

1928

# ACQUISITION OF LAND FOR PUBLIC IMPROVEMENTS

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<p><b>ACQUISITION OF LAND FOR PUBLIC IMPROVEMENTS.</b> Senate Constitutional Amendment 16. Adds Section 14½ to Article I of Constitution. Authorizes State, county or city to acquire land by gift, purchase or condemnation, for memorial grounds, streets, squares, parkways and reservations, limited to parcels within one hundred fifty feet of  <b>10</b> closest boundary of such improvement; when parcels lie partially within such limit only portions thereof within two hundred feet of such boundary may be acquired; after improvement completed land not necessary therefor may be conveyed, with reservations concerning future use so as to protect the improvements; Legislature to prescribe procedure.</p>	<p>YES</p>	
	<p>NO</p>	

(For full text of Measure see page 33, Part II)

**Argument in Favor of Senate Constitutional Amendment No. 16**

This amendment is necessary to remedy a defect in our present acquisition laws and will mean a great saving of money in many cases to the state, the county, the city or any assessment district endeavoring to acquire land for public purposes.

At the present time the public, when opening a street or acquiring a park, can only acquire the land actually necessary for the street or park itself. This frequently necessitates the leaving of little fractions of lots in the form of slivers or small triangles which are practically useless to the owners, a tremendous nuisance to the owners of adjoining property an eyesore to the public. While the public can not, under our present constitutional provisions and laws, acquire these small pieces of property it frequently has to pay large severance damages to the owners for the injury done in connection with the taking of that

portion of the lot actually used for public purposes. This amendment will make it possible for the public to acquire these parcels of land without the payment of severance damages and to later dispose of them in such a way as to prevent their becoming eyesores to the public.

In order to prevent any abuse of this power, the land so acquired is strictly limited to parcels lying within a distance of one hundred and fifty feet from the closest boundary of the public improvement except that where a parcel lies only partially within this limit the property to be acquired by the public must not extend more than two hundred feet from the nearest boundary of the street or park being acquired.

This is a progressive, business-like, money-saving measure which any private citizen would insist on in his own business. As a voter of California you should vote "YES."

**NEWTON M. ALLEN,**  
State Senator, Thirty-seventh District.  
**CADET TAYLOR,**  
State Senator, Thirty-third District.

10	<p><b>ACQUISITION OF LAND FOR PUBLIC IMPROVEMENTS.</b> Senate Constitutional Amendment 16. Adds Section 14½ to Article I of Constitution. Authorizes State, county or city to acquire land by gift, purchase or condemnation, for memorial grounds, streets, squares, parkways and reservations, limited to parcels within one hundred fifty feet of closest boundary of such improvement; when parcels lie partially within such limit only portions thereof within two hundred feet of such boundary may be acquired; after improvement completed land not necessary therefor may be conveyed, with reservations concerning future use so as to protect the improvements; Legislature to prescribe procedure.</p>	YES	
		NO	

Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California, an amendment to the constitution of said state by adding to article one thereof, a new section to be numbered fourteen and one-half, relating to the taking of parcels of land by eminent domain where such border upon public improvements.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its regular session commencing on the third day of January, 1927, two-thirds of the members elected to each of the two houses of the said Legislature voting therefor, hereby proposes to the people of the State of California, that the constitution of said state be amended by adding to article I thereof, a new section to be numbered 14½, and to read as follows:

**PROPOSED AMENDMENT**

ec. 14½. The state, or any of its cities or cities, may acquire by gift, purchase or condemnation, lands for establishing, laying out,

widening, enlarging, extending, and maintaining memorial grounds, streets, squares, parkways and reservations in and about and along and leading to any or all of the same, providing land so acquired shall be limited to parcels lying wholly or in part within a distance not to exceed one hundred fifty feet from the closest boundary of such public works or improvements; provided, that when parcels which lie only partially within said limit of one hundred fifty feet only such portions may be acquired which do not exceed two hundred feet from said closest boundary, and after the establishment, laying out, and completion of such improvements, may convey any such real estate thus acquired and not necessary for such improvements, with reservations concerning the future use and occupation of such real estate so as to protect such public works and improvements and their environs and to preserve the view, appearance, light, air and usefulness of such public works.

The Legislature may, by statute, prescribe procedure.

11	<p><b>COURTS.</b> Senate Constitutional Amendment 12. Amends Sections 3, 4, 5, 13, adds Sections 4a, 4b, 4c, 11a, repeals short Section 11, Article VI, of Constitution. Changes provisions for electing Supreme Court Justices and filling vacancies therein; changes jurisdiction of Supreme Court, District Court of Appeal and Superior Court; empowers Legislature to create more such District Courts and divisions thereof, redivide State into Appellate Districts, establish appellate departments of Superior Court in county having municipal court, determine number and jurisdiction of municipal and inferior courts, and judges thereof, their qualifications and compensation; ratifies legislation fixing municipal court's exclusive jurisdiction at law.</p>	YES	
		NO	

Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the constitution of said state by repealing the first numbered section eleven of article six, proposed by the forty-fifth session of the Legislature as Assembly constitutional amendment number two and approved and ratified by the people at the general election held November 4, 1924, by amending sections three, four, five and thirteen of said article and by adding to said article new sections to be numbered four a, four b, four c and eleven a, relating to courts of record and inferior courts.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its forty-seventh session, commencing on the third day of January, 1927, two-

thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California the following amendments to the constitution of the State of California:

**PROPOSED AMENDMENTS**

First—Section 11 of article VI proposed by the forty-fifth session of the Legislature as Assembly Constitutional Amendment No. 2 and approved and ratified by the people at the general election held November 11, 1924, is hereby repealed.

Second—Section 3 of article VI is hereby amended to read as follows:

(Proposed changes in provisions are printed in black-faced type)