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RE: 2131 IM: 748

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GLENN A. FORBES, City Attorney
BREED, ROBINSON & STEWART
Special Counsel,
1215 Financial Center Building
Oakland, California 94612
835-8880

ENDORSED
FILED

FEB 26 1968

JACK G. BLUE, County Clerk
Thomas E. Donato, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ALAMEDA

CITY OF SAN LEANDRO, a municipal corporation,)	
)	
)	
Plaintiff,)	NO. 340717 (Parcel 2 - Spinardi)
)	
-vs-)	
)	
THOMAS BEVILACQUA, et al,)	<u>FINAL ORDER OF CONDEMNATION</u>
)	
Defendants.)	

A judgment in condemnation having heretofore been entered in the above entitled action on January 16, 1968, in Reel 171 at Image 43 in the Office of the County Clerk of the County of Alameda, State of California, and it appearing to the satisfaction of the court that the above named plaintiff pursuant to that judgment has paid into court for the defendants Lorenzo Spinardi and Frances M. Spinardi, his wife, pursuant to said judgment, the sum of \$8,000.00 plus interest thereon from the date of judgment to the date of deposit;

NOW THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED:

1. The fee simple title to the following described parcel of land situated in the County of Alameda, State of California, more particularly described as follows:

BEGINNING at the intersection of the north-eastern right of way line of the Southern Pacific Company, formerly the Central Pacific Railroad, with the southwestern line of Washington Avenue; thence along the last mentioned line north 28° 00' west 325.62 feet to the ACTUAL POINT OF

BREED, ROBINSON & STEWART
ATTORNEYS AT LAW
FINANCIAL CENTER BLDG.
OAKLAND, CALIF. 94612
TEL. 835-8880

1 BEGINNING; thence continuing along the said
2 southwestern line of Washington Avenue north 28°
3 00' west 304.43 feet to the northwestern line of
4 the parcel conveyed by M. J. Vanier, alias et ux
5 to Lorenzo Spinardi by deed dated May 24, 1960,
6 recorded June 10, 1960 on reel 104, Image 311,
7 Official Records of Alameda County, California,
8 thence along the last mentioned line south 48°
9 11' 23" west 12.36 feet to a line parallel
10 with said southwestern line of Washington Avenue
11 and 12.00 feet, measured at right angles, south-
12 westerly therefrom; thence along the said parallel
13 line south 28° 00' east 305.10 feet to the southeastern
14 line of the said parcel conveyed by Vanier to
15 Spinardi; thence along the last mentioned line north
16 45° 14' east 12.53 feet to the point of beginning.

17 together with all the rights, easements and appur-
18 tenances thereunto belonging or in any wise
19 appertaining.

20 is hereby condemned to and taken for the public use stated in the
21 complaint herein.

22 2. The fee simple title to the above described real
23 property is hereby condemned and taken for a public use namely
24 street and highway purposes.

25 3. On filing a copy of this final order of condemnation
26 with the County Recording of the County of Alameda, State of
27 California, the fee simple title to the real property described
28 above shall vest in plaintiff, its successors and assigns.

29 Dated: February FEB 26, 1968.

LEWIS E. LERCARA

Judge of the Superior Court

30 RECORDED at REQUEST OF
31 ATTORNEY
32 At _____ Min. Past 3:30 P. M.
FEB 26 1968
OFFICIAL RECORDS OF
ALAMEDA COUNTY, CALIFORNIA
JACK G. BLUE
COUNTY RECORDER

The foregoing instrument is a
correct copy of the original
on file in this office

ATTEST: FEB 26 1968

JACK G. BLUE, County Clerk
County Clerk and ex-officio Clerk of the
Superior Court of the State of California in
and for the County of Alameda
BY _____ DEPUTY

DH

CITY ATTORNEY'S OFFICE

APR 25 1968

CITY OF SAN LEANDRO

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IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

RESOLUTION NO. 64 - 85

RESOLUTION FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION OF CERTAIN PROPERTY FOR THE WIDENING OF WASHINGTON AVENUE BETWEEN THE NORTHERLY LINE OF HALCYON DRIVE AND THE SOUTHERLY LINE OF 143D AVENUE, ALL IN THE CITY OF SAN LEANDRO, ALAMEDA COUNTY, CALIFORNIA, AND FINDING AND DETERMINING THAT THE TAKING THEREOF IN FEE IS NECESSARY.

The City Council of the City of San Leandro does RESOLVE, as follows:

The City Council of the City of San Leandro finds and determines that the public interest and necessity require the acquisition, construction, and completion by said City of San Leandro of a public improvement, to wit:

The widening of Washington Avenue as a public street and highway, between the Northerly line of Halcyon Drive and the Southerly line of 143d Avenue, all in the City of San Leandro, County of Alameda, State of California, and that the property hereinafter in this Resolution described is necessary therefor, and that the acquisition of the following described real property is necessary for said public improvement, to wit:

All that land situated in the City of San Leandro, County of Alameda, State of California, described as follows:

PARCEL I

BEGINNING at the intersection of the southwestern line of Washington Avenue, with the northeastern line of the right of way of the Southern Pacific Company, formerly the Central Pacific Railroad; thence along the said southwestern line of Washington Avenue north $28^{\circ} 00'$ west 325.62 feet; thence south $45^{\circ} 14'$ west 12.53 feet to a line parallel with the said southwestern line of Washington Avenue and 12.00 feet, measured at right angles, southwesterly therefrom; thence along said parallel line south $28^{\circ} 00'$ east 276.04 feet, more or less, to the said northeastern right of way line of the Southern Pacific Company; thence along the last mentioned line south $42^{\circ} 38'$ east 47.50 feet to the point of beginning.

together with all the rights, easements, and appurtenances thereunto belonging or in any wise appertaining.

PARCEL II

BEGINNING at the intersection of the northeastern right of way line of the Southern Pacific Company, formerly the Central Pacific Railroad, with the southwestern line of Washington Avenue; thence along the last mentioned line north $28^{\circ} 00'$ west 325.62 feet to the ACTUAL POINT OF BEGINNING; thence continuing along the said southwestern line of Washington

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Avenue north 28° 00' west 304.43 feet to the northwestern line of the parcel conveyed by M. J. Vanier, alias et ux to Lorenzo Spinardi by deed dated May 24, 1960, recorded June 10, 1960 on reel 104, Image 311, Official Records of Alameda County, California, thence along the last mentioned line south 48° 11' 23" west 12.36 feet to a line parallel with said southwestern line of Washington Avenue and 12.00 feet, measured at right angles, southwesterly therefrom; thence along the said parallel line south 28° 00' east 305.10 feet to the southeastern line of the said parcel conveyed by Vanier to Spinardi; thence along the last mentioned line north 45° 14' east 12.53 feet to the point of beginning.

together with all the rights, easements, and appurtenances thereunto belonging or in any wise appertaining.

PARCEL III

BEGINNING at a point on the southwestern line of Washington Avenue, distant along said line north 28° 00' west 630.05 feet from the northeastern line of the right of way of the Southern Pacific Company, formerly the Central Pacific Railroad, thence along the said southwestern line of Washington Avenue north 28° 00' west 150.00 feet to the northwestern line of the said Zugschwerdt parcel; thence along the last mentioned line south 49° 27' west 12.29 feet to a line parallel with the said southwestern line of Washington Avenue and 12.00 feet, measured at right angles, southwesterly therefrom; thence along said parallel line south 28° 00' east 150.28 feet to the northwestern line of the aforementioned Spinardi parcel; thence along the last mentioned line north 48° 11' 23" east 12.36 feet to the point of beginning.

together with all the rights, easements, and appurtenances thereunto belonging or in any wise appertaining.

The City Council of said City of San Leandro further finds and determines that the taking of said real property and the whole thereof in fee is necessary; and be it further

RESOLVED, that the City Attorney be and he hereby is authorized and directed to take any and all action necessary on behalf of the City of San Leandro to acquire in fee said property by eminent domain proceedings; and be it further

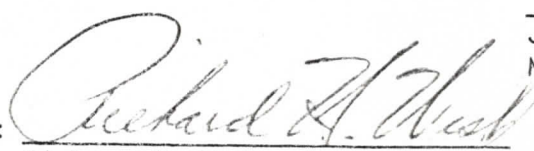
RESOLVED, that the City Attorney be and he hereby is authorized to obtain legal assistance in all matters in connection with the acquisition of said property;

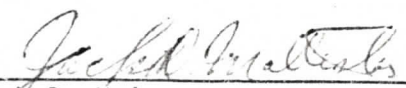
Introduced by Councilman Swift and passed
and adopted this 30th day of March, 1964, by the following called vote:

Members of the Council:

Ayes:	Councilmen: Cheatham, Kant, Suerstedt, Swift,	(6)
	Taylor; and Mayor Maltester	
Noes:	Councilmen: None	(0)
Absent:	Councilmen: Gill	(1)

Attest:


Richard H. West, City Clerk.


Jack D. Maltester,
Mayor of the City of San Leandro

CITY OF SAN LEANDRO

INTEROFFICE MEMO

TO City Clerk DATE April 25, 1968

FROM City Attorney *YAS*

SUBJECT CITY OF SAN LEANDRO V. BEVILACQUA, et al.--PARCEL 2, SPINARDI--Action No. 340717
(Washington Avenue Widening SPRR to 143d Avenue)

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Attached for your file is certified copy of Final Order of Condemnation for

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Parcel 2, Spinardi, in the above-entitled matter. Please note this certified copy

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has been recorded.

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cc: L. E. Riordan

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BY JA DATE 12-15-60 SUBJECT WASHINGTON AVE WIDENING SHEET NO. OF
 CHKD. BY PJE DATE 12-21-60 JOB NO.
 SPINARDI DBA ST. FRANCIS ELEC. PARCEL 42

PARCEL (II)

