



County of Sonoma

State of California

Date: January 27, 2026

Item Number: _____

Resolution Number: _____

☒ 4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Determining That Acquisition of Real Property Rights For The Morelli Lane Storm Repair
Project is Necessary For Public Purposes and Authorizing Use of Eminent Domain to Acquire
the Property Rights Needed For The Project**

Whereas, the Department of Public Infrastructure, County of Sonoma, State of California ("County"), proposes to repair and stabilize the existing roadway on a portion of Morelli Lane, including by stabilizing the underlying and adjacent slope, installing drainage infrastructure, constructing a concrete retaining wall on drill pile foundations, and placing guardrail in front of the retaining wall ("Project"); and

Whereas, the repairs are necessary to stabilize and ensure the long-term viability and maintenance of the subject portions of Morelli Lane, which is part of the County roadway system and the sole means of public ingress and egress for numerous properties in the west county; and

Whereas, to comply with current regulatory, safety, engineering, and other roadway requirements, the repair design requires the subject improvements and work. However, the improvements and work cannot be accommodated within the existing right of way and certain work and improvements that are needed to adjacent slopes that support and impact the roadway. There is no feasible way to properly, effectively, and safely resolve the roadway stability and erosion conditions without addressing and improving the adjacent, off-road slope and drainage areas as planned under the Project.

Therefore, certain additional property adjoining the subject roadway is needed for the Project; and

Whereas, the Project has met all the requirements of the Government Code Section 65402 for General Plan consistency; and

Whereas, the Federal Emergency Management Agency (FEMA) has approved the Project and on February 12, 2025, found it complied with the National Environmental Policy Act (NEPA) and determined it to be exempt; and

Whereas, the County intends to construct the Project, a public use, together with related improvements to carry out and make effective that principal purpose pursuant to Code of Civil Procedure section 1240.120(a), and, in connection therewith, acquire interests in certain real property. Said public use is a public and governmental function of the County; and

Whereas, the statute that authorizes the County to acquire the needed property by eminent domain is Government Code section 25350.5, and the County may acquire the property for the public use set forth herein and in accordance with the California Constitution and the California Eminent Domain Law, Code of Civil Procedure section 1230.010 *et seq*; and

Whereas, the real property needed for the Project (the "Property Interests") consist of portions of one parcel and are generally located at 61 Morelli Lane, Camp Meeker, identified by the Sonoma County Assessor as 075-270-001, the general location and extent of which, with sufficient detail for reasonable identification, are more particularly described and depicted in Attachments "1" and "2". The Property Interests are portions of the underlying parcel (the "Property") generally located at 61 Morelli Lane, Camp Meeker, and identified by the Sonoma County Assessor as 075-270-001, the general location and extent of which, with sufficient detail for reasonable identification, are more

particularly described and depicted in Attachment “3”; and

Whereas, pursuant to Code of Civil Procedure section 1240.410, whenever the acquisition by a public entity by eminent domain of part of a larger parcel of property will leave a remnant, the public entity may exercise the power of eminent domain to acquire the remnant. In addition, Government Code section 7267.7 requires that, if acquisition of only a portion of a property would leave the remaining portion in such a shape or condition as to constitute an uneconomic remnant, then the public entity shall offer to acquire the entire property if the owner so desires. As determined by the County’s appraisal report, acquisition of the Property Interests would result in such limited development potential that the remaining property would be an uneconomic remnant. Accordingly, in accordance with the legal duty to offer to acquire the entire property under such circumstances, the entire subject Property is needed to be acquired.

Whereas, by January 12, 2026, there was mailed a Notice of Hearing Regarding Adoption of a Resolution of Necessity to Acquire Property by Eminent Domain for the acquisition by eminent domain of the Property Interests. Said Notice of Hearing was mailed to all persons whose names appear on the last equalized County Assessment Roll as having an interest in the Property and to the address appearing on said Roll. Courtesy copies of said Notice were mailed to all known persons who may have an interest in the Property, including identified potential estate heirs. Said Notice of Hearing advised said persons 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, the hearing set out in said Notice of Hearing was held on January 27, 2026, at the time and place stated therein, and all interested parties had opportunity to be heard. The hearing was closed.

Now, Therefore, Be It Resolved that, based on the evidence presented at the hearing, the Board of Supervisors of the County of Sonoma finds, determines, declares, and

resolves:

1. The public interest and necessity require the Project.
2. The Project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury.
3. Acquisition by the County of the Property Interests described in Attachments 1 and 2 is necessary for the proposed Project, and the remainder of the Property described in Attachment 3 attached hereto, as a remnant that the County must offer to acquire pursuant to Government Code section 7267.7, is also therefore necessary for the proposed Project, and the County may acquire such remnant in accordance with Code of Civil Procedure section 1240.410.
4. It is necessary under all the facts and circumstances that the entire Property be acquired in fee simple until such time as the requirement to acquire any uneconomic remnant is declined, waived, or otherwise obviated by law, at which time the Property Interests shall be needed to be acquired in easements only.
5. The acquisition, construction, completion, and maintenance by the County of the Project improvements and the use of the Property is a public use authorized by law.
6. An offer has been made, as required by Government Code section 7267.2, to the owner of record of the Property.
7. The necessary notice of hearing on this Resolution has been given, as required by Code of Civil Procedure section 1245.235.
8. The Project has been fully reviewed under and met all requirements of the California Environmental Quality Act.

9. All conditions and statutory requirements necessary to exercise the power of eminent domain ("the right to take") to acquire the Property Interests and the Property have been complied with by County.

Be It Further Resolved that the County of Sonoma proposes to acquire the real property herein concerned for said public improvements purposes by donation, purchase, or condemnation in accordance with the provisions of California law relating to eminent domain, and that the County Counsel of Sonoma County be and is hereby authorized and directed to institute and prosecute in the name of the County such suit or suits in the proper court having jurisdiction thereof, as shall be necessary to condemn said real Property Interests and Property for such public use.

Be It Further Resolved that should it appear from declaration of the Director of Public Infrastructure of the County of Sonoma that construction of public improvements and utilities herein concerned necessitates the taking of possession of Property Interests prior to final determination of the suit or suits authorized, application shall be made to the court for an order authorizing County to take immediate possession of and to use the property sought to be condemned; and that the County deposit probable just compensation with said court in such manner as the law may direct out of proper funds held by or provided to County, and should said funds be payable from money on hand with the Treasurer of Sonoma County that the Auditor and Treasurer of Sonoma County be and they are hereby authorized to issue and honor warrants for the payment of said amount on amounts as aforesaid.

Be It Further Resolved that the Director of Public Infrastructure and the County Counsel acting together be and they are hereby authorized to employ at rates of compensation standard in this area such appraisers, engineers, and other expert witnesses as they deem necessary to the preparation for trial and, upon receipt

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of the appropriate claim forms approved by the Director Public Infrastructure,
the Auditor and Treasurer are authorized and directed to issue and honor
warrants in payment for said service.

Supervisors:

Rabbitt:

Coursey:

Gore:

Hopkins:

Hermosillo:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.

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ATTACHMENTS 1-3

Attachment 1

ATTACHMENT 1

EXHIBIT 'A'

LEGAL DESCRIPTION
PERMANENT RIGHT-OF-WAY ACQUISITION

Lying within the unincorporated area of County of Sonoma, State of California and being a portion of the lands of Richard William Hawkley as described in that Order and Decree of Settlement of Account and Final Distribution recorded in Book 1609 of Official Records, Page 193, Official Records of Sonoma County, said portion is more particularly described as follows:

COMMENCING at a found 1/2-inch iron pipe tagged "LS 2798" marking the northwest corner of the lands of Drennon as shown on Parcel Map No. 2700 filed in Book 164 of Maps at Page 12, Sonoma County Records, from which a found 1/2-inch iron pipe tagged "LS 2798" marking the northeast corner of said lands of Drennon bears South 89°22'59" East 149.63 feet; thence South 26°47'26" West 245.84 feet to a point within the bounds of said lands of Hawkley and the POINT OF BEGINNING; thence North 89°52'19" West 11.28 feet; thence along a non-tangent curve to the right, the radius point of which bears North 21°39'13" East 164.00 feet, through a central angle of 8°11'59", for a length of 23.47 feet; thence North 60°08'48" West 61.08 feet; thence along a curve to the left having a radius of 136.00 feet, through a central angle of 18°16'14", for a length of 43.37 feet; thence North 78°25'02" West 23.16 feet; thence South 13°40'17" West 3.00 feet; thence North 76°17'42" West 24.28 feet to the westerly boundary of said lands of Hawkley; thence leaving said westerly boundary, North 15°17'54" East 27.85 feet to the southerly right-of-way of Morelli Lane; thence along said southerly right-of-way, South 74°41'32" East 67.50 feet; thence South 68°26'32" East 87.00 feet; thence South 64°01'41" East 15.91 feet to the common northerly corner of said lands of Hawkley and the lands of Susan Biglovsky, Trustee of the Susan Biglovsky Trust created August 30, 2004, and Diane Biglovsky, Trustee of the Diane Biglovsky Trust created August 30, 2004, as described by Grant Deed recorded under Document Number 2007- 039653, Sonoma County Records; thence leaving said common northerly corner and said southerly right-of-way, along the common boundary of said lands of Hawkley and said lands of Biglovsky, South 39°26'32" East 14.84 feet; thence South 17°26'32" East 23.11 feet to a point which bears South 89°52'19" East 11.28 feet from the POINT OF BEGINNING; thence leaving said common boundary, North 89°52'19" West 11.28 feet to the POINT OF BEGINNING.

Containing 5,056 square feet, more or less.

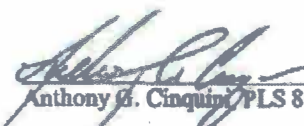
END OF DESCRIPTION

Being a portion of APN 075-270-001

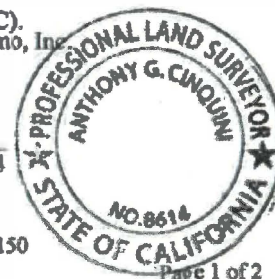
All distances listed are ground. To obtain grid distances, multiply by a combination scale factor of 0.9999628495.

Basis of Bearings: Being the California Coordinate System, Zone 2, NAD 83, Epoch 2017.50 as determined locally by a line between Continuous Global Positioning Systems (CGPS) station P197 and station P195; being North 32°00'31" West as derived from geodetic values published by the California

Spatial Reference Center (CSRC).
Prepared by Cinquini & Passarino, Inc.


Anthony G. Cinquini PLS 8614

Cinquini & Passarino, Inc.
1360 North Dutton Avenue, Suite 150
Santa Rosa, CA 95401



Page 1 of 2


Date

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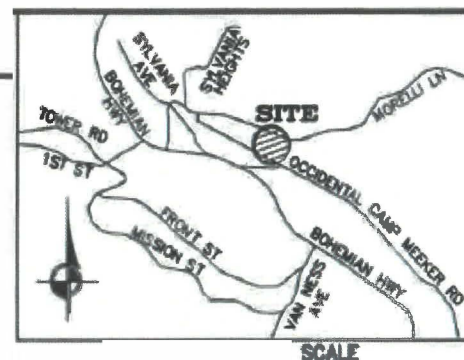
ATTACHMENT 1

EXHIBIT 'B'

THIS DIAGRAM IS FOR GRAPHIC PURPOSES ONLY. ANY ERRORS OR OMISSIONS SHALL NOT AFFECT THE LEGAL DESCRIPTION.

LEGEND

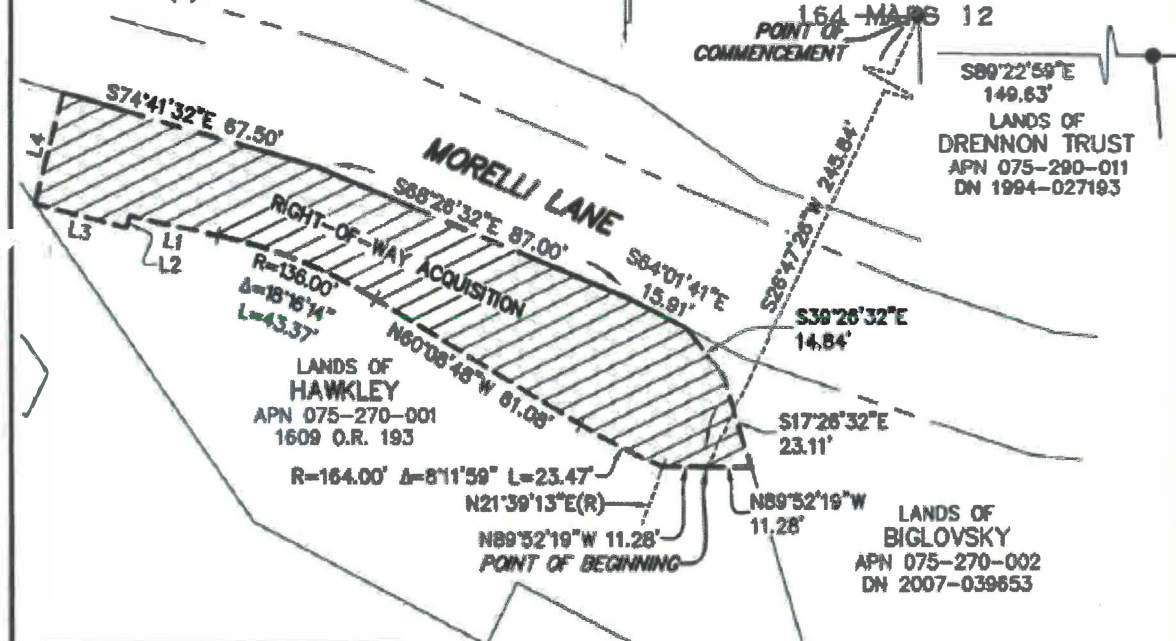
- RIGHT-OF-WAY
 ADJACENT PROPERTY BOUNDARY
 SURVEY TIE
 RIGHT-OF-WAY ACQUISITION AREA
 5096± SQUARE FEET
 FOUND 1/2" IRON PIPE TAGGED
 "LS 2795" PER 164 MAPS 12
 DN
 O.R.
 (R)



SITE MAP - NO

PARCEL MAP No. 2700
164-MAPS 12

S89°22'59"E
149.63'
LANDS OF
DRENNON TRUST
APN 075-290-011
DN 1994-027193



LINE TABLE

LINE #	DIRECTION	LENGTH
L1	N78°25'02"W	23.16'
L2	S13°40'17"W	3.00'
L3	N76°17'42"W	24.28'
L4	N15°17'54"E	27.85'

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CALIFORNIA COORDINATE SYSTEM, ZONE 2, NAD 83, EPOCH 2017.50 AS DETERMINED LOCALLY BY A LINE BETWEEN CONTINUOUS GLOBAL POSITIONING SYSTEMS (CGPS) STATION P187 AND STATION P195; BEING NORTH 32°00'31" WEST AS DERIVED FROM GEODETIC VALUES PUBLISHED BY THE CALIFORNIA SPATIAL REFERENCE CENTER (CSRC).



CINQUINI & PASSARINO, INC.
LAND SURVEYING

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 ▲ TOPOGRAPHIC
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NOTE

ALL DISTANCES SHOWN ARE GROUND. TO OBTAIN GRID DISTANCES, MULTIPLY BY A COMBINATION SCALE FACTOR OF 0.9999628485.



JOB NAME: MORELLI LANE	DRAWN BY: AJD	CHECKED BY: AGC
DESCRIPTION: RIGHT-OF-WAY ACQUISITION OVER LANDS OF HAWKLEY	SCALE: 1"=40'	DATE: 4/19/24
	JOB #: 9221-21	PAGE: 2 OF 2

C:\0221\Cad\Exhibits\0221EXHIB_ROW_Henley.dwg
 10/19/2024 - 7:46am

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Date:

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Attachment 2

ATTACHMENT 2
EXHIBIT 'A'
LEGAL DESCRIPTION
TEMPORARY CONSTRUCTION EASEMENT

Lying within the unincorporated area of County of Sonoma, State of California and being a portion of the lands of Richard William Hawkley as described in that Order and Decree of Settlement of Account and Final Distribution recorded in Book 1609 of Official Records, Page 193, Official Records of Sonoma County, said portion is more particularly described as follows:

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Containing 506 square feet, more or less.

END OF DESCRIPTION

Being a portion of APN 075-270-001

All distances listed are ground. To obtain grid distances, multiply by a combination scale factor of 0.9999628495.

Basis of Bearings: Being the California Coordinate System, Zone 2, NAD 83, Epoch 2017.50 as determined locally by a line between Continuous Global Positioning Systems (CGPS) station P197 and station P195; being North 32°00'31" West as derived from geodetic values published by the California Spatial Reference Center (CSRC).

Prepared by Cinquini & Passarino, Inc.


Anthony G. Cinquini, PLS 8614



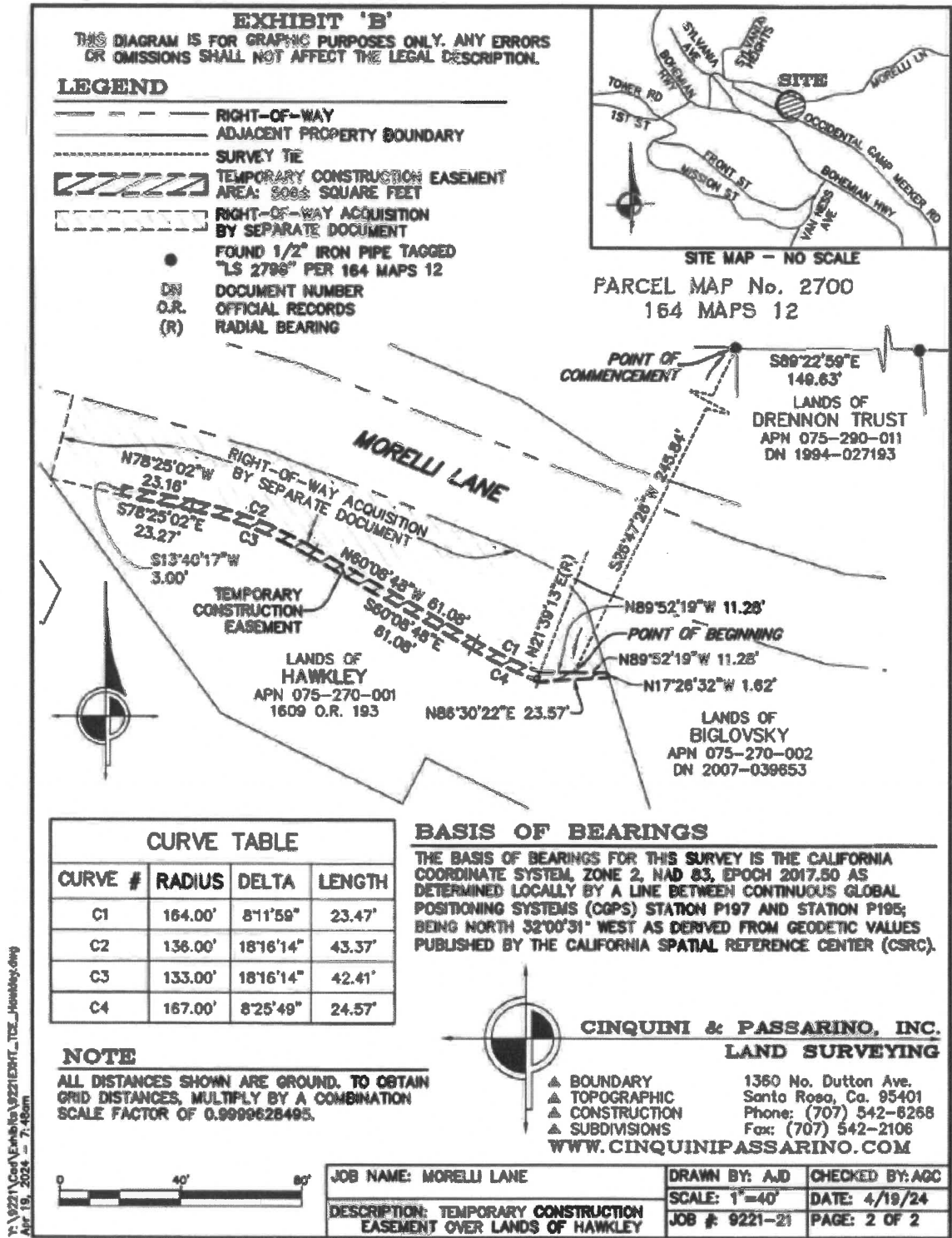

Date

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ATTACHMENT 2



Resolution #-

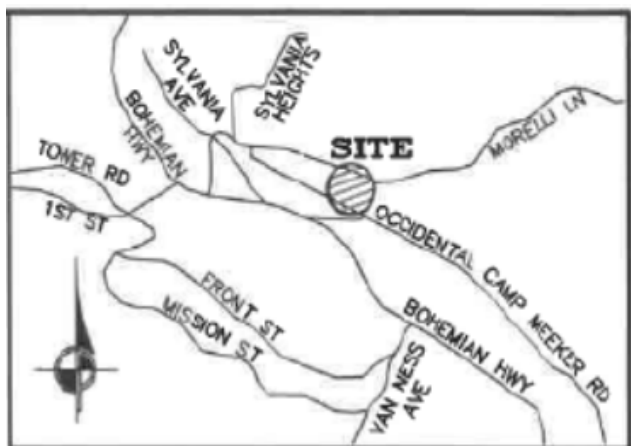
Date:

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Attachment 3

ALL OF LOTS 29 AND 30, IN BLOCK 1, AS SHOWN UPON THE MAP OF SYLVANIA HEIGHTS FILED MARCH 31, 1911, IN THE OFFICE OF THE COUNTY RECORDER OF SONOMA COUNTY IN BOOK 25 OF MAPS, PAGE 19, SONOMA COUNTY RECORDER, LOCATED IN THE UNINCORPORATED AREA OF THE COUNTY OF SONOMA.

Containing .34 acres, more or less.



COUNTY ASSESSOR'S PARCEL MAP

TAX RATE AREA 96-036 75-27

