

DATE: January 15, 2008
TO: Mayor and City Council
FROM: Director of Public Works
SUBJECT: Summary Vacation of a Portion of "A" Street and Sale of Surplus Property

RECOMMENDATION

That the City Council adopts the attached resolution pertaining to the summary vacation of a portion of "A" Street.

BACKGROUND

The right-of-way and the adjacent Surplus Parcel No. 39 were created as a result of the "A" Street railroad over-crossing project in 1983. A number of individual lots were purchased in order to create the new right-of-way. Once the project was built and the right-of-way established, the remaining lots were combined to create Surplus Parcel No. 39. On February 25, 1992, the City Council, by Resolution No. 92-038, authorized the sale of Surplus Parcel No. 39.

DISCUSSION

Staff has received an offer from Mr. Harish Ram to purchase Surplus Parcel No. 39 at the southwest corner of "A" Street and Walnut Street (formerly Burbank Street). The vacation of a portion of "A" Street right-of-way would add approximately 4,157 square feet to existing Surplus Parcel No. 39 and would allow for the best development of this parcel. Planning staff has worked with the developer to ensure his planned eight-lot single-family development meets City guidelines.

The underlying fee title to the portion of "A" Street right-of-way to be vacated belongs to the City of Hayward. The underlying fee title of the Surplus Parcel No. 39 also belongs to the City. Upon vacation of the street, and based upon the fair market value of \$19 per square foot determined by appraisal, a total of 32,015 square feet will be sold to the developer for \$620,000.

This action qualifies as a summary vacation as defined under the California Streets and Highways Code. A summary vacation is appropriate because the portion of "A" Street being vacated lies behind the existing sidewalk and is not necessary for current or future roadway. There are no sewer, water, or public utilities within areas of the street to be vacated.

Under the California Environmental Quality Act Guidelines (CEQA), Section 15305, Class 5, Minor Alterations of Land Use Limitations and City Guidelines, the vacation of excess right-of-way is exempt from the Application of CEQA.

FISCAL IMPACT

This action creates no cost to the City and will ultimately generate \$620,000 in revenue. Staff recommends, as with previous surplus property sales, deposit of this revenue into the Capital Improvement Fund. Staff further recommends these funds be specifically designated for neighborhood projects in support of various neighborhood improvement efforts.

PUBLIC CONTACT

Not applicable.

SCHEDULE

The effective date of the vacation will be when the Resolution of Vacation adopted by Council is filed for recordation with the Alameda County Recorder.

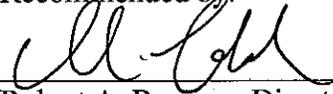
Upon approval of this vacation, an internal escrow with the City or an external escrow with a title company will be opened. The expected close of escrow will occur at the end of March, which will be followed by standard subdivision processing.

Prepared by:



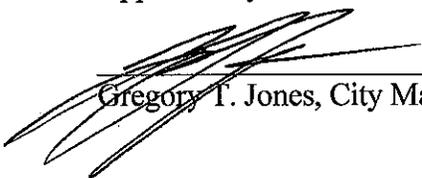
Morad Fakhrai, Deputy Director of Public Works

Recommended by:

For 

Robert A. Bauman, Director of Public Works

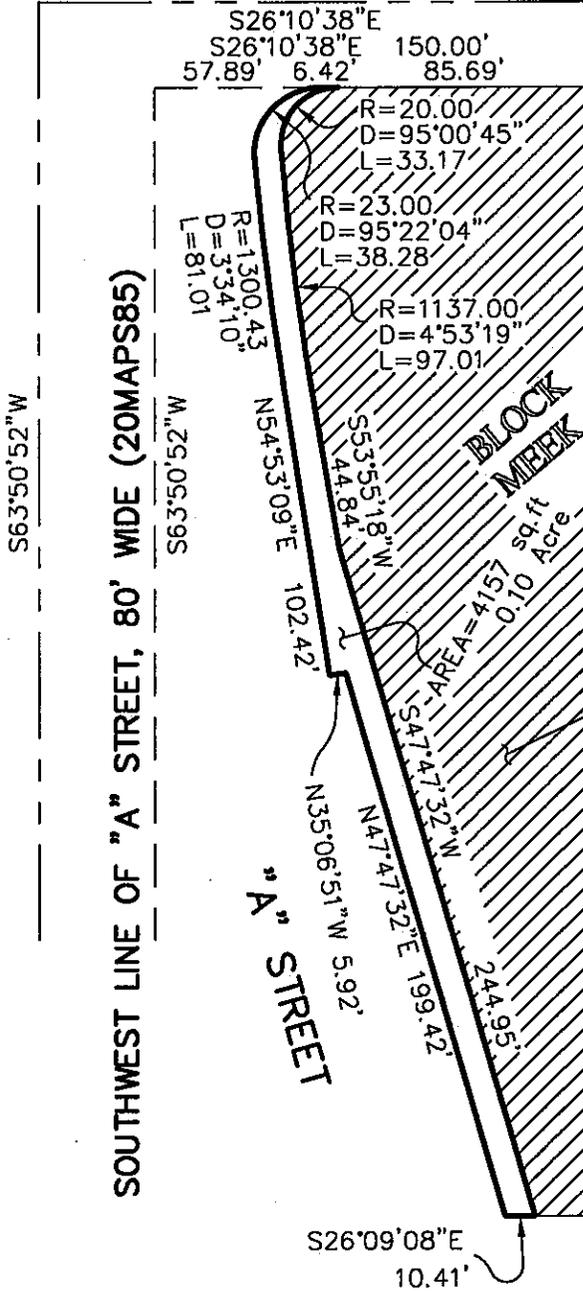
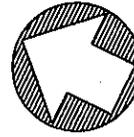
Approved by:



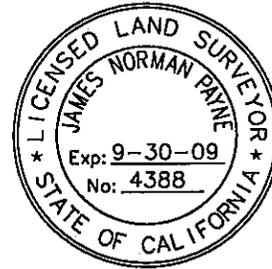
Gregory T. Jones, City Manager

Attachments: Exhibit A: Plot Plan
Draft Resolution

WALNUT STREET (60' WIDE)
(formerly Burbank Street)



SURPLUS PROPERTY
PARCEL No. 39
AREA=27,858 sq. ft
0.63 Acre



NORMAN PAYNE
L.S. 4388
LICENSE EXPIRES 9/30/09

CITY OF HAYWARD ENGINEERING DIVISION		
DRAWN BY: B.D.S.	DATE 12/17/07	
CHECKED BY: J.N.P.	SCALE: 1"=60'	
APPD. BY	APPROVED	
REV	DATE	BY
		CITY ENGINEER
		DIR. PUBLIC WORKS

VACATION A
PORTION OF
"A" STREET

DWG. NO.	07036
FILED	
SHT.	1 OF 1

DRAFT

HAYWARD CITY COUNCIL

RESOLUTION NO. 08-

ym

Introduced by Council Member _____

1/9/08

**RESOLUTION PERTAINING TO THE SUMMARY VACATION
OF A PORTION OF "A" STREET RIGHT-OF-WAY ABUTTING
SURPLUS PARCEL NO. 39, AND THE SALE OF SURPLUS
PARCEL NO. 39**

WHEREAS, the portion of "A" Street right-of-way abutting Surplus Parcel No. 39 and adjacent to Surplus Parcel No. 39 were created as a result of the "A" Street railroad over-crossing project in 1983; and

WHEREAS, on February 25, 1992, the City Council authorized the sale of Surplus Parcel No. 39; and

WHEREAS, the existing right-of-way on the south side of "A" Street is no longer needed for street right-of-way; and

WHEREAS, a summary vacation is appropriate based on the fact that the portion of the "A" Street right-of-way being vacated lies behind the existing sidewalk and is not necessary for current or future roadway; and

WHEREAS, staff has received an offer from Mr. Harish Ram to purchase Surplus Parcel No. 39, and the vacation of this portion of "A" Street right-of-way would add approximately 4,157 square feet to the existing Surplus Parcel No. 39, allowing for the best development of the parcel.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that, pursuant to California Streets and Highways Code section 8330(a), it is hereby ordered that the portion of "A" Street right-of-way abutting Surplus Parcel No. 39, as described in Exhibit "A" attached hereto and made a part hereof, is hereby vacated and the City Clerk is authorized and directed to cause a certified copy of this resolution to be recorded in the office of the County Recorder of Alameda.

BE IT FURTHER RESOLVED that Surplus Parcel No. 39, including the approximately 4,157 square feet from the vacated portion of the "A" Street right-of-way, be sold to Mr. Harish Ram at the appraised value of \$19 per square foot, for a total price of \$620,000.

