used for any residential or other purpose because of a landslide which occurred during the last winter's rains necessitating the destruction of the dwellinghouse which was located thereon, and the said real property, owned by the said Salzas, is of lesser public interest than the use of said property as a necessary adjunct to the reconstruction and repair of Woodside Drive because said real property is on a downhill slope from Woodside Drive, and the only practical way the reconstruction and rebuilding of Woodside Drive can be accomplished is to utilize a substantial part of the property sought to be condemned to provide adequate support for the said public

street.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. That the foregoing recitals are true, in fact.
2. That the public interest, convenience, safety, welfare and necessity require the acquisition by the said City of the following described real property under the power of eminent domain, in fee simple absolute, as and for a necessary part of the reconstruction and repair of Woodside Drive, a public street, and construction thereon of walls, supports, fills and such other engineering needs as may be necessary to properly support Woodside Drive to insure its future stability and safety as a public street; said property is all that real property in the City of San Anselmo, County of Marin, State of California, and more particularly described as follows:

Lot 31 in Woodland Park, Subdivision Unit #3, Assessor's Parcel 5-271-15, and more commonly known as 90 Woodside Drive, being a parcel of unimproved real property of approximately 10,500 square feet.

3. That the City Attorney of the City of San Anselmo is hereby ordered and directed to commence eminent domain proceedings against the owners of said land and of any and all interest therein or claim thereto for the condemnation thereof for the public use of the City of San Anselmo, as aforesaid, and to obtain immediate possession thereof.

IN WITNESS of the passage of the foregoing resolution in the form and manner prescribed by law, we, the members of

the City Council present and voting for the passage of this resolution, have hereunto set our hands this 31st day of October, 1967.

Arthur W. Smith

Samuel C. Rayan

John M. Reichmuth

Woodrow J. Copuro

ATTEST:

Anita Gannon
ANITA GANNON, City Clerk