

RESOLUTION NO. 16302

A RESOLUTION OF NECESSITY OF THE CITY COUNCIL OF THE CITY OF REDWOOD CITY FINDING THAT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY REQUIRE THE ACQUISITION OF CERTAIN PROPERTY INTERESTS FOR THE PUBLIC PROJECT (US HIGHWAY 101/STATE ROUTE 84 - WOODSIDE ROAD INTERCHANGE IMPROVEMENT PROJECT), AUTHORIZING THE ACQUISITION THEREOF, AND DIRECTING THE CITY ATTORNEY TO FILE EMINENT DOMAIN PROCEEDINGS.

(LaSalle LP, APN 054-023-120)

WHEREAS, the City of Redwood City (City), in cooperation with the California Department of Transportation (Caltrans), seeks to construct the US Highway 101/State Route 84 (Woodside Road) Interchange Improvement Project (Project), which consists of modifications to the existing interchange, freeway auxiliary lanes, and connecting roadways in the City; and

WHEREAS, the City and the State of California, acting through Caltrans, entered into a Cooperative Agreement (Agreement 04-2614) on October 11, 2017, which set forth the obligations of the parties in connection with the Project. Pursuant to Agreement 04-2614, Caltrans is the lead agency under the National Environmental Policy Act of 1969, as amended (Pub. L. 91-190, 42 U.S.C. 4321-4347, January 1, 1970, as amended by Pub. L. 94-52, July 3, 1975, Pub. L. 94-83, August 9, 1975, and Pub. L. 97-258, Section 4(b), Sept. 13, 1982) (NEPA) and under the California Environmental Quality Act (CEQA), Public Resources Code Section 21000, et seq. The City is the sponsor of the Project, and is the implementing agency for plans, specifications, estimates, and right-of-way activities; and

WHEREAS, pursuant to Agreement 04-2614, the parties agreed that the City is authorized to hear and adopt Resolutions of Necessity in connection with the Project and in accordance with applicable law; and

WHEREAS, it is desirable and necessary for the City to acquire certain real property specifically a fee acquisition of 3,568 square feet, and a non exclusive temporary construction easement of 3,892 square feet located at 1050 Broadway in Redwood City, California, Assessor's Parcel Number 054-023-120 (Subject Property), for the Project; and

WHEREAS, the City is vested with the power of eminent domain to acquire real property by virtue of Article 1, Section 19 of the Constitution of the State of California, Section 37350.5 and 40404 of the California Government Code, and Sections 1240.010-1240.050, 1240.110, 1240.120, 1240.150, 1240.220, 1240.410, 1240.610, and 1240.650 of the California Code of Civil Procedure; and

WHEREAS, pursuant to the provisions of Section 7267.2 of the California Government Code, the City made an offer to the owners of record to acquire the Subject Property described and depicted in **Exhibit A** (Legal description) for the amount which it established to be just compensation; and

WHEREAS, pursuant to the provisions of Section 1245.235 of the Code of Civil Procedure, written notice of the intent to consider the adoption of this resolution of necessity was sent on March 13, 2025, to Zachary Pearlman, Trustee of the AAP Trust and LaSalle LP, the owners of record of the Subject Property, providing them notice and granting them a reasonable opportunity to appear and be heard before the City Council at the Resolution of Necessity hearing held on April 28, 2025 on the following matters:

- a. Whether the public interest and necessity require the Project;
- b. Whether the Project is planned or located in the manner that will be most compatible with the greatest public good and least private injury;

- c. Whether the Subject Property described and depicted in **Exhibit A** (Legal description) are necessary for the Project; and
- d. Whether the offer required by Government Code Section 7267.2 has been made to all owners of record; and

WHEREAS, due consideration of all oral and documentary evidence introduced has been given; and

NOW, THEREFORE, be it, by vote of five (5/7) or more of its members, the City Council of the City of Redwood City found; and be it

RESOLVED: That the recitals contained herein are true and correct; and be it

FURTHER RESOLVED: That the public interest and necessity require the Project which is intended to reduce traffic congestion, improve local traffic circulation, and improve bicycle and pedestrian access across US 101; and be it

FURTHER RESOLVED: That the Project is planned or located in a manner that will be the most compatible with the greatest public good and the least private injury; and be it

FURTHER RESOLVED: That the taking of the Subject Property more particularly described and depicted in **Exhibit A** (Legal description) is necessary for the Project; and be it

FURTHER RESOLVED: That the offer to purchase required by California Government Code Section 7267.2 has been made to the record owner(s) of the Subject Property; and be it

FURTHER RESOLVED: That the necessary notice of hearing on this Resolution has been given as required by Code of Civil Procedure Section 1245.235; and be it

FURTHER RESOLVED: That the City has fully complied with the California Environmental Quality Act (CEQA) with respect to the Project, as The Final Initial Study/Mitigated Negative Declaration (IS/MND) (CEQA Approval) were obtained on December 16, 2016; and be it

FURTHER RESOLVED: That the City has complied with all conditions and statutory requirements necessary to exercise the power of eminent domain (the "right to take") to acquire the abutter's rights and access thereto; and be it

FURTHER RESOLVED: That the City declares its intention to acquire the Subject Property in accordance with the provision of the laws of the State of California governing condemnation procedures; and be it

FURTHER RESOLVED: That the City finds that if any portion of the Subject Property that has been appropriated to some public use, the public uses to which it is to be applied by the City for the Project, as described above, are more necessary and paramount public uses, pursuant to Code of Civil Procedure Section 1240.610, or, alternatively, are compatible with those other uses pursuant to Code of Civil Procedure Section 1240.510; and be it

FURTHER RESOLVED: That the City is AUTHORIZED AND EMPOWERED:

1. To acquire in the name of the City of Redwood City, by condemnation, the Subject Property in accordance with the provisions of the eminent domain law, the Code of Civil Procedure, the Government Code, and the Constitution of California;

2. To prepare and prosecute in the name of the City of Redwood City, such proceedings in the proper court as are necessary for such acquisition; and
3. To deposit the probable amounts of compensation, based on appraisals, and to apply to said court for an order permitting the City of Redwood City to take immediate possession and use of the Subject Property for said public uses and purposes.

EXHIBIT A

Number
64064-2

Exhibit "A"

PARCEL 64064-2

All that certain real property situate in the City of Redwood City, County of San Mateo, State of California, being a portion of Parcel A as described in the Grant Deed from Suncap Redwood, LLC to LaSalle LP recorded September 10, 2015 as Document No. 2015-096530, Official Records of said County, said Parcel A also being described in the Grant Deed from Charles Barry Goodman, as Trustee of The Charles and Barbara Goodman 1982 Revocable Trust to Zachary Pearlman, as Trustee of the AAP Trust recorded December 31, 2019 as Document No. 2019-111817, Official Records of said County, being more particularly described as follows:

A temporary easement to terminate June 30, 2029 for construction purposes and incidents thereto, in and to those portions of said PARCEL A described as follows:

BEGINNING at a point on the general southerly line of PARCEL 1 as described in the Grant Deed (Corporation) from Milland Development Company to the State of California recorded July 31, 1956 in Volume 3069 at Page 572, Official Records of said County, said Point of Beginning lying 2.58 feet from the northeasterly terminus of the course described as "S. 67°05'25" W., 6.26 feet" in said Grant Deed (Corporation) (South 67°05'22" West for purposes of this description); thence departing said general southerly line, easterly, along the arc of a non-tangent curve to the right, concave to the south, to which a radial line bears North 01°43'53" West 2,614.75 feet, through a central angle of 3°25'52", an arc distance of 156.58 feet; thence easterly, along the arc of a non-tangent curve to the right, concave to the south, to which a radial line bears North 03°21'18" East 2,618.50 feet, through a central angle of 4°10'48", an arc distance of 191.03 feet to a point on the southerly line of Bayshore Highway, as said highway is referenced in the (Corporation) Grant Deed from Milland Development Company to the City of Redwood City recorded March 21, 1949 in Volume 1637 at Page 411, Official Records of said County; thence along last said line, South 80°05'15" East 29.24 feet; thence departing last said line and along the general westerly line of Charter Street, as said Street is shown on the certain Parcel Map entitled "PARCEL MAP NO.2013-04" filed on August 3, 2015 in Volume 82 of Parcel Maps at Page 26 through 28, inclusive, Official Records of said County, and along the westerly line of PARCEL 2 as described in first said Grant Deed (Corporation) the following two (2) courses: 1) southeasterly, along the arc of a non-tangent curve to the right, concave to the southwest, from which a radial line bears North 09°54'44" East 20.00 feet, through a central angle of 14°26'48", an arc distance of 5.04 feet; and 2) South 09°54'40" West 10.32 feet; thence departing last said lines, North 80°04'44" West 54.66 feet; thence westerly, along the arc of a non-tangent curve to the left, concave to the south, from which a radial line bears North 07°04'35" East 2,608.50 feet, through a central angle of 3°43'06", an arc distance of 169.28 feet; thence easterly, along the arc of a non-tangent curve to the left, concave to the south, to which a radial line bears North 01°41'48" East 2,604.75 feet, through a central angle of 3°33'00", an arc distance of 161.39 feet to a point on the westerly line of said Parcel A; thence North 09°54'40" East 8.71 feet to a point on said general southerly line; thence along last said line, North 67°05'22" East 4.07 feet to the **POINT OF BEGINNING.**

CONTAINING 3,892 square feet (0.089 acres), more or less.

The bearings and distances used in the above descriptions are based on the California Coordinate System of 1983 (CCS83) Zone 3, Epoch 2010.00. Multiply distances by 1.0000500 to obtain ground distances.

Number
64064-2

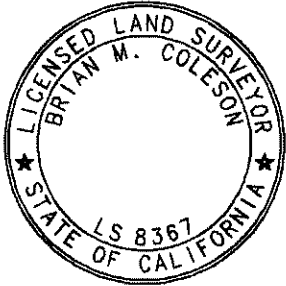
This real property description has been prepared by me, or under my direction, in conformance with the California Professional Land Surveyors' Act.



Brian M. Coleson, LS 8367

12/12/2024

Date



Passed and adopted by the Council of the City of Redwood City at a
Joint City Council/Successor Agency Board/Public Financing Authority Meeting
thereof held on the 28th day of April 2025 by the following votes:

AYES: Chu, Gee, Howard, Padilla, Sturken, Vice Mayor Eakin,
and Mayor Martínez Saballos

NOES: None

ABSENT: None

ABSTAINED: None

RECUSED: None



Elmer Martínez Saballos
Mayor of the City of Redwood City

Attest:



Yessika Castro, CMC, CPMC
City Clerk of Redwood City

I hereby approve the foregoing resolution this
28th day of April 2025.



Elmer Martínez Saballos
Mayor of the City of Redwood City