

RESOLUTION NO. 9-79

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION OF CERTAIN LAND AND DIRECTING THE FILING OF EMINENT DOMAIN PROCEEDINGS

SEWER AUTHORITY MID-COASTSIDE

PROJECT UNIT 1
INTERTIE PIPELINE

RESOLVED, by the Board of Directors of the Sewer Authority Mid-Coastside, San Mateo County, California, that

WHEREAS, it is necessary and desirable for the Sewer Authority Mid-Coastside to acquire interests in certain real property as more particularly described in Exhibit "A", attached hereto and by this reference made a part hereof, for the purpose of constructing, operating and maintaining sanitary sewer forcemains and appurtenances, together with a pump station, in, over, under, across and upon the aforesaid real property, and

WHEREAS, notice has been properly given as required by and according to the provisions of Section 1245.235 of the Code of Civil Procedure of the State of California and now comes the hearing at which all persons whose property is to be acquired by eminent domain and whose name and address appear on the last equalized county assessment roll have heretofore before the Board of Directors of the Sewer Authority Mid-Coastside been given a reasonable opportunity to appear and be heard on the following matters:

- (a) The public interest and necessity require the acquisitions,
- (b) The acquisitions are planned and located in the manner that will be most compatible with the greatest public good and the least private injury,
- (c) The property sought to be acquired is necessary for the aforesaid improvements, and

WHEREAS, the Sewer Authority Mid-Coastside is a public authority vested with the power to acquire real or personal property of every kind by grant, purchase, gift, devise, lease or eminent

domain by virtue of and under the authority of Division 7, Title 1, Section 6500 et seq. of the Government Code of the State of California.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The public interest and necessity require the acquisition, construction, completion and maintenance of sanitary sewer force-mains and appurtenances together with a pump station in, over, across and upon the parcels of land more particularly described in said Exhibit "A", and to that end the following are necessary for said improvements: (a) the taking of an easement for sanitary sewer force-mains in, over, under, across and upon TRACT I of Parcel A, and TRACT I of Parcel B, together with temporary construction easements, limited in time to June 30, 1981, or such earlier time as the work of improvement may be completed, in, over, across and upon TRACT II of Parcel A and TRACT II of Parcel B, respectively, for the purpose of moving therein and thereon machinery and equipment and removing therefrom excavated material and supplies; and (b) the taking of fee simple title in and to Parcel 2, for a pump station site.

2. Said proposed acquisitions and improvements are planned and located in the manner which will be most compatible with the greatest public good and the least private injury.

3. The law firm of Wilson, Morton, Assaf & McElligott, attorneys for said Sewer Authority Mid-Coastside, be and they are hereby employed to institute and conduct to conclusion actions in eminent domain for the acquisition of the estates and interests aforesaid and to take such action as is necessary therein, and said law firm shall be paid a reasonable fee therefor.

4. Said attorneys are hereby directed to file an action in eminent domain and to obtain an order for prejudgment possession as to Parcels A and B. Tracts I and II, and that a warrant be issued to the County Clerk, San Mateo County, California, in the amount determined by the Court to be so deposited, as a condition to the right of immediate possession. No such direction is given

to said attorneys, at this time, with respect to Parcel 2.



* * * * *

I hereby certify that the foregoing resolution is a full, true and correct copy of a resolution duly and regularly passed and adopted by the Board of Directors of the Sewer Authority Mid-Coastside at a meeting thereof held on the 25th day of April, 1979 by the following vote:


AYES, and in favor thereof, Directors: Leger, Adreveno, Damer, Muth, Shaw, Scott.

NOES, Directors: None

ABSENT, Directors: None


Chairman
Sewer Authority Mid-Coastside
By  S.A.M. MANAGER

COUNTERSIGNED:


Secretary
Sewer Authority Mid-Coastside

DESCRIPTION OF
10 FT. SANITARY SEWER EASEMENT
(LANDS OF HALF MOON BAY PROPERTIES)

Beginning at the most northerly corner of assessment parcel 047-081-040 as shown on Assessor's Map, book 47 at page 81 as filed in the office of the County Assessor of the County of San Mateo, State of California; thence S47°08'50"E, 5.18 feet to the TRUE POINT OF BEGINNING of the centerline of a ten foot Sanitary Sewer Easement; thence S27°35'W, 852.83 feet along said centerline to its intersection with the westerly boundary of said parcel.

Containing 8528 S.F., more or less

PARCEL A, Tract I

EXHIBIT A

EXHIBIT A

DESCRIPTION OF
25 FT. TEMPORARY CONSTRUCTION EASEMENT
(LANDS OF HALF MOON BAY PROPERTIES)

Beginning at the most northerly corner of assessment parcel 047-081-040 as shown on Assessor's Map, book 47, page 81 as filed in the office of the County Assessor of the County of San Mateo, State of California; thence S47°08'50"E, 23.32 feet to the TRUE POINT OF BEGINNING of the centerline of a twenty-five foot Temporary Construction Easement; thence S27°35'W, 858.22 feet along said centerline to its intersection with the westerly boundary of said parcel.

Containing 21,452 S.F., more or less

PARCEL A, Tract II

EXHIBIT A

EXHIBIT A

DESCRIPTION OF
10 FT. SANITARY SEWER EASEMENT
(LANDS OF SAN MATEO COUNTY HARBOR DISTRICT)

Beginning at the most southerly corner of assessment parcel 047-262-010 as shown on Assessor's Map, book 47 at page 26 as filed in the office of the County Assessor of the County of San Mateo, State of California, thence, N64°07'20"W, 1020 feet along the southerly line of said parcel to the TRUE POINT OF BEGINNING of the centerline of a ten foot wide Sanitary Sewer Easement; thence N27°06'06"E, 155 feet along said centerline of said easement to its intersection with the northerly boundary of said parcel.

Containing 1550 S.F., more or less

PARCEL B, Tract I

EXHIBIT A

DESCRIPTION OF
25 FT. TEMPORARY CONSTRUCTION EASEMENT
(LANDS OF SAN MATEO COUNTY HARBOR DISTRICT)

Beginning at the most southerly corner of assessment parcel 047-262-010 as shown on Assessor's Map, book 47 at page 26 as filed in the office of the County Assessor of the County of San Mateo, State of California. Thence N64°07'20"W, 1002.5 feet along the southerly line of said parcel to the TRUE POINT OF BEGINNING of the centerline of a twenty-five foot side Temporary Construction Easement. Thence N27°06'06"E, 155 feet along said centerline of said easement to its intersection with the northerly boundary of said parcel.

Containing 3875 S.F., more or less

PARCEL B, Tract II

EXHIBIT A

DESCRIPTION OF
PARCEL 2
(LANDS OF SAN MATEO COUNTY HARBOR DISTRICT)

Beginning at the southwest corner of Parcel 2, as shown on the Parcel Map "Lands of San Mateo County Harbor District", which map was filed in the office of the Recorder of the County of San Mateo, State of California, on March 20, 1979 in Volume 46 of Maps at Page 20; thence $N28^{\circ}08'42''E$, 125.14 feet to the northwest corner of said Parcel 2; thence along a curve to the right, having a radius of 5759.65 feet, concave to the southwest, whose radius point bears $S25^{\circ}30'31''W$, through a central angle of $1^{\circ}14'37''$, and an arc length of 125.01 feet to the northeast corner of Parcel 2, thence $S28^{\circ}08'42''W$, 125.04 feet along the common boundary of Parcel 1 and Parcel 2 to the southeast corner of Parcel 2; thence along a curve to the left, having a radius of 5634.65 feet, concave to the southwest whose radius point bears $S26^{\circ}43'17''W$, through a central angle of $1^{\circ}16'16''$, and an arc length of 125.01 feet to the Point of Beginning.

Containing 15,626.93 square feet, more or less

EXHIBIT A