

ORDINANCE NO. _____ C. M. S.

OFFICE OF THE CITY CLERK
2003 NOV 11 AM 9:08

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN OFFER TO PURCHASE AGREEMENT WITH JOHN H. JACOBSEN AND MARA M. JACOBSEN, THE ADJOINING PROPERTY OWNERS, FOR 1,500 SQUARE FEET OF SURPLUS REAL PROPERTY LOCATED AT 51ST STREET AND CORONADO AVENUE FOR THE FAIR MARKET VALUE OF \$1,500.

WHEREAS, the City of Oakland ("City") owns a 1,500 square foot, vacant parcel located along the south-easterly corner of 51st Street and Coronado Avenue, Assessor's Parcel Number 013-1137-022-02 described in Exhibit "A" attached hereto (the Property); and

WHEREAS, the Property is a remnant of the 51st Street Road Widening Improvement Project which has been completed; and

WHEREAS, a legal description has been developed that indicated that the Property is 1,500 square feet in area; and that no easements encumber the Property; and

WHEREAS, the Property being less than 5,000 square feet is not subject to the California Surplus Lands Act (California Government Code 54220-5432), but is subject to City Ordinance No. 11602, C.M.S., covering sales of surplus city-owned property; and

WHEREAS, the surplus property was circulated pursuant to Government Code surplus property requirements, the Property may be sold through a negotiated sale; and

WHEREAS, the Property being less than 2,500 square feet is not subject to Planning Commission zoning review, and is subject to all other procedures of City Ordinance No. 11602, C.M.S., for sale of City-owned properties; and

WHEREAS, Real Estate Services market analysis of the Property indicates a market value of \$1,500; and

WHEREAS, the Property is not legally developable as a separate parcel, the sale is conditioned upon it being merged with the adjoining property at 4976 Coronado Avenue; and

WHEREAS, John H. Jacobsen and Mara M. Jacobsen, the owners of the abutting property, have tendered an offer to purchase the Property in the amount of \$1,500, the City's appraised value, and has executed an Offer to Purchase Agreement in that amount; now therefore,

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council finds and determines that the herein-described real property is not needed for any public purpose, is surplus to the needs of the City, and the City is not required

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JAN 6 2004

to put the Property out for competitive bidding, and the sale of the Property to the adjoining or abutting owner is in the City's best interests.

SECTION 2. The City Manager is authorized to execute the Offer to Purchase Agreement from John H. Jacobsen and Mara M. Jacobsen for the sum of \$1,500 and to execute a deed conveying the Property subject to a deed restriction prohibiting any vehicular ingress and egress from 51st Street.

SECTION 3. Real Estate Services Division 's administrative costs associated with the sale of the property \$1,000 shall be reimbursed to Fund 1010, Org. 88639, Project P47010 (Surplus Property Program) and the remaining funds shall go to the Public Works Department, since the property was originally purchased as part of a street-widening project.

SECTION 4: The City Manager or his designee is hereby authorized to take and all actions necessary, consistent with this Ordinance, to complete the sale of the Property.

SECTION 5. The City Attorney shall approve the Offer to Purchase Agreement as to form and legality.

SECTION 6. The Ordinance shall take effect immediately upon its passage.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2003
PASSED BY THE FOLLOWING VOTE:

AYES BROOKS, BRUNNER, CHANG, NADEL, REID, QUAN, WAN, AND
 PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

CEDA FLOYD

City Clerk and Clerk of the Council
of the City of Oakland, California

Introduction Date: DEC 16 2003

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EXHIBIT "A"

All that real property situated in the City of Oakland, County of Alameda, State of California, described as follows:

That portion of Lot 11, as said Lot is shown upon the map entitled "Coronado Tract, Oakland, Alameda County, Cal.", filed May 11, 1909, in Book 24 of Maps, at Page 69, Alameda County Records, described in whole as follows:

BEGINNING at a point on the easterly line of Coronado Avenue, distant thereon 40.00 feet southerly from the intersection thereof with the southerly line of 51st Street (60 feet wide), as said Avenue and Street are shown on said map; thence easterly, parallel with said line of 51st Street, along the proposed southerly line of 51st Street (100 feet wide) as it now exists (widening not yet dedicated), 100.00 feet to the easterly line of said lot; thence southerly, along said line 15.00 feet; thence westerly, parallel with said line of 51st Street, 100.00 feet to the easterly line of Coronado Avenue; thence northerly, along said line 15.00 feet to the POINT OF BEGINNING.

Containing 1500 square feet, more or less.

END OF DESCRIPTION

A.P.N. 013-1137-022-02 (Portion)

Dated Nov. 10, 2003



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D129.111003

Sheet 1 of 1

Handwritten signature

NOTICE AND DIGEST

OFFICE OF THE CITY CLERK
2003 NOV 25 AM 9:08

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN OFFER TO PURCHASE AGREEMENT WITH JOHN H. JACOBSON AND MARA M. JACOBSON THE ADJOINING PROPERTY OWNERS FOR 1,500 SQUARE FEET OF SURPLUS REAL PROPERTY LOCATED AT 51ST STREET AND CORONADO AVENUE FOR THE FAIR MARKET VALUE OF 1,500.

An ordinance has been prepared authorizing the City Manager to sell surplus City-owned property to the adjoining property owner at 51st Street and Coronado Avenue for the fair market value of \$1,500.

The City-owned property is a vacant rectangular shaped parcel containing approximately 1,500 square feet. It has frontage along 51st Street and is not capable of independent development. The proposed sale would be conditioned upon the parcel being merged with the adjoining property located at 4976 Coronado Avenue. After assembling the City-owned property with the adjoining property, the development densities beyond the existing zoning levels would not be increased. There are no City subsidies involved in the sale of the surplus property.

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