

# **EXHIBIT A**

## EXHIBIT 'A'

## Legal Description

That portion of land described in the deed to Gabriel Gundling within the City of Napa, County of Napa, State of California recorded January 8, 2014 as Document No. 2014-0000408 of Official Records in the Office of the Napa County Recorder, more particularly described as follows:

**BEGINNING** at a point on the southeasterly line of Trower Avenue at the most northerly corner of said lands of Gundling;

Thence (1) South 33°47'30" East 22.00 feet along the northeastern line of said lands of Gundling;

Thence (2) leaving said northeasterly line South 56°27'54" West 75.00 feet to the northeastern line of the parcel of land described in the deed to Gabriel K. Gundling recorded August 28, 2009 as Document No. 2009-0022596 of Official Records in the Office of the Napa County Recorder;

Thence (3) North 33°47'30" West 22.00 feet along said northeastern line of the lands of Gabriel K. Gundling as described in said deed recorded as Document No. 2009-0022596 to the southeasterly line of Trower Avenue;

Thence (4) North 56°27'54" East 75.00 feet along said south Right of Way line of Trower Avenue to the **POINT OF BEGINNING**.

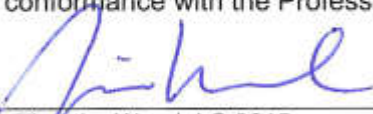
Total computed area containing 1,650 square feet more or less.

The Basis of Bearings for this description is North 30°58'53" West, between Control Points 23 and 24 as shown on the map entitled "Record of Survey City of Napa Control Network Phase 1 & 2" filed April 6, 2012 in Book 41 of Surveys at Pages 44 through 47 inclusive in the office of the Napa County Recorder.

All as shown in Exhibit 'B', attached hereto and by this reference made a part hereof.

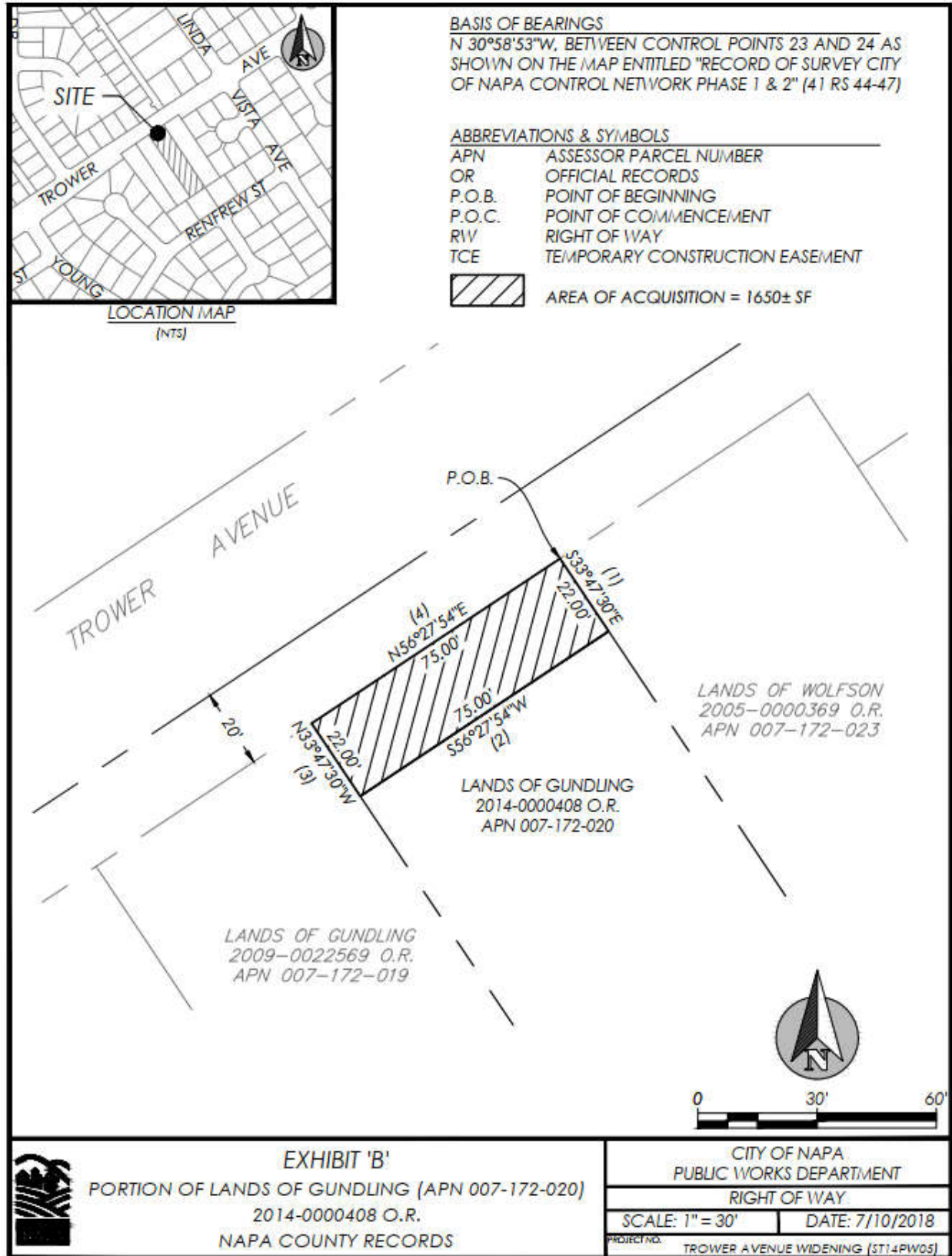
## END OF DESCRIPTION

This real property description has been prepared by me or under my direction in conformance with the Professional Land Surveyors Act.

  
 Timothy Wood, LS 8615  
 3/1/22  
 Date



# **EXHIBIT B**



# **EXHIBIT C**

## EXHIBIT 'A'

**Legal Description – Temporary Construction Easement**

That portion of land described in the deed to Gabriel Gundling within the City of Napa, County of Napa, State of California recorded January 8, 2014 as Document No. 2014-0000408 of Official Records in the Office of the Napa County Recorder, more particularly described as follows:

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Thence (2) leaving said northeasterly line South 56°27'54" West 75.00 feet to the northeastern line of the parcel of land described in the deed to Gabriel K. Gundling recorded August 28, 2009 as Document No. 2009-0022596 of Official Records in the Office of the Napa County Recorder;

Thence (3) South 33°47'30" East 5.00 feet along said northeastern line of said lands of Gundling;

Thence (4) North 56°27'54" East 19.17 feet;

Thence (5) South 33°47'30" East 70.75 feet;

Thence (6) North 56°27'54" East 6.00 feet;

Thence (7) North 33°47'30" West 70.75 feet;

Thence (8) North 56°27'54" East 49.83 feet; to the northeastern line of said lands of Gundling;

Thence along said northeasterly line (9) North 33°47'30" West 5.00 feet to the **POINT OF BEGINNING**.

Total computed area containing 799.50 square feet more or less.

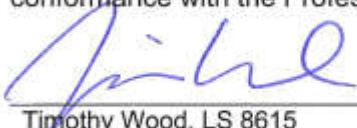
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END OF DESCRIPTION

## ATTACHMENT 3

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Timothy Wood, LS 8615

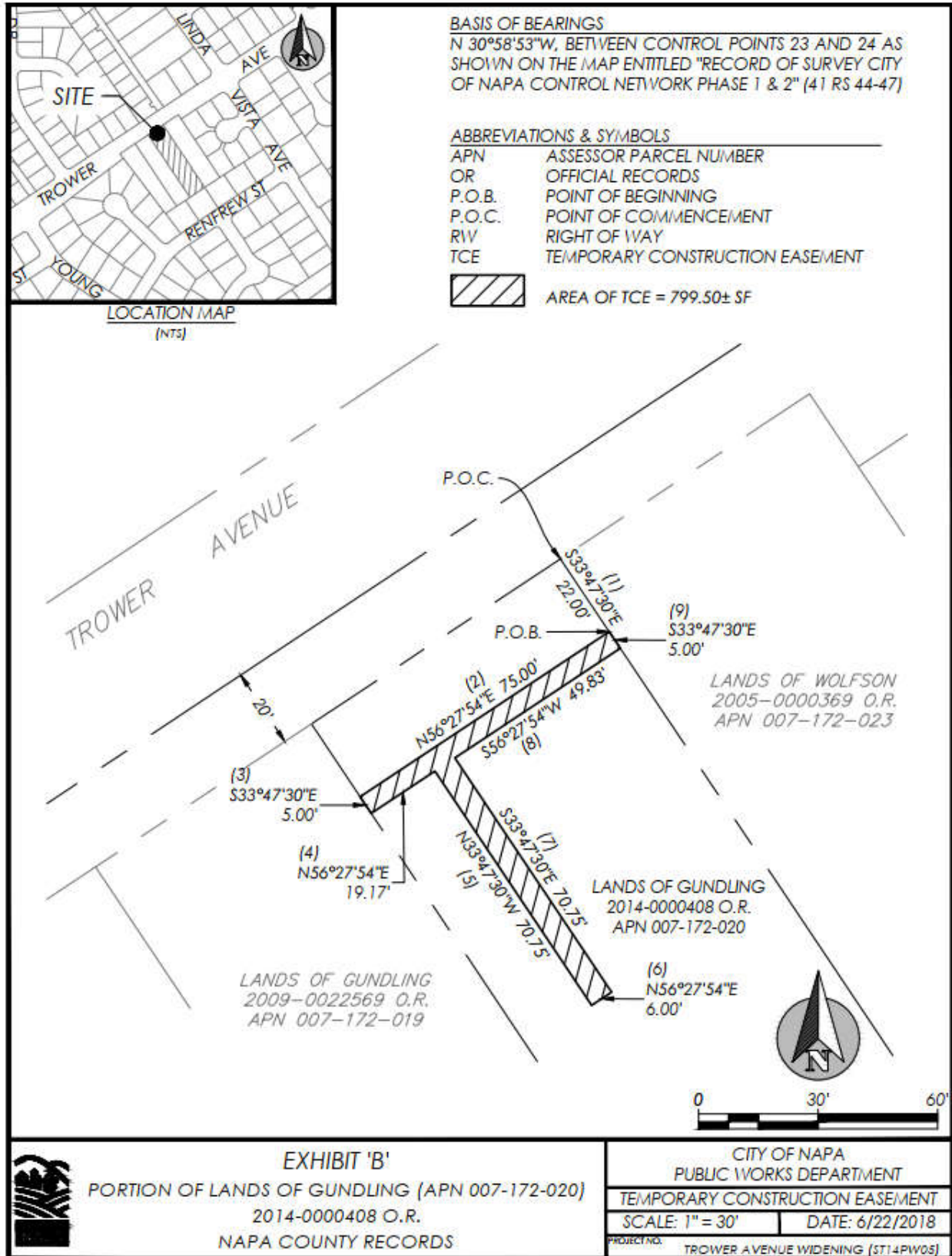
3/1/22

Date



# **EXHIBIT D**





# **EXHIBIT E**



Gabriel Gundling  
2433 Trower Avenue  
Napa, CA 94558

**NOTICE OF INTENTION  
TO ADOPT A RESOLUTION OF NECESSITY  
TO ACQUIRE PROPERTY BY EMINENT DOMAIN KNOWN AS  
ASSESSOR PARCEL NUMBER 007-172-020**

**City of Napa  
(Trower Avenue Widening)**

Re: Notice of Hearing Regarding Adoption of a Resolution to Acquire Property by Eminent Domain [California Code of Civil Procedure Section 1245.235]

1. **Notice of Intent of the City of Napa to Adopt a Resolution of Necessity and Hearing.** The City Council of the City of Napa ("City Council") intends to hold a hearing to consider whether a Resolution of Necessity should be adopted which, if adopted, will authorize the City of Napa ("City") to acquire the real property described herein by eminent domain for the Trower Avenue Widening Project ("Project"). Attached hereto as Exhibits "A" and "B" are the legal descriptions and plat maps depicting the property which is required for the Project. You are being sent this notice as your name appears on the last equalized Napa County assessment roll for this property.

DATE OF HEARING: October 17, 2023  
TIME OF HEARING: 3:30 p.m.  
PLACE OF HEARING: City Hall, located at 955 School Street

2. **Notice of Your Right to Appear and Be Heard.** You have a right to appear and be heard before the City Council at the above scheduled hearing on the following matters and issues, and to have the City Council give consideration to your testimony prior to deciding whether or not to adopt the proposed Resolution of Necessity:

- a. Whether the public interest and necessity require the Project;
- b. Whether the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;

- c. Whether the interest in property sought to be acquired by eminent domain is necessary for the Project; and
- d. Whether the offer required by Government Code section 7267.2 was made to the owner of record.

The statutes which authorize the City to acquire the property by eminent domain for the Project include, but not limited to, Article 1, Section 19 of the Constitution of the State of California, Sections 37350.5 of the Government Code and 10102 of the Streets and Highway Code, and Section 1230.010 *et seq.* of the Code of Civil Procedure.

**3. Failure to File a Written Request to be Heard within Fifteen (15) Days After the Notice Was Mailed Will Result in Waiver of the Right to Appear and Be Heard.** If you desire to be heard, please be advised that you must file a written request with the City Clerk within fifteen (15) days after this notice was mailed. You must file your request to be heard at: Office of the City Clerk, 955 School Street, Napa, CA 94559. Should you elect to mail your request to the City Clerk, it must be actually received by the City Clerk for filing within fifteen (15) days after this notice was mailed. The date of mailing appears at the end of this notice.

California Code of Civil Procedure section 1245.235(b)(3) provides that “[f]ailure to file a written request to appear and be heard within 15 days after the notice was mailed will result in waiver of the right to appear and be heard” on the above matters and issues which are the subject of the hearing.

**4. You Will Not Waive the Right to Claim Greater Compensation if You Do Not Appear at The Hearing.** The amount of the compensation to be paid for the interest, if any, that you may have in the property related to the City’s proposed property acquisition is not a matter or issue being heard by the City Council at this time. Your nonappearance at this noticed hearing will not prevent you from claiming greater compensation as determined by a court of law in accordance with the laws of the State of California. This notice is not intended to foreclose future negotiations between you and the representatives of the City on the amount of compensation to be paid for your property.

**However, if you elect not to appear and be heard, you will be foreclosed from raising in a court of law the issues which are the subject of this notice hearing and which are concerned with the right to take the property by eminent domain.**

If the City Council elects to adopt the Resolution of Necessity, then within six months of the adoption of the Resolution of Necessity, the City will commence eminent domain proceedings in Superior Court. In that proceeding, the Court will determine the amount of compensation to which you are entitled.

## ATTACHMENT 3

CITY OF NAPA

By:   
Tiffany Carranza, Napa City Clerk

Dated and mailed on: 9/28/2023

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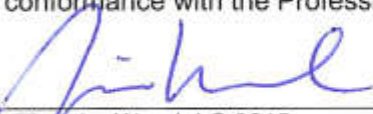
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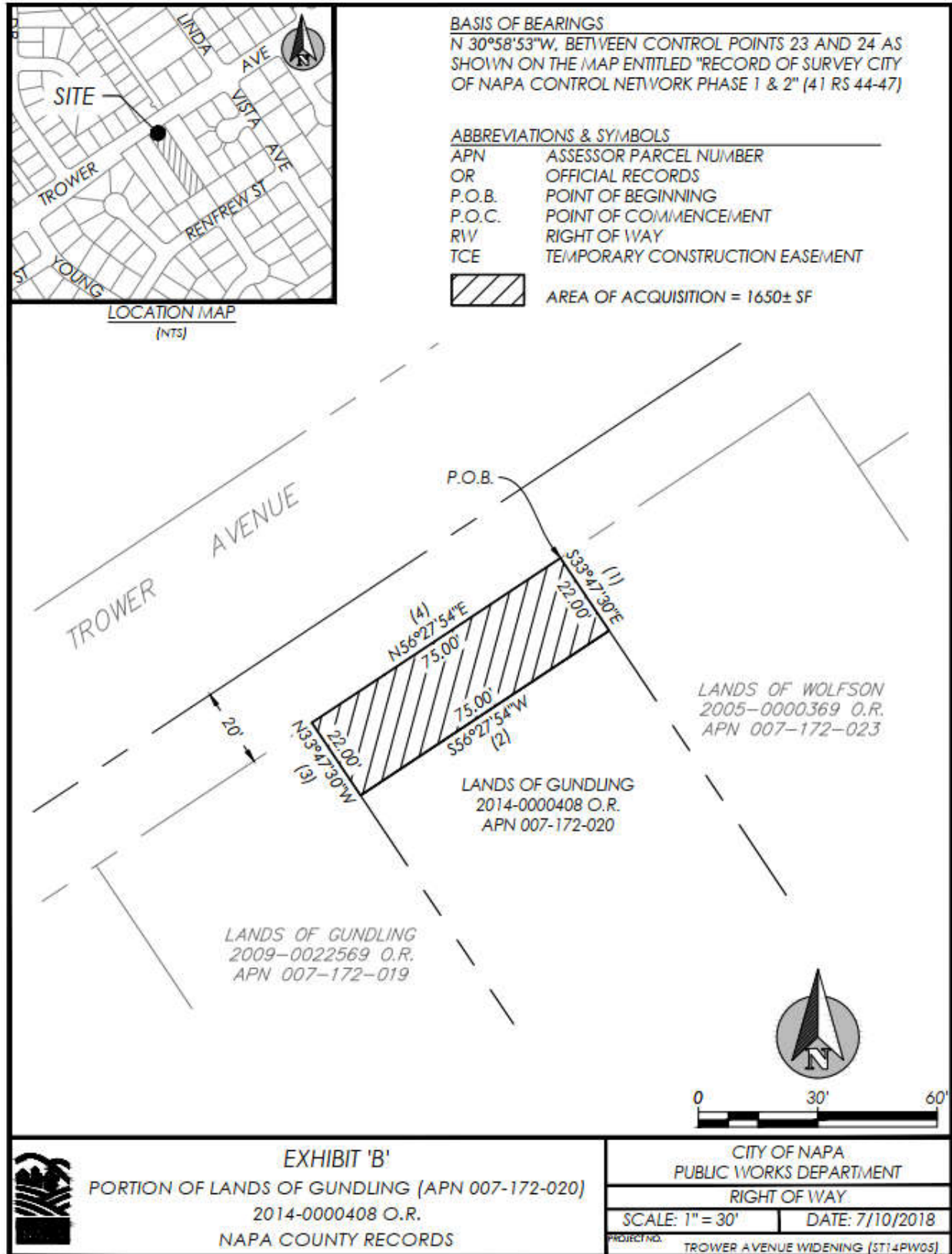
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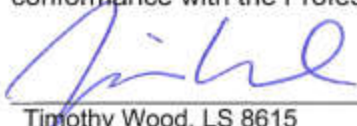
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