

**STAFF REPORT**  
**City of Lancaster**

NB 1
02/10/09
MVB

Date: February 10, 2009

To: Mayor Parris and City Council Members

From: James R. Williams, Director of Public Works

Subject: **Condemnation Proceedings – Property Acquisition**  
**Tract No. 53102, Located on the Northeast Corner of Catsue Place and**  
**Avenue J-12 – Identified as APN 3153-025-900, (Portions Thereof) –**  
**Located on the Northwest Corner of Catsue Place and Avenue J-12**

---

**Recommendation:**

Adopt **Resolution No. 09-08**, directing and authorizing the condemnation of certain real property in the City of Lancaster, California, and declaring the public necessity therefore (APN 3153-025-900; portions thereof).

**Fiscal Impact:**

None. The costs of condemnation will be borne by the Developer of the project.

**Background:**

As a condition of approval of Tract No. 53102, located on the northeast corner of Catsue Place and Avenue J-12, the developer was required to build storm drain, slope, and road improvements along Catsue Place. The developer was unable to acquire the necessary right-of-way, drainage and slope easements and requested that the City acquire the property through condemnation proceedings. On November 12, 2008, the City Council approved a Condemnation Agreement and the property owner was notified of the intention to condemn the above stated property.

The necessary environmental documents for the project have been prepared per California Environmental Quality Act (CEQA) guidelines. The Planning Commission approved the environmental documents at its August 13, 1990 meeting.

To construct the improvements as proposed, the City will need to acquire that portion of the subject properties that would normally be dedicated for public improvements whenever the property is to be developed. The area of taking of the property was appraised by an independent appraisal firm, and a value of \$11,000.00 was determined to be fair and reasonable compensation for the area of taking. An offer to purchase the necessary area of taking for the appraised value of \$11,000.00 was made on December 17, 2008, to the owner, Los Angeles County Waterworks District No. 40, Antelope Valley, the Successors to Los Angeles County Waterworks District No. 4, Lancaster, pursuant to section 55370 of the California Water Code.

The storm drain, slope, and road improvements cannot be completed as designed without the area of taking of the subject property. City staff therefore recommends condemnation of the required portion of APN 3153-025-900 at this time because the property owner has not accepted the City's offer. The property owner has been notified of the Council's proposed action.

VJ:lcs

**Attachments:**

Vicinity Map

Resolution No. 09-08