

## **APPENDIX K**

Exempt Surplus Land Resolution 23-52

## RESOLUTION 23-52

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST SACRAMENTO, CALIFORNIA, DECLARING CERTAIN REAL PROPERTIES IDENTIFIED AS 811-826 WEST CAPITOL AVENUE (APNS 067-320-007, 067-330-002, 067-330-017, 008-150-033, 008-150-066, AND 008-150-067) AS EXEMPT SURPLUS LAND**

**WHEREAS**, the City of West Sacramento ("City") is the owner in fee simple of certain real properties situated in the City identified as 811-826 West Capitol Avenue (APNs 067-320-007, 067-330-002, 067-330-017, 008-150-033, 008-150-066, and 008-150-067) and containing approximately 8.21 acres as described in Exhibit "A", attached hereto and made a part of hereof ("Property"); and

**WHEREAS**, the California Surplus Lands Act (Cal. Gov. Code §§ 54220 et seq.) ("Act") as modified by California Assembly Bill 1486, effective October 9, 2019, provides the framework and state law requirements for disposal of a local agency's surplus real property; and

**WHEREAS**, under the Act, surplus land is land owned in fee simple by the City for which the City takes formal action in a regular public meeting declaring the land is surplus or exempt surplus land and not necessary for the City's use currently or in the near future; and

**WHEREAS**, the City desires to declare that the properties located at 811-826 West Capitol Avenue are exempt surplus land; and

**WHEREAS**, the City desires improvement of the properties located at 811-826 West Capitol Avenue to facilitate mixed-income, mixed-use compact urban infill development of at least 300 residential units with at least twenty-five percent of the units being restricted to lower income households, as defined in Section 50079.5 of the Health and Safety Code, with an affordable sales price or an affordable rent, as defined in Sections 50052.5 and 50053 of the Health and Safety Code, for a minimum of 55 years for rental housing and 45 years for ownership housing.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of West Sacramento as follows:

SECTION 1. The above recitals are true and correct and are a substantive part of this Resolution.

SECTION 2. The City Council hereby declares that the properties located at 811-826 West Capitol Avenue are exempt surplus land and not necessary for the City's use.

SECTION 3. This Resolution has been reviewed with respect to the applicability of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"). City staff has determined that the designation of this Property as surplus land does not have the potential for creating a significant effect on the environment and is therefore exempt from further review under CEQA pursuant to State CEQA Guidelines Section 15060(c)(3) because it is not a project as defined by the CEQA Guidelines Section 15378. Adoption of the Resolution and declaring this Property surplus land does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. If and when the Property is sold to a purchaser and that purchaser proposes a use for the Property that requires a discretionary permit and CEQA review, that future use and project will be analyzed at the appropriate time in accordance with CEQA.

SECTION 4. The City Manager, or designee, is further directed to do all things which they may deem necessary or proper to effectuate the purposes of this resolution including negotiating in good faith in accordance with the requirements of the Act with any of the designated entities that submit a written notice of interest to purchase or lease the Property in compliance with the Act.

SECTION 5. The City Clerk shall attest to the passage of this resolution, and it shall thereupon be in full force and effect.

**PASSED AND ADOPTED** this 28<sup>th</sup> day of June, 2023 by the following vote:

**AYES: Early, Orozco, Sulpizio Hull, Guerrero.**

**NOES: None.**

**ABSENT: Alcalá**

DocuSigned by:

*Martha Guerrero*

272D63142010406

Martha Guerrero, Mayor

**ATTEST:**

DocuSigned by:

*Jennifer Cusmir*

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Jennifer Cusmir, City Clerk

Exhibit A

(See Attached Legal Descriptions for Real Property)

## Legal Description for APN 067-320-007-000

The land described herein is situated in the State of California, County of Yolo, City of West Sacramento, described as follows:

### Parcel One:

Beginning at a point in the South line of the California State Highway right of way designated as Yolo County Route 6, Section C, that is situate South 21° 33' 30" West along the line common to Swamp Land Surveys numbered 770 and 511, 104.98 feet from the corner common to Swamp Land Surveys numbered 770 and 979; thence from said point of beginning South 21° 33' 30" West, along said line common to Swamp Land Surveys numbered 770 and 511, a distance of 379.68 feet; thence North 73° 45' 30" East, along a line parallel with the South line of said State Highway right of way, a distance of 382.71 feet to the Westerly line of the California State Highway right of way; thence North 16° 14' 30" West along the Westerly line of the State Highway right of way, a distance of 277.31 feet; thence continuing along said right of way line and along a curve to the left having a radius of 94.00 feet and a chord bearing North 76° 47' 17" West 45.85 feet, a distance along the curve of 46.32 feet; thence along the South line of the State Highway right of way, South 73° 45' 30" West 110.25 feet to the point of beginning.

Excepting therefrom, that portion thereof described in the Final Order of Condemnation rendered October 10, 2007, in Superior Court, County of Yolo, Case No. ED06-727, entitled City of West Sacramento v. Shirish B. Patel, et al., a certified copy of which was recorded October 17, 2007, as Instrument No. 2007-0035703, Official Records.

### Parcel Two:

A portion of Swamp Land Survey No. 770 in projected Section 34, Township 9 North, Range 4 East, M.D.M., described as follows;

Commencing at the Northwest corner of said Swamp Land Survey No. 770; thence South 21° 13' 52" West, 104.98 feet to a point on the Southeasterly right of way of West Capitol Avenue (formerly California State Highway, Yolo County Route 6, Section C); thence North 73° 29' 18" East, 110.61 feet to a point on the Westerly right of way line of the California State Highway right of way, thence along said State right of way and the arc of a non-tangent curve, concave to the South, having a radius of 94.00 feet, the chord of which bears South 78° 00' 04" East, 45.85 feet; thence continuing along said State right of way, South 16° 34' 08" East, 90.26 feet, to the Point Of Beginning; thence leaving said Westerly right of way line along the arc of a non-tangent curve, concave to the Southwest, having a radius of 268.00 feet, the chord of which bears South 51° 13' 38" East, 10.46 feet; thence South 40° 51' 11" West, 3.00 feet; thence along the arc of a non-tangent curve, concave to the Southwest, having a radius of 265.00 feet, the chord of which bears South 37° 31' 36" East, 115.55 feet to a point of compound curvature; thence along the arc of a curve to the right, having a radius of 141.50 feet, the chord of which bears South 18° 15' 24" East, 32.91 feet; thence South 11° 34' 46" East, 36.59 feet; thence South 73° 25' 07" West, 42.54 feet to a point on the West line of said State right of way; thence along said State right of way, North 16° 34' 08" West, 187.48 feet, to the Point Of Beginning.

APN: 067-320-007-000

## Legal Description for APN 067-330-002-000

The land described herein is situated in the State of California, County of Yolo, City of West Sacramento, described as follows:

Commencing at a point on the Southwesterly line of that certain parcel of land conveyed to the State of California by deed dated January 31, 1950 and recorded March 30, 1950 in Book 315 of Official Records at Page 419, Yolo County Records, that bears North 73° 33' 00" East 50.86 feet and thence along the arc of a curve to the right having a radius of 492.96 feet, through a central angle of 00° 27' 52" an arc distance of 4.00 feet from the point of intersection of the Southerly line of West Capitol Avenue with the Westerly line of that certain parcel of land described in the deed to James R. Mason et ux., dated January 30, 1950 and recorded March 30, 1950 in Book 315 of Official Records at Page 417, Yolo County Records to the point of beginning; thence from said point of beginning along the said Southwesterly line of the said parcel so conveyed to the State of California, in the first mentioned deed on a curve to the right having a radius of 492.96 feet; through a central angle of 21° 09' 47" an arc distance of 182.08 feet; thence North 42° 53' 47" East 25.00 feet; thence along a curve to the left having a radius of 517.96 feet; through a central angle of 17° 46' 20" an arc distance of 160.66 feet; thence South 73° 33' 00" West 38.97 feet to the point of beginning.

APN: 067-330-002-000

## Legal Description for APN 067-330-017-000

The land described herein is situated in the State of California, County of Yolo, City of West Sacramento, described as follows:

### Parcel One:

Beginning at a point on the Southwesterly line of that certain parcel of land conveyed to the State of California by deed dated January 31, 1950 and recorded March 30, 1950 in Book 315 of Official Records at Page 419, Yolo County Records, that bears North 73° 33' 00" East 50.86 feet and thence along the arc of a curve to the right having a radius of 492.96 feet, through a central angle of 00° 27' 52" an arc distance of 4.00 feet from the point of intersection of the Southerly line of West Capitol Avenue with the Westerly line of that certain parcel of land described in the deed to James R. Mason, et ux., dated January 30, 1950 and recorded March 30, 1950 in Book 315 of Official Records, at Page 417, Yolo County Records; running thence along the said Southwesterly line of the said parcel so conveyed to the State of California, in the first mentioned deed on a curve to the right having a radius of 492.96 feet; through a central angle of 21° 09' 47", an arc distance of 182.08 feet; thence North 42° 53' 47" East 25.00 feet; thence along a curve to the right having a radius of 517.96 feet, through a central angle of 10° 10' 26", an arc distance of 91.97 feet; thence South 36° 55' 47" East 52.57 feet; thence South 66° 22' 49" West 58.77 feet to a point on the center line of a 60 foot road known as Tower Court; thence North 81° 29' 00" West along the last named line, 237.00 feet; thence leaving the said center line and running thence North 08° 31' 00" East 178.34 feet to the point of beginning.

### Parcel Two:

A portion of Swamp Land Survey No. 979, described as follows:

Beginning at the Southwestern corner of the parcel of land described in the deed to James Mason, et ux., recorded March 30, 1950 in Book 315 of Official Records at Page 417; running thence along the Western line thereof North 8° 31' East 157.77 feet to the Southeastern line of West Capitol Avenue; thence along said line North 73° 33' East 50.86 feet to the most Western corner of the parcel of land described in the deed to the State of California, recorded March 30, 1950 in Book 315 of Official Records at Page 419; thence along the Southwestern line thereof along a curve to the right having a radius of 492.96 feet, through a central angle of 0° 27' 52", an arc distance of 4.00 feet to the Western line of the parcel of land described in the deed to Shmariahu Abilouitz, et al., recorded August 16, 1966 in Book 834 of Official Records at Page 497; thence along said line South 8° 31' West 178.34 feet to the Southern line of said Mason parcel, in deed recorded in Book 315 of Official Records at Page 417; thence along said line North 81° 29' West 50.00 Feet to the point of beginning.

### Parcel Three:

That portion of Swamp Land Survey No. 979, shown on the Map of the Reed Orchard Co., filed in Book 5 of Maps and Surveys, at Page 44, Yolo County Records, described as follows:

Beginning at a point on the center line of the California State Highway alignment South of the Town of Broderick designated as station 746+31.1 from which the Southwest corner of S.L.S. 979 bears South 84° 25' 50" West 121.63 feet; and extending thence North 73° 33' East 530.6 feet along said center Line; thence South 8° 31' West 223.95 feet to the center line of interacting State Highway alignment; thence North 81° 29' West 481.00 feet along said latter centerline to the point of beginning.

Parcel Four:

Beginning at a point marked by an old angle-iron monument on the line common to Swamp Land Surveys Nos. 770 and 979, Yolo County Surveys, said line also being the South line of County Road 138-A, at a point distant South 81° 17' East, 391.55 feet from the Northwest corner of said Swamp Land Survey No. 770; thence from said point of beginning South 8° 43' West, 162.35 feet to the Northerly line of the state freeway property as conveyed to the State of California, by deed dated April 4, 1950 and recorded May 25, 1950 in Book 321 of Official Records at Page 225; thence along said freeway property along a steel fence line and along a curve to the right with a radius of 214 feet, through a central angle of 18° 06' 50" an arc distance of 67.65 feet (the chord of which curve bears North 46° 00' 18" West 67.37) to a point in the Easterly line of that certain parcel of land conveyed to Arthur A. Nyberg, by deed recorded in Book 297 of Official Records at Page 460; thence North 8° 43' east along said Easterly line of said Nyberg property, a distance of 123.44 feet to a point on the South line of County Road No. 138-A; thence along the said South line, South 81° 17' East 55.00 feet to the point of beginning.

Parcel Five:

A portion of Swamp Land Survey No. 770, Yolo County Records, acquired by the State of California by Final Order of Condemnation recorded January 4, 1951 in Book 333 of Official Records at Page 438, Yolo County Records.

Said portion is all that part thereof lying within the following described boundaries:

Beginning at a point that bears 50 feet Northeasterly, measured radially from the "H2" line at Engineer's Station "H2 17+04.50 of the Department of Public Works, 1946 Survey between Yolo Causeway and Tower Bridge, Road III-YOL-6-C, said point of beginning is also shown in that certain Highway Map Book No. 1 at Page 262, filed September 19, 1958, Yolo County Records; thence (1) from said point of beginning North 08° 29' 10" East 124.36 feet; thence (2) North 81° 30' 50" West 79.24 feet; thence (3) South 22° 55' 22" West 17.11 feet; thence (4) South 27° 41' 30" East 96.26 feet; thence (5) along a curve to the left with a radius of 214.00 feet, through an angle of 10° 47' 02" an arc length of 40.28 feet (the chord of which curve bears South 33° 05' 01" East 40.22 feet) to the point of beginning.

Parcel Six:

Beginning at a point on the line common to Swamp Land Survey No. 979 and 770, Yolo County Surveys, that is distant South 81° 17' East 391.55 feet from the Northwesterly corner of said SLS 770; thence continuing along said Northerly line of said SLS 770, South 81° 17' East 55.00 feet; thence at right angles thereto, South 8° 43' West 178.88 feet to the Northerly line of the State of California freeway as described in that certain deed from Carl Ricci, et al., to the State of California by deed recorded in Book 319 of Official Records at Page 256, Yolo County Records; thence along said Northerly line of said freeway and along a curve to the right having a radius of 214.00 feet, a central angle of 15° 28' 56", a distance along the arc of 57.83 feet, the chord of which bears North 63° 50' 32" West 57.65 feet to the West line of the Ricci property; thence North 8° 43' East along said line 161.60 feet to the point of beginning.

Parcel Seven:

Beginning at a point on the line common to Swamp Land Survey No. 979 and No. 770, Yolo County Surveys, that is distant South 81° 17' East, 446.55 feet from the Northwesterly corner of said SLS 770; thence continuing along said Northerly line of said SLS 770; South 81° 17' East, 55.00 feet to the Northeast corner of the Ricci property; thence at right angles thereto, South 8° 43' West, 181.10 feet to the Northerly line of the State of California freeways as described in that certain deed from Carl Ricci, et al., to the State of California recorded in Book 319 of Official Records at Page 256, Yolo County Records; thence along said Northerly line of said freeway and along a curve having a radius of 214.00 feet, a central angle of 14° 46' 47" a distance along the arc of 55.20 feet, the

chord of which bears North 78° 58' 23" West, 55.05 feet; thence North 8° 43' East, parallel with the East line of said Ricci property, 178.88 feet to the point of beginning.

Parcel Eight:

Beginning at a point on the line common to Swamp Land Surveys Nos. 979 and 770 in the County of Yolo, State of California that is situated South 81° 17' East 501.55 feet from the Northwesterly corner of said Swamp Land Survey No. 770 and extending thence South 81° 17' East along the line common to first mentioned Swamp Land Survey Nos. 979 and 770 a distance of 377.36 feet to a property corner; thence at right angles along property line having a bearing of South 8° 43' West a distance of 381.82 feet to a property corner, which point is also located in the Northerly line of the State Box Company property; thence at right angles along the Northerly line of the State Box Company property North 81° 17' West a distance of 377.36 feet to a property corner; thence at right angles along a property line having a bearing of North 8° 43' East a distance of 381.82 feet to the point of beginning.

Excepting therefrom that portion thereof, acquired by the State of California by Final Order of Condemnation dated January 14, 1953 in Book 383 of Official Records at Page 437, Yolo County Records.

Parcel Nine:

All that portion of Swamp Land Surveys Nos. 770 and 979, Yolo County Surveys, described as follows:

Beginning at the point of intersection of the Southerly line of Tower Court, a public street 60.00 feet in width, with the Easterly line of the California State Highway right of way described in deed recorded in Book 333 of Official Records at Page 438, Yolo County Records; thence from said point of beginning along the right of way line of said state highway as described in deeds recorded in Book 91 of Deeds, Page 102 and in Book 111 of Deeds, Page 26 and in Book 28 of Official Records, at Page 68, Yolo County Records, the following three courses: (1) North 22° 55' 22" East 32.43 feet; (2) North 73° 33' 00" East 122.80 feet; and (3) South 08° 31' 00" West 23.24 feet to the Northerly line of said Tower Court; thence, along the Northerly line of said Tower Court South 81° 29' 00" East 558.57 feet to a point on the Easterly line of that certain parcel of land described in Book 834 of Official Records at Page 497, said point also being a point on the California State Highway as described in deed recorded in Book 383 of Official Records at Page 437; thence along said right of way line South 66° 59' 00" West 112.80 feet to a point on the Southerly line of said Tower Court; thence along said Southerly line North 81° 29' 00" West 582.44 feet to the point of beginning.

Excepting therefrom any portion thereof lying within Parcels One, Two and Three described above.

APN: 067-330-017-000

## Legal Description for APN 008-150-033-000

The land described herein is situated in the State of California, County of Yolo, City of West Sacramento, described as follows:

Beginning at a point on the centerline of the California State Highway Right of Way, also known as West Capitol Avenue, South of the Town of Broderick, Yolo County, California, that is situate South 21°33'30" West, 29.05 feet and North 73°45'30" East 28.67 feet from the Southwest corner of S.L.S. NO. 979 of Yolo County Surveys, and extending thence from said point of beginning North 16°14'30" West 452.67 feet to the South right of way line of the Sacramento Northern Railroad; thence South 71°15'50" East along said Southerly right of way line of Sacramento Northern Railroad, 122.04 feet; thence South 16°14'30" East 382.71 feet to the centerline of said California State Highway; thence South 73°45'30" West, along said centerline of said State Highway, 100.00 feet to the point of beginning.

APN: 008-150-033-000

## **Legal Description for APN 008-150-066-000**

The land described herein is situated in the State of California, County of Yolo, City of West Sacramento, described as follows:

Parcel A, as shown on Parcel Map entitled Parcel Map No. 2968, filed for record September 29, 1981, in Book 6 of Parcel Maps, Page 30.

APN: 008-150-066-000

## **Legal Description for APN 008-150-067-000**

The land described herein is situated in the State of California, County of Yolo, City of West Sacramento, described as follows:

Parcel B, as shown on Parcel Map entitled Parcel Map No. 2968, filed for record September 29, 1981, in Book 6 of Parcel Maps, Page 30.

APN: 008-150-067-000