



CITY COUNCIL AGENDA REPORT

MEETING DATE: JUNE 17, 2008

ITEM NUMBER:

SUBJECT: PURCHASE AND SALE AGREEMENT FOR 540-544 VICTORIA STREET

DATE: JUNE 5, 2008

FROM: PUBLIC SERVICES DEPARTMENT, ENGINEERING DIVISION

PRESENTATION BY: PETER NAGHAVI, DIRECTOR, PUBLIC SERVICES

FOR FURTHER INFORMATION CONTACT: ERNESTO MUÑOZ, CITY ENGINEER, AT 714-754-5335

RECOMMENDATION

1. Approve the Purchase and Sale Agreement for the surplus City-owned property at 540-544 Victoria Avenue, and authorize the Mayor and City Clerk to execute the Purchase and Sale Agreement (Attachment 1).
2. Authorize the Mayor and City Clerk to execute the Grant Deed for the surplus City-owned property at 540-544 Victoria Avenue (Attachment 2).

BACKGROUND

In 1989, the City acquired the parcel of land at 540-544 Victoria Street, as part of the overall Right-Of-Way acquisition to widen of Victoria Street from Harbor Boulevard to Canyon. This parcel was one of the seventy four properties that were purchased from individual property owners by the City, and then dedicated for street, highway, and utility purposes per Resolution No. 91-68 (Attachment 3) and Resolution No. 92-101 (Attachment 4.)

The construction work for the Victoria Street Widening Project was completed in 1992, and included the widening of the roadway; creation of a parkway greenbelt; and the construction of sound walls. The final alignment of Victoria Street created several pockets of vacant land, such as the residual parcel at 540-544 Victoria Street.

On July 3, 2007, City Council adopted Resolution 07-62 (Attachment 5) directing the vacation of excess Right-Of-Way at 540-544 Victoria Street, which adjoins 2156 Myran Place.

ANALYSIS

The surplus City-owned parcel is a narrow strip of land that is 18 feet wide by 132 feet long (2,376 square feet). The Planning Division evaluated the parcel for the possibility of establishing it as a separate lot. However, it was determined that the parcel was substandard in width for property line setback requirements, which would not allow for any type of development. The Planning Division's final recommendation was to allow the adjacent property to the north (2156 Myron Drive) of the surplus City-owned parcel to combine and establish a single parcel of land.

The conditions contained in the Purchase and Sale Agreement for the surplus City-owned parcel at 540-544 Victoria Street are summarized herein:

1. Purchase price of the surplus City-owned parcel will be \$1.00.
2. An Escrow of 90 days, with a one-time allowance for the buyer to extend the escrow period by 30 days for a maximum of 120 days; buyer to pay all escrow fees.
3. Prior to the close of escrow, the existing chain link fence to be replaced along Myran Drive with a six foot high wood fence or block wall.
4. The surplus City-owned parcel will be sold contingent upon the finalization of a lot merger with the adjacent property located at 2156 Myran Drive.

ALTERNATIVES CONSIDERED

The City Council may reject the subject Purchase and Sale Agreement and retain the property as part of the Right-Of-Way for Victoria Street. If this alternative is selected, the action would not be consistent with the Council's policy of surplus property disposal and will result in continuance in the cost to the City for the maintenance of this parcel of land.

FISCAL REVIEW

There will be no fiscal impact from the sale of the surplus property.

LEGAL REVIEW

The City Attorney has approved the attached Purchase and Sale Agreement as to form.

CONCLUSION

Staff recommends that the City Council approve the Purchase and Sale Agreement for the surplus City-owned property at 540-544 Victoria Avenue, and authorize the Mayor and City Clerk to execute the Purchase and Sale Agreement; and Grant Deed for this parcel of land.

ERNESTO MUÑOZ
City Engineer

PETER NAGHAVI
Director of Public Services

MARC R. PUCKETT
Finance Director

- Attachments:
1. [Agreement for Purchase and Sale of Real Property](#)
 2. [Grant Deed](#)
 3. [Resolution 91-68](#)
 4. [Resolution No. 92-101](#)
 5. [Resolution 07-62](#)

Distribution: City Manager
City Clerk
City Attorney
Deputy City Mgr. - Dev. Services
Staff

