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July 27, 1982

No. 82/91

TO COUNTY ASSESSORS:

ASSESSMENT OF PROPERTY FOLLOWING EMINENT DOMAIN PROCEEDINGS UNDER PROPOSITION THREE

Problems are coming to light relating to Proposition 3 that was approved by the voters in the June 6, 1982 primary election. No doubt the amendment was intended to mean what a casual reading of the text conveys: If your property is taken in eminent domain proceedings, the replacement property will be reassessed in a manner that provides some degree of relief from the full assessment of the replacement property.

One of the first and most fundamental questions that arise from the amendment is whether the assessed value of the dispossessed property goes with the former owner to the replacement property; or, is there simply no new assessment of the replacement property? Assemblyman Robert Campbell, author of ACA 4 that became Proposition 3, proposes that Assembly Bill 3382, Cortese, be amended with a simple statement to the affect that the old assessed value goes with the former owner to the replacement property.

We realize there are a multitude of questions resulting from the amendment and are presently analyzing these problems as well as following the legislative proposal. We will keep you posted on any important developments.

In the meantime, assessors should be identifying affected parcels and taxpayers in order to apply the necessary corrections to the 1983 roll.

Sincerely,

Verne Walton

Verne Walton, Chief
Assessment Standards Division

VW:ebv
AL-05-1197A