
**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 FIDDLETOWN ROAD) RESOLUTION NO. 20-027
BRIDGE REPLACEMENT PROJECT, FEDERAL PROJECT)
NO. BRLS 5926(035), ASSESSORS PARCEL NO. 014-240-068.)
)

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 Fiddletown Road Bridge Replacement Project (Project) is to remove the existing structure and reconstruct with a bridge that will provide adequate and safe pedestrian and vehicle access, meeting federal standards and minimizing impacts to surrounding properties; and

WHEREAS, the need for the Project is to replace a deficient bridge and meet current design standards for shoulder widths, structural requirements, and traffic-rated barrier railings; 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, which generally includes constructing an approximately 40 feet long, by 33.5 feet wide, single span concrete bridge with road approaches; and

WHEREAS, the Project is partially located on the real property bearing APN 014-240-068, as more particularly described in Exhibit A & B attached hereto; and

WHEREAS, the fee interest and temporary construction easement in the portion of real property sought to be acquired is legally described in Exhibit A & B attached hereto and graphically depicted in Exhibit C 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, B, & C 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 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, 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 sought to be acquired 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 11th day of February, 2020, by the following vote:

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



Patrick Crew, CHAIRMAN, Board of Supervisors

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

By  Deputy