

FILED
OFFICE OF THE CITY CLERK
OAKLAND

Approved as to Form and Legality
A. Lewis

2009 MAY -7 PM 5:50

CITY ATTORNEY

OAKLAND CITY COUNCIL

REVISED

ORDINANCE NO. _____ C. M. S.

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE AN AGREEMENT TO SELL TWO CITY-OWNED SURPLUS REAL PROPERTIES LOCATED BETWEEN 1522 GRAND VIEW DRIVE AND 1600 GRAND VIEW DRIVE TO PENTAIAH ALISETTY FOR ONE HUNDRED AND TWENTY FIVE THOUSAND (\$125,000) DOLLARS

WHEREAS, the City of Oakland ("City") own Property consisting of two parcels located on Grand View Drive, Assessor Parcel Numbers, (APN: 048H-7602-012, and 048H-7602-013) depicted on - Exhibit "A" "the Property"; and

WHEREAS, a legal description has been developed that indicates that the Property is approximately 30,000 square feet in area; and

WHEREAS, the Property is to be sold in "AS-IS" condition and the City makes no representations regarding land use or other permitting issues that may affect the property; and

WHEREAS, information regarding the surplus property was circulated pursuant to Government Code requirements and the Property was originally offered for sale to general public at the City of Oakland, Real Estate Services Surplus Property Auction on November 18, 2005; and

WHEREAS there were no bids for the Property at the Auction; and

WHEREAS, Real Estate Services Division, as authorized by Ordinance No. 11602 C.M.S., marketed the Property for over three years before receiving a bid; and

WHEREAS, market analysis establishes the Property's market value at \$125,000; and

WHEREAS, Pentaiah Alisetty, has tendered an offer to purchase the Property in the amount of \$125,000; and

WHEREAS, Pentaiah Alisetty has agreed to pay the City the total amount of the sale price and additional administrative fees for the subject property; and

WHEREAS, after the Property is sold to Pentaiah Alisetty, the City will receive property taxes and will save the cost of maintaining the Property; and

WHEREAS, the requirements of the California Environmental Quality Act of 1970 ("CEQA"), the CEQA Guidelines as prescribed by the Secretary of Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied; 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 has met the requirements of Government Code regarding the sale of surplus land.

Section 2. The sale of the Property to Pentaiah Alisetty is in the City's best interest as it returns a property to the tax rolls, generates revenue for the General Fund and removes the Property from City maintenance responsibility.

Section 3. The City Administrator, or his designee, is authorized to negotiate, execute and accept the Offer to Purchase and Sales Agreement from Pentaiah Alisetty for the sum of \$125,000 and to execute a Quitclaim Deed conveying the Property, and any and all other documents necessary to effectuate the sale of the Property.

Section 4. The sales proceeds will be placed in General Purpose Fund (1010), Real Estate Services Organization (88639), Surplus Property Account (48111), Surplus Property Disposition Project (P47010), Real Estate Program (PS32). The sale of this Property will help meet the surplus property revenue requirements in the proposed Fiscal Years 2009-11 biannual budget.

Section 5. Pursuant to Ordinance No. 11602 C.M.S., the City Administrator may conduct a negotiated sale of the surplus Property because such sale is in the best interest of the City.

Section 6. The City Council has independently reviewed and considered this environmental determination, and the City Council finds and determines, based on the information in the staff report accompanying this Ordinance, that it can be seen with certainty that there is no possibility that the conveyance of the Property by the City to the Purchaser may have a significant effect on the environment, and therefore this action complies with CEQA because this action on the part of the City is exempt from CEQA pursuant to Section 15312(Surplus Government Property Sales) of the CEQA guidelines;

Section 7. The City Administrator, or his designee, shall cause to be filed with the County of Alameda a Notice of Exemption and an Environmental Declaration (California Fish and Game Code Section 711.4) for this action.

Section 8. The Manager, Real Estate Services is hereby authorized to take any and all actions necessary, consistent with this Ordinance, to complete the sale of the Property.

Section 9. The Purchase and Sales Agreement and any other documents necessary for the sale of this property shall be approved as to form and legality by the City Attorney's Office and a copy shall be filed with the Office of the City Clerk.

Section 10. This Ordinance shall become effective immediately upon final adoption if it receives six or more affirmative votes; otherwise, it shall become effective upon the seventh day after final adoption

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER

NOES-

ABSENT-

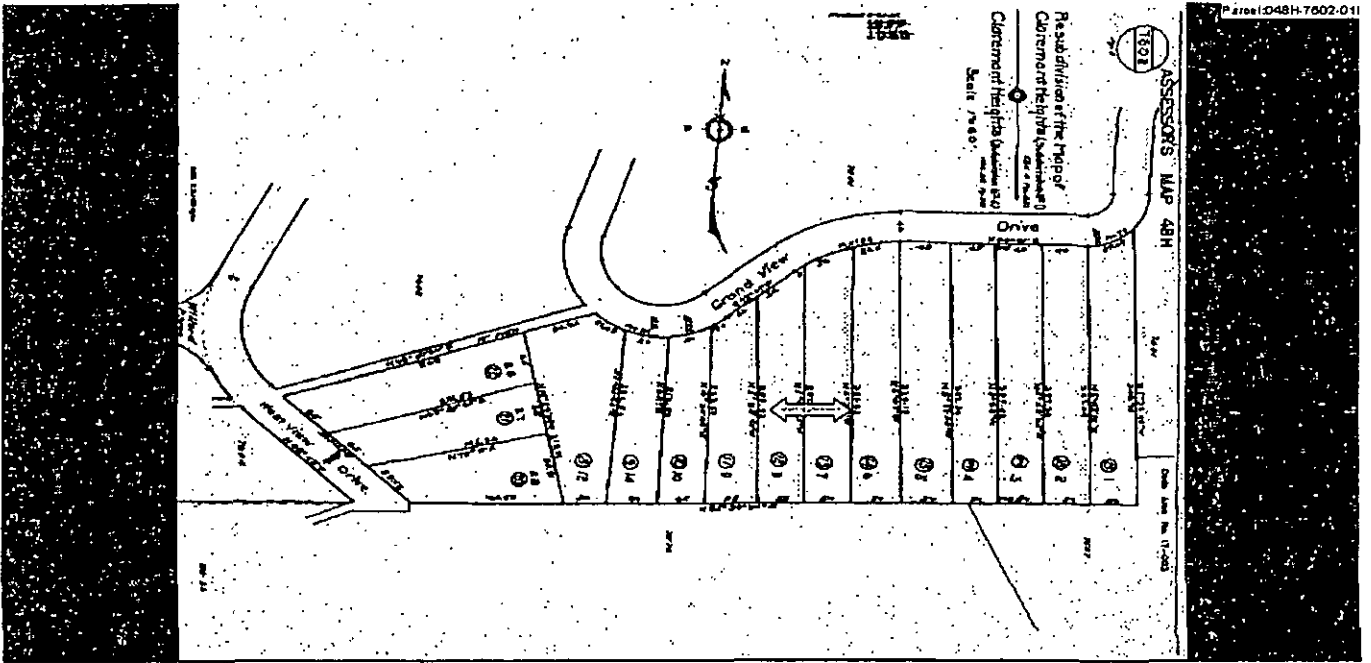
ABSTENTION-

ATTEST: _____

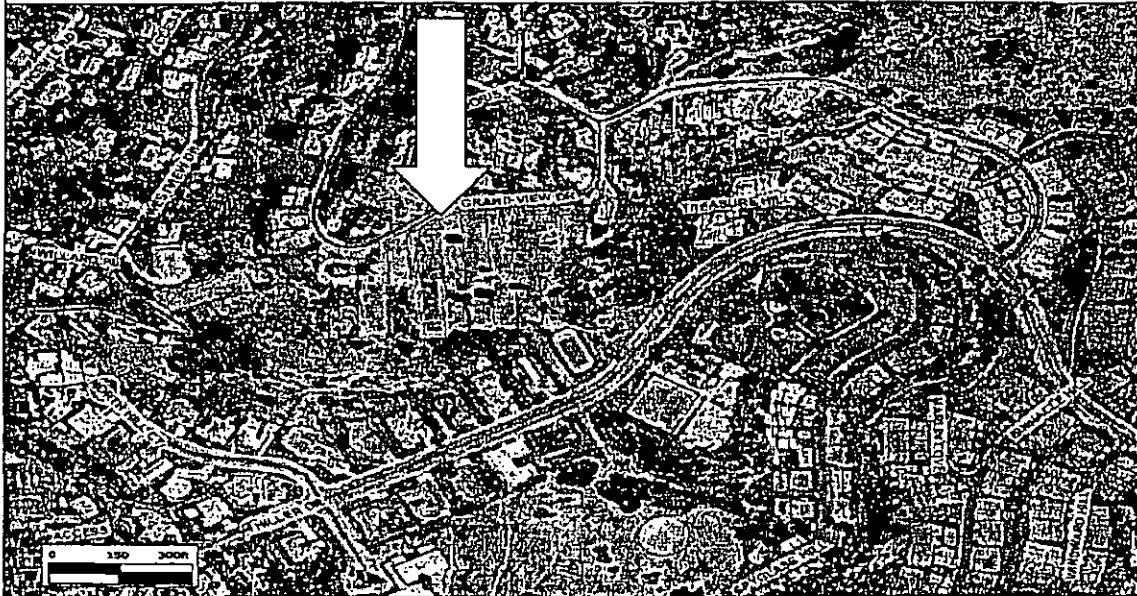
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

DATE OF ATTESTATION : _____

EXHIBIT "A"



Grand View Dr



It is imperative that you obtain BOTH the Zoning and General Plan designations for the property(s) you are searching for.

Questions? Contact a planner at (510) 230-3911.

Printed: 4/23/2009 11:28:18 AM

City of Oakland