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**BEFORE THE BOARD OF SUPERVISORS OF THE  
COUNTY OF AMADOR, STATE OF CALIFORNIA**

IN THE MATTER OF:

RESOLUTION OF NECESSITY TO CONDEMN REAL )  
PROPERTY OR INTEREST IN REAL PROPERTY BY )  
EMINENT DOMAIN FOR THE STATE ROUTE ) RESOLUTION NO. 21-090  
88/PINE GROVE IMPROVEMENT PROJECT, )  
ASSESSORS PARCEL NOS. 030-191-009 & )  
030-191-006. )

WHEREAS, the County of Amador (County) is a political subdivision of California and authorized by law to exercise the power of eminent domain to acquire private property for public use; and

WHEREAS, the California Constitution, the Eminent Domain Law (California Code of Civil Procedure §1230.010 et seq.), Government Code §25350.5, and Streets and Highways Code §943 authorize acquisition of property rights specifically for public road purposes by eminent domain procedures; and

WHEREAS, the purpose for the State Route 88/Pine Grove Improvement Project (Project) is to construct intersection modifications, pedestrian and bicycle safety improvements and general highway improvements along State Route 88 in the town of Pine Grove; and

WHEREAS, the purpose of the project is to improve existing and future operations, alleviate existing congestion and provide a transportation facility consistent with Caltrans standards as well as, local, regional, and statewide plans; and

WHEREAS, County has complied with all requirements of the California Environmental Quality Act and the National Environmental Policy Act for the Project; and

WHEREAS, the real property or interest in real property described herein is required for the construction of the Project; and

WHEREAS, the Project is partially located on the real property bearing APNs 030-191-009 and 030-191-006; and

WHEREAS, the permanent fee interest in the portion of real property sought to be acquired is legally described in Exhibit 1A attached hereto and is graphically depicted in Exhibit 1B and attached

hereto (“Property”), which Property is necessary for County to construct and operate the Project; and

WHEREAS, the temporary construction easement portion of real property sought to be acquired is legally described in Exhibit 2A attached hereto and is graphically depicted in Exhibit 2B and attached hereto (“Property”), which Property is necessary for County to construct and operate the Project; and

WHEREAS, the offer required by Government Code §7267.2 has been made to the property owner of record; and

WHEREAS, written notice of intent of the Board of Supervisors to adopt this Resolution of Necessity was given pursuant to Code of Civil Procedure §1245.235. The notice was sent first-class mail to all persons whose names appear on the last equalized County Assessment Roll as having an interest in the property described in Exhibit A and to the address appearing on said Roll. The Notice of Hearing advised the real property owners of their right to be heard on the matters referred to therein on the date and at the time and place stated therein; and

WHEREAS, a public hearing was conducted and all interested persons were given notice and a reasonable opportunity to appear and be heard;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Supervisors of the County of Amador, State of California, by at least a two-thirds vote of this Board of Supervisors under California Code of Civil Procedure §1240.030 and 1245.030, after consideration of the staff report, presentation and other evidence presented at its meeting on June 8, 2021 that this Board of Supervisors finds and determines each of the following:

1. The public interest and necessity require the Project.
2. The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
3. The Property, as described in Attachments 1A and 1B, and Attachments 2A and 2B, is necessary for the Project.
4. The offer required by Government Code §7267.2 has been made to the owner of record of the Property.

AND BE IT FURTHER RESOLVED that County Counsel or its authorized agent is hereby authorized and directed:

1. To file legal proceedings necessary to acquire the Property in the name of and on behalf of the County by eminent domain, and counsel is authorized to institute and prosecute such legal proceedings as may be required in connection therewith.
2. To take such steps as may be authorized and required by law, and to make such deposits as may be required by order of court, to permit the County to take possession of and use the Property at the earliest possible time.
3. To correct any errors or to make or agree to non-material changes in the legal description of the Property that are deemed necessary for the conduct of the condemnation action or other proceedings or transaction required to acquire the Property.

The foregoing resolution was duly passed and adopted by the Board of Supervisors of the County of Amador at a regular meeting thereof, held on the 8th day of June, 2021, by the following vote:

AYES: Frank U. Axe, Richard M. Forster, Jeff Brown, Brian Oneto, Patrick Crew  
NOES: None  
ABSENT: None

  
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Frank U. Axe, Chairman, Board of Supervisors

ATTEST:

JENNIFER BURNS, Clerk of the  
Board of Supervisors, Amador County,  
California

By  Deputy

ATTACHMENTS:

Permanent Right of Way  
Exhibit 1A  
Exhibit 1B

Temporary Construction Easement  
Exhibit 2A  
Exhibit 2B