

INTRODUCED BY COUNCIL MEMBER _____

FILED
OFFICE OF THE CITY CLERK
OAKLAND

APPROVED AS TO FORM AND LEGALITY
[Signature]
CITY ATTORNEY

2003 JUL 10 PM 5:45

ORDINANCE NO. _____ C. M. S.
12535

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A PURCHASE AND SALES AGREEMENT IN THE AMOUNT OF SIX THOUSAND AND THREE HUNDRED DOLLARS (\$6,300) WITH PACIFIC GAS AND ELECTRIC COMPANY TO GRANT A PERMANENT EASEMENT FOR EXPANSION OF PALO SECO SUBSTATION TO PROVIDE EMERGENCY BACK UP POWER TO THE OAKLAND HILLS OVER THE CITY OWNED PROPERTY LOCATED ON MONTEREY BLVD (APN: 029A 1330 034 00)

WHEREAS, the real property located at Monterey Boulevard illustrated in the Exhibit "A" attached hereto (the "Property") is situated in the City of Oakland (City); and

WHEREAS, the City is the owner of the real property located at the Monterey Boulevard illustrated in the Exhibit "A"; and

WHEREAS, the City hereby finds the expansion of the Palo Seco Substation Project is necessary to provide reliable electrical power to the residents and businesses of City of Oakland, and

WHEREAS, the Pacific Gas and Electric Company's Palo Seco Substation Project requires a 475 square foot permanent easement to construct and expand an electrical power transformer located on the City owned property along Monterey Boulevard and illustrated in the Exhibit "B"; and

WHEREAS, an independent appraisal has been prepared which established the fair market value of the easement in the amount of \$6,300; and

WHEREAS, both the City and PG&E have agreed to enter into a Purchase and Sale Agreement for the necessary easement rights at their appraised fair market value to facilitate the construction of the power transformer substation; and

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

SECTION 1. The City Manager, or his designee, is authorized to execute any and all documents necessary to proceed with the conveyance of the permanent easement to PG&E for the property; the legal description set forth in Exhibit "A"; attached hereto.

SECTION 2. The City Manager, or his designee, is authorized and directed to execute a Purchase and Sale Agreement to grant easement rights to real property to PG&E in exchange for \$6,300.

SECTION 3. Real Estate Services Division's administrative costs associated with the granting of the easement shall be reimbursed to Fund 1010, Org. 88639, Project P47010 (Surplus Property Program).

SECTION 4. The Manager of Real Estate Services is hereby authorized to take all actions as may be required to carry out the intent of terms of this Ordinance.

SECTION 5. The Sale and Purchase Agreement 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 6. This Ordinance shall take effect immediately upon its passage.

Introduction Date: JUL 29 2003

SEP 16 2003

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

AYES

BROOKS, BRUNNER, CHANG, NADEL, REID, QUAN, WAN, ~~WANG~~ -7
~~DE LA FUENTE~~

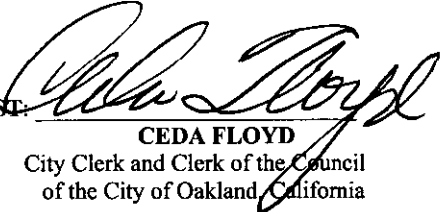
NOES- 0

ABSENT- 0

ABSTENTION- 0

EXCUSED-DE LA FUENTE-1

ATTEST:


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