

ORDINANCE NO. 12571 C. M. S.

OFFICE OF THE CITY CLERK  
2003 NOV 14 9:08 AM

**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 51<sup>ST</sup> 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 51<sup>st</sup> 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 51<sup>st</sup> 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

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 51<sup>st</sup> 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,  
PASSED BY THE FOLLOWING VOTE:

JAN - 6 2004


AYES                    BROOKS, BRUNNER, CHANG, NADEL, ~~REID~~ QUAN, WAN, AND  
PRESIDENT DE LA FUENTE - 7

NOES- 0

ABSENT- 0

ABSTENTION- 0

EXCUSEO - REID - 1

ATTEST:   
CEDRA FLOYD  
City Clerk and Clerk of the Council  
of the City of Oakland, California

Introduction Date: DEC 16 2003

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 51<sup>st</sup> Street (60 feet wide), as said Avenue and Street are shown on said map; thence easterly, parallel with said line of 51<sup>st</sup> Street, along the proposed southerly line of 51<sup>st</sup> 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 51<sup>st</sup> 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



D129.111003

Sheet 1 of 1

NOTICE AND DIGEST

OFFICE OF THE CITY CLERK  
2003 NOV 25 PM 5:08

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An ordinance has been prepared authorizing the City Manager to sell surplus City-owned property to the adjoining property owner at 51<sup>st</sup> 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 51<sup>st</sup> 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.

**PUBLIC NOTICES**

**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 51<sup>ST</sup> STREET AND CORONADO AVENUE FOR THE FAIR MARKET VALUE OF 1,500.**

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**Notice of Publication**

This Ordinance was introduced at the City Council meeting, Tuesday evening December 16, 2003, and passed to print *3 Ayes*. Hearing on final adoption has been scheduled for the City Council meeting Tuesday evening January 6, 2004, 6:00 p.m., at One Frank H. 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.

**CEBA FLOYD, City Clerk**

The Oakland Tribune, #314811  
January 3, 2004

# Oakland Tribune

c/o ANG Newspapers  
401 13th Street  
Oakland, CA 94612  
Legal Advertising  
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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

**51st Street and Coronado Avenue**

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:

1/3/04

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

Hanere Seble

Public Notice Advertising Clerk

Legal No. 0000316911

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.

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CEDA FLOYD, City Clerk

The Oakland Tribune, #316911  
January 3, 2004

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND  
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