



# CITY OF HAYWARD AGENDA REPORT

AGENDA DATE 1/6/98

AGENDA ITEM 1

WORK SESSION ITEM \_\_\_\_\_

TO: Mayor and City Council  
FROM: Director of Public Works  
SUBJECT: VACATION OF A PORTION OF "D" STREET AND CONVEYANCE OF SURPLUS PROPERTY PARCEL NO. 112

### **Recommendation:**

It is recommended that the City Council adopt a resolution summarily vacating the excess portion of "D" Street and adopt a resolution authorizing the City Manager to execute a Quit-Claim Deed for Surplus Property Parcel No. 112 to Lincoln Property Company.

### **Background/Discussion:**

A portion of "D" Street was acquired for the construction of the "D" Street Grade Separation. When the retaining walls were built at the back of the sidewalk, the triangular portion proposed for vacation and disposal was not needed for the project. This proposal is to vacate the unused portion of "D" Street and convey it to the adjacent property owner, who plans to develop the property with multi-family housing. The developer has agreed to replace the existing chain-link fence on the retaining wall with a decorative wrought-iron fence, and will sign an agreement for the care and maintenance of the new fence. This parcel has never been used for street purposes, and has no future public purpose. Staff, therefore, recommends that this parcel be vacated and conveyed to the adjacent property owner.

This proposal is consistent with General Policies Plan strategies, by providing an opportunity to expand residential development near BART, and by adding significant visual improvement.

Under the California Environmental Quality Act (CEQA) Guidelines, for Minor Alterations in Land Use Limitations and for Surplus Government Property Sales, vacation of excess right-of-way and the conveyance of surplus property are exempt from the application of CEQA.

The Planning Commission held a public hearing on this matter at its regular meeting of December 11, 1997. By unanimous vote the Commission:

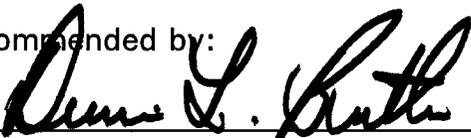
- 1) Found that this proposal is categorically exempt from C.E.Q.A.;

- 2) Found that the proposed vacation of right-of-way and conveyance of surplus property complies with the General Policies Plan;
- 3) Recommended to the City Council that the portion of "D" Street shown on the attached map be vacated; and
- 4) Recommended to the City Council that Surplus Property Parcel No. 112 be conveyed to the adjoining landowner.

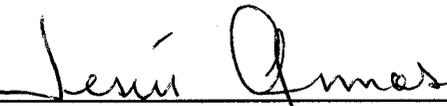
Prepared by:

  
\_\_\_\_\_  
Robert A. Bauman, Deputy Director of Public Works

Recommended by:

  
\_\_\_\_\_  
Dennis L. Butler, Director of Public Works

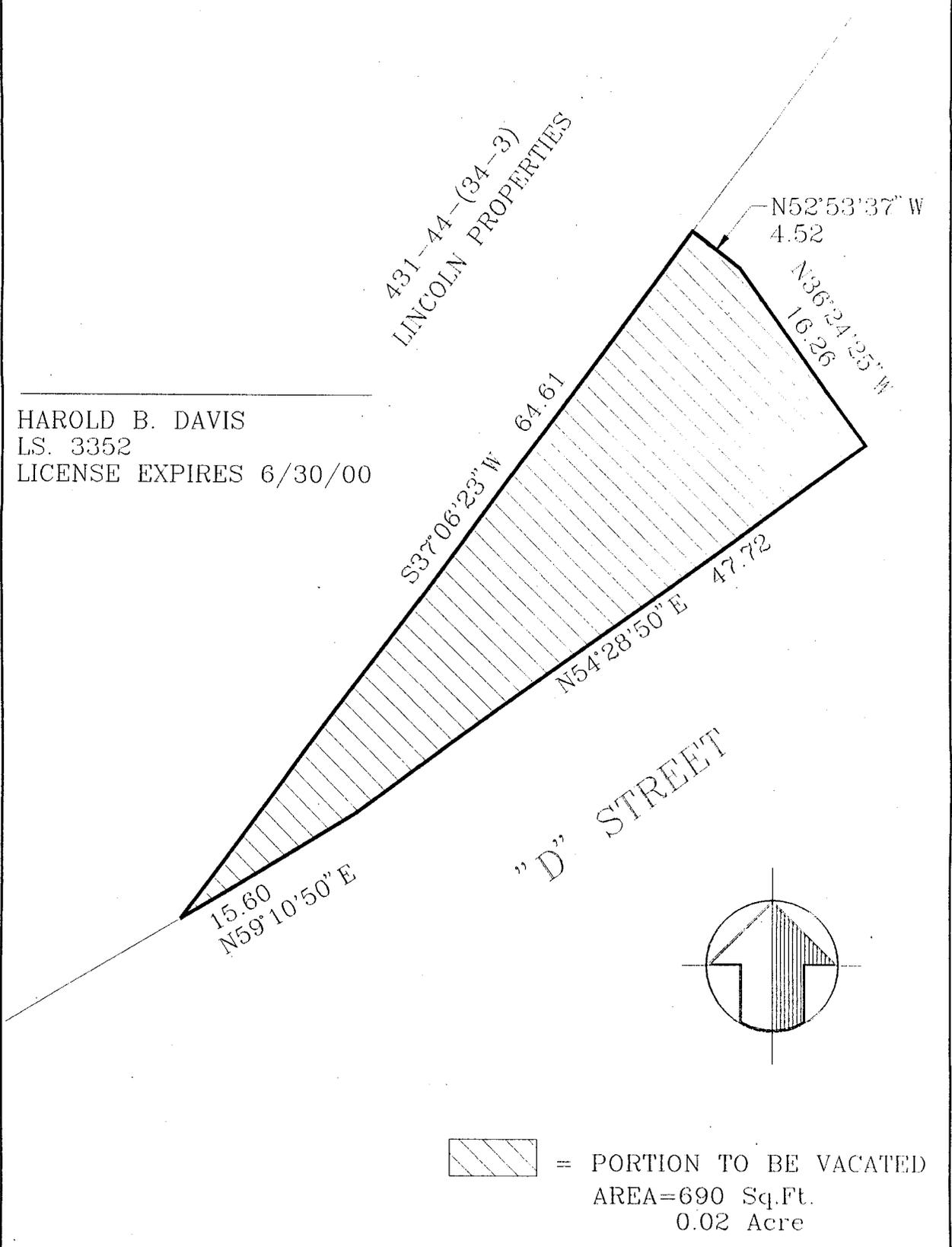
Approved by:

  
\_\_\_\_\_  
Jesús Armas, City Manager

Attachments: Exhibit A: Vicinity Map  
Exhibit B: Plat Map

[PW-E&T HBD/fsr Agenda97\dstreet.vac 12/05/97]

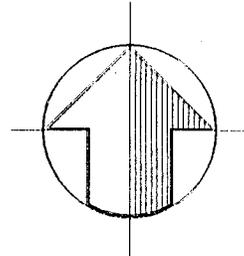




HAROLD B. DAVIS  
 LS. 3352  
 LICENSE EXPIRES 6/30/00

431-44-(34-3)  
 LINCOLN PROPERTIES

"D" STREET



 = PORTION TO BE VACATED  
 AREA=690 Sq.Ft.  
 0.02 Acre

			CITY OF HAYWARD ENGINEERING DIVISION		SURPLUS PROPERTY PARCEL NO. 112 VACATION OF A PORTION OF "D" STREET	DWG. NO. 97030
			DRAWN BY: JNP	DATE 10-30-97		FILED
			CHECKED BY: JNP	SCALE: 1"=10'		
REV	DATE	BY	APPD. BY	APPROVED		
			CITY ENGINEER	DIR. PUBLIC WORKS		

**DRAFT** SB 12/16/97

**HAYWARD CITY COUNCIL**

**RESOLUTION NO. \_\_\_\_\_**

**Introduced by Council Member \_\_\_\_\_**

**RESOLUTION SUMMARILY VACATING SURPLUS  
PROPERTY PARCEL NO. 112 AND AUTHORIZING A QUIT-  
CLAIM DEED TO LINCOLN PROPERTY COMPANY**

**WHEREAS, Surplus Property Parcel No. 112 was acquired by the City of  
Hayward for the construction of the "D" Street grade separation; and**

**WHEREAS, the Director of Public Works has advised that Surplus Property  
Parcel No. 112, more particularly described in the attached Exhibit "A," has never been used for  
street purposes, has no future public purpose and is no longer needed for this project .**

**WHEREAS, WHEREAS, such proposal was heard by the Planning Commission  
on December 11, 1997, and referred to the City Council with a recommendation for approval.**

**BE IT RESOLVED that the City Council of the City of Hayward hereby  
authorizes and directs the City Manager to execute a Quit-Claim Deed for Surplus Property  
Parcel No. 112, excepting and reserving to the City of Hayward, its successors, and assigns,  
abutter's rights of access and egress thereto and therefrom, to Lincoln Property Company.**

**BE IT FURTHER RESOLVED that the City Manager is authorized to execute all  
documents necessary to complete such disposition.**

**IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 1998**

**ADOPTED BY THE FOLLOWING VOTE:**

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

**ATTEST:** \_\_\_\_\_  
City Clerk of the City of Hayward

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Attorney of the City of Hayward