

2003 OCT 16 PM 3: 37

APPROVED AS TO FORM AND LEGALITY:


DEPUTY CITY ATTORNEY

OAKLAND CITY COUNCIL

ORDINANCE NO. 12554 C. M. S.

AN ORDINANCE AUTHORIZING THE SALE OF THE PROPERTY AT 1072 55th STREET TO THE REDEVELOPMENT AGENCY FOR \$415,000

WHEREAS, the City of Oakland ("City") owns the real property at 1072 55TH Street described in the Exhibit "A" attached hereto (APN 015-1308-009) (the "property"); and

WHEREAS, under Ordinance No. 11602 C.M.S., the sale of City real property to another public agency with the power of eminent domain is exempt from competitive bidding requirements; and

WHEREAS, the Redevelopment Agency desires to increase their debt in the Stanford/Adeline Redevelopment Project Area to accrue additional tax increment ; and

WHEREAS, the Redevelopment Agency desires to purchase the property from the City at its fair market value; and

WHEREAS, the Redevelopment Agency has agreed to execute a promissory note in favor of the City for \$415,000, the appraised market value of the property, in exchange for the property; and

WHEREAS, the property was acquired with Community Development Block Grant ("CDBG") funds; and

WHEREAS, the Agency has agreed to continue to reserve the property for uses consistent with the national objectives of the CDBG program and otherwise comply with all other applicable CDBG regulations; and

WHEREAS, the requirements of the California Environmental Quality Act of 1970 ("CEQA"), the State CEQA Guidelines, and the City CEQA Procedures have been satisfied, in that this transaction is categorically exempt from CEQA under section 15312 of the CEQA Guidelines (surplus government property sales); now, therefore

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

SECTION 1. The Council hereby authorizes the sale of the property at 1072 55th Street to the Redevelopment Agency for a price of \$415,000, and in exchange hereby authorizes the acceptance of a promissory note for \$415,000 from the Redevelopment Agency. The City Manager, or his or her designee, is authorized to negotiate and execute documents necessary to proceed with the sale of the property, including without limitation a grant deed.

SECTION 2. Payments on the promissory note will be deposited in Fund 2108.

SECTION 3. All documents shall be approved as to form and legality by the City Attorney's Office.

SECTION 4. This Ordinance shall take effect immediately upon its passage.

Introduction Date:

NOV 04 2003

NOV 18 2003

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2003

PASSED BY THE FOLLOWING VOTE:

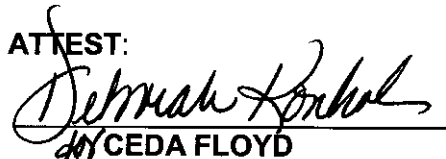
AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN, AND PRESIDENT DE LA FUENTE - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:



CEDRA FLOYD

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

EXHIBIT A

Legal Description of 1072 55th Street"

Lot 20 in Block "D", as said lot and block are delineated and so designated upon that certain map entitled "The Gaskill Tract", filed February 2, 1877, in Book 17 of Maps, Page 40, Alameda County Records.

Assessor's Parcel No. 015-1308-009

NOTICE AND DIGEST

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This Ordinance authorizes the City of Oakland to sell the real property at 1072 55th Street (APN 015-1308-009), to the Redevelopment Agency in exchange for a promissory note for \$415,000, the appraised market value of the property.

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Notice of Publication

This Ordinance was introduced at the City Council meeting, Tuesday evening November 4, 2003, and passed to print 8 Ayes. Hearing on final adoption has been scheduled for the City Council meeting Tuesday evening November 18, 2003, 8:00 p.m., at One Frank Ogawa Plaza, Council Chambers on the third floor in Oakland, California.

Three full copies are available for use and examination by the public in the Office of the City Clerk at One Frank H. Ogawa Plaza, 1st Floor, Oakland, California.

CEDA FLOYD, City Clerk

**The Oakland Tribune, #304475
November 15, 2003**

Oakland Tribune

c/o ANG Newspapers
401 13th Street
Oakland, CA 94612
Legal Advertising
(800) 595-9595 opt.4

NOV 21 PM 3:34

CITY OF OAKLAND
1 FRANK OGAWA PLAZA, 2ND FLOOR (CITY
HALL),ATTN: DENISE VEJMOLA
OAKLAND CA 94612

PROOF OF PUBLICATION

FILE NO.

In the matter of

DIGEST

The Oakland Tribune

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the Legal Advertising Clerk of the printer and publisher of The Oakland Tribune, a newspaper published in the English language in the City of Oakland, County of Alameda, State of California.

I declare that The Oakland Tribune is a newspaper of general circulation as defined by the laws of the State of California as determined by this court's order, dated December 6, 1951, in the action entitled In the Matter of the Ascertainment and Establishment of the Standing of The Oakland Tribune as a Newspaper of General Circulation, Case Number 237798. Said order states that "The Oakland Tribune is a newspaper of general circulation within the City of Oakland, and the County of Alameda, and the State of California, within the meaning and intent of Chapter 1, Division 7, Title 1 [§§ 6000 et seq.], of the Government Code of the State of California. "Said order has not been revoked, vacated, or set aside.

I declare that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

11/15/03

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Hamera Seble

Public Notice Advertising Clerk

Legal No. 0000304475

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CEDA FLOYD, City Clerk

The Oakland Tribune, #304475
November 15, 2003

Old #12554