

RESOLUTION NO. 83-44

RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF RIDGECREST, CALIFORNIA
SETTING TIME AND PLACE FOR PUBLIC
HEARING ON ADOPTION OF RESOLUTION
OF NECESSITY TO ORDER ACQUISITION
BY EMINENT DOMAIN PROCEEDINGS

WHEREAS, the CITY COUNCIL of the CITY OF RIDGECREST, CALIFORNIA, is conducting proceedings for a special assessment district pursuant to the terms and provisions of the "Municipal Improvement Act of 1913", being Division 12 of the Streets and Highways Code of the State of California, for the construction of certain public works of improvement, together with appurtenances and appurtenant work in connection therewith, including acquisition where necessary; said special assessment district known and designated as

1983 IMPROVEMENT PROJECT
ASSESSMENT DISTRICT NO. 14

(hereinafter referred to as the "Assessment District"); and,

WHEREAS, under said special assessment district proceedings, it will be necessary that certain right-of-way acquisition be made in order to accomplish the construction of the works of improvement as proposed, and at this time this governing body is desirous of setting a time and place for a public hearing on the adoption of a Resolution of Necessity relating to the rights-of-way and/or easements not yet acquired for the project and improvements in said Assessment District; and,

WHEREAS, there has been presented for consideration, a proposed Resolution of Necessity to Exercise the Right of Eminent Domain relating to this Assessment District, a copy of which is on file with the transcript of these proceedings.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That certain right-of-way acquisition is necessary for the accomplishment of the improvements as proposed for the Assessment District, and said rights-of-way are as set forth and described in the proposed Resolution of Necessity to Exercise the Right of Eminent Domain, a copy of which is on file with the transcript of these proceedings, with an Exhibit attached thereto setting forth the proper and legal description of all rights-of-way to be acquired.

SECTION 3. THAT NOTICE IS HEREBY GIVEN THAT ON SATURDAY, THE 23RD DAY OF JULY, 1983, AT THE HOUR OF 10:00 O'CLOCK A.M., IN THE COUNCIL CHAMBERS, CITY HALL, ANY AND ALL PERSONS WHERE EASEMENTS OR RIGHTS-OF-WAY ARE TO BE ACQUIRED, WILL HAVE AN OPPORTUNITY TO APPEAR AND TO BE HEARD ON THE MATTER OF THE ADOPTION OF THE RESOLUTION OF NECESSITY TO EXERCISE THE RIGHT OF EMINENT DOMAIN TO ACQUIRE EASEMENTS AND RIGHTS-OF-WAY NECESSARY FOR THE PROPOSED IMPROVEMENTS IN THE ASSESSMENT DISTRICT.

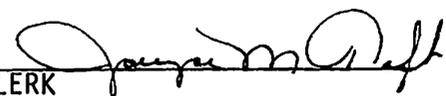
ALL PERSONS OBJECTING TO THE PUBLIC INTEREST AND NECESSITY FOR THE PROJECT AND THE DETERMINATION AS TO WHETHER OR NOT THE PROJECT IS PLANNED OR LOCATED IN THE MANNER WHICH WILL BE MOST COMPATIBLE WITH THE GREATEST PUBLIC GOOD, AND THE NECESSITY FOR THE PROPERTY TO BE ACQUIRED, SHOULD BE PRESENT AT SAID TIME AND PLACE. PURSUANT TO SECTION 1245.235 OF THE CODE OF CIVIL PROCEDURE, THE FAILURE TO FILE A WRITTEN REQUEST TO APPEAR AND BE HEARD WITHIN FIFTEEN (15) DAYS AFTER THE MAILING OF THIS NOTICE WILL RESULT IN A WAIVER OF THE RIGHT TO APPEAR AND BE HEARD.

SECTION 4. That for further particulars, reference is made to the proposed Resolution of Necessity, with the Exhibits attached thereto, as on file with the transcript of these proceedings, and to Section 1245.235 of the Code of Civil Procedure and related Sections thereto.

APPROVED and ADOPTED this 20th day of June, 1983.

Vice- 
MAYOR
CITY OF RIDGECREST
STATE OF CALIFORNIA

ATTEST: --


CITY CLERK
CITY OF RIDGECREST
STATE OF CALIFORNIA

STATE OF CALIFORNIA
COUNTY OF KERN
CITY OF RIDGECREST

I, JOYCE M. TAFT, CITY CLERK of the CITY OF RIDGECREST, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution, being Resolution No. 83-44, was duly passed, approved and adopted by the City Council, approved and signed by the Mayor, and attested by the City Clerk, all at the Regular meeting of said City Council held on the 20th day of June, 1983, and that the same was passed and adopted by the following vote:

AYES: COUNCILMEN WEBB, PADGETT
NOES: COUNCILMEN
ABSENT: COUNCILMEN CHESHIRE
ABSTAIN: COUNCILMEN BERGENS, RIEGER

EXECUTED this 21st day of June, 1983, at Ridgecrest, California.


CITY CLERK
CITY OF RIDGECREST
STATE OF CALIFORNIA

[SEAL]