

*A. Miller*

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2003 SEP 11 PM 2:08

**OAKLAND CITY COUNCIL**

**ORDINANCE No. \_\_\_\_\_ C.M.S.**

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

**A CITY ORDINANCE AUTHORIZING SALE OF .93 ACRES OF CITY LAND NEAR OAKPORT STREET AND HASSLER WAY TO THE REDEVELOPMENT AGENCY FOR \$40,593, FOR SALE TO HENDRICK AUTOMOTIVE GROUP FOR DEVELOPMENT OF AN INFINITI DEALERSHIP**

**WHEREAS**, the City of Oakland (the "City") owns approximately .93 acres of real property located near Oakport Street and Hassler Way, as more fully described in Exhibit A attached to this Ordinance (the "Property"); and

**WHEREAS**, the City Council has adopted Ordinance Nos. 10142 and 11602 C.M.S., which establish procedures for the sale and lease of City-owned property; and

**WHEREAS**, the Property is located within the Coliseum Redevelopment Project Area; and

**WHEREAS**, the Redevelopment Agency of the City of Oakland ("Agency") desires to purchase the Property from the City for redevelopment purposes; and

**WHEREAS**, Health and Safety Code Section 33220 authorizes any public body, with or without consideration, to sell property to a redevelopment agency to promote redevelopment projects; and

**WHEREAS**, the City is the Lead Agency for this project for purpose of environmental review under the California Environmental Quality Act of 1970 ("CEQA"); and

**WHEREAS**, the requirements of CEQA, the CEQA Guidelines as prescribed by the Secretary for Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been met because this transaction is exempt from CEQA under section 15312 of the CEQA Guidelines (sale of surplus government property);

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:**

**Section 1.** Pursuant to Sections 1 and 8 of Ordinance No. 10142 C.M.S., and Sections 4 and 6 of Ordinance No. 11602 C.M.S., it is determined to be in the best interest of the City to sell the Property by negotiated sale to the Agency, since the Property is located in a redevelopment project area and the Agency is the agency responsible for promoting redevelopment in Oakland's project areas.

**OAKLAND CITY COUNCIL**  
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**Section 2.** The City Council hereby authorizes the conveyance of the Property to the Redevelopment Agency for the price of \$40,593 in cash.

**Section 3.** The City Manager is authorized to negotiate and execute a grant deed or other agreements as necessary to convey the Property to the Agency upon satisfaction of any preconveyance conditions imposed by the City Manager or her designee.

**Section 4.** The City Manager or her designee is authorized to file a notice of exemption for this action.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2003

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, NADEL. QUAN, REID, 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

*10.12.ce*  
**ORA/COUNCIL**  
**OCT 21 2003**

EXHIBIT A

**PROPERTY DESCRIPTION**

## LEGAL DESCRIPTION

Real property located in the City of Oakland, County of Alameda, State of California, being a portion of Lot 10, as shown on Parcel Map 6003, recorded in Book 205 of Parcel Maps at pages 94-98, Alameda County Records, more particularly described as follows:

**Beginning** at the most westerly corner of Parcel 2 as shown on Certificate of Compliance, recorded April 27, 2001 as series number 2001 141354, Alameda County Records; **thence**, along the westerly line of said Lot 10, North 33°50'24" West 1282.76 feet to a point on a curve concave to the southwest having a radius of 372.21 feet; **thence** northwesterly 26.45 feet along said curve through a central angle of 4°04'16"; **thence** North 56°09'36" East 20.05 feet to a point on a non-tangent curve concave to the southwest having a radius of 392.21 feet to which point a radial line bears North 52°17'51" East, said point also being on the easterly line of said Lot 10; **thence** southeasterly 26.44 feet along said curve through a central angle of 03°51'45"; **thence** continuing along said easterly line of Lot 10 the following 3 courses:

1. South 33°50'24" East 253.55 feet;
2. North 56°09'36" East, 14.00 feet;
3. South 33°50'24" East 1029.21 feet to a point on the northwesterly line of said Parcel 2;

**Thence** along said northwesterly line South 56°09'36" West 34.00 feet to the **Point of Beginning**.

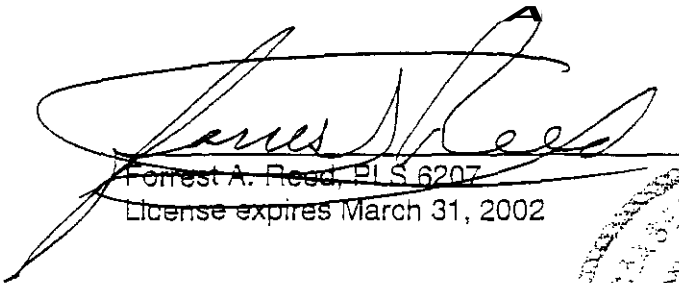
Containing 40,593 square feet, more or less, measured in grid distances.

## END OF DESCRIPTION

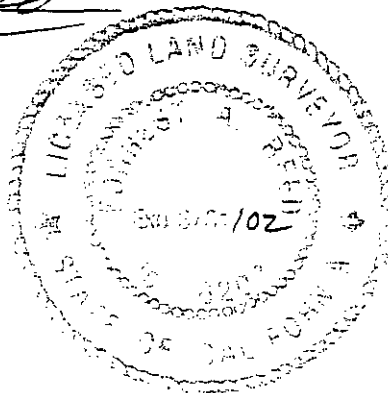
This description is based upon the North American Datum of 1983, (1986 Adjustment) as shown upon Record of Survey 990, filed for record in Book 18 of Record of Surveys, Pages 50-60, in the Office of the Recorder of Alameda County. All distances called for by this description are grid distances. To obtain ground distances, multiply distances called for herein by 1.0000708.

### Surveyor's Statement

I hereby state that this description and its accompanying plat were prepared by me or under my direction in December 2001.

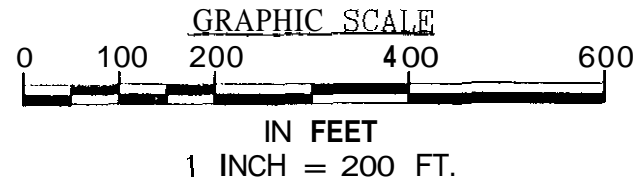
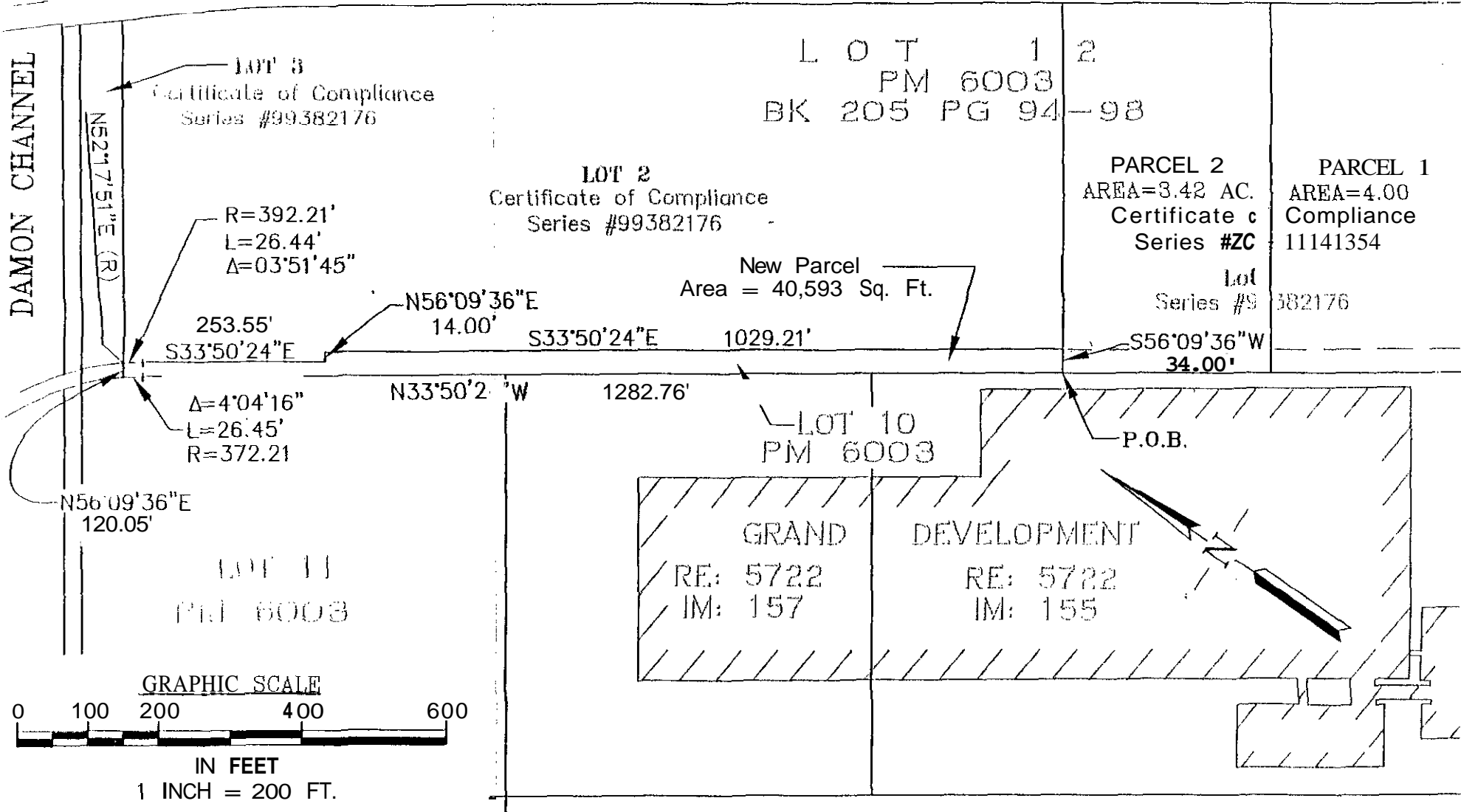
  
Forrest A. Reed, PLS 6207  
License expires March 31, 2002

12/14/01  
Date



OAKPORT STREET (Undedicated)

DAMON CHANNEL



BASIS OF BEARINGS

EDGEWATER DRIVE

**PORT OF OAKLAND**  
LAND SURVEYS AND MAPPING  
530 Water Street  
Oakland, California

**PLAT**  
To Accompany  
Legal Description

DRAWN BY: eod	Field Bk:
CHECKED BY: cm	Wrk. Ord: 2006
SCALE: 1"= 200'	Data File:
DATE: 12/12/01	Revision:
SHEET 1 OF 1	Rev. date:
ATTACHMENTS	
FILE LOC.>	

RECORDING REQUESTED BY:

City of Oakland, a Municipal Corporation

2002005767 01/04/2002 03:57 PM  
OFFICIAL RECORDS OF RECORDING FEE: 0.00  
ALAMEDA COUNTY  
PRTRICK O'CONNELL



PGS

WHEN RECORDED MAIL TO:

Frank Fanelli, ASA  
Manager, Real Estate Division  
City of Oakland  
Community & Economic Development Agency  
250 Frank H. Ogawa Plaza  
4<sup>th</sup> floor  
Oakland, CA 94612

TAX ROLL PARCEL NUMBER  
(ASSESSOR'S REFERENCE NUMBER)  
041-3902-013-00  
MAP BLOCK PARCEL SUB

4  
123

(Space above for Recorder's use only)

**CERTIFICATE OF COMPLIANCE**

For the subdivision of the remainder of Lot 10 resulting from the recording of the Certificate of Compliance filed April 27, 2001 as Series No. 2001 141354, Alameda County Records, and which property is shown in its entirety on Parcel Map 6003 filed June 2, 1993 in Book 205 of Parcel Maps at pages 94-98, Alameda County Records.

Pursuant to sections 33166.20 1/2 and 66499.35 of the Government Code of the State of California and City of Oakland Municipal Code section 16.24.020, the City of Oakland, a municipal corporation, hereby records this Certificate of Compliance for the parcels of land described in the attached Legal Descriptions and accompanying plats, after finding that the parcels described are in compliance with section 66428 by virtue of a Parcel Map Waiver attached and hereby made a part of this Certificate of Compliance.

**Owner:** Redevelopment Agency of the City of Oakland,

Frank Fanelli

Date: 1/4/02

APPROVED:

Gary Patton

Gary Patton  
Zoning Administrator  
Local Agency Official

Date: 1-4-02

10.12CC  
ORACOUNCIL  
OCT 21 2003

R/R  
PARCEL