



CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 07/24/07
AGENDA ITEM 5
WORK SESSION ITEM _____

TO: Mayor and City Council
FROM: Director of Public Works
SUBJECT: Summary Vacation of a Portion of Traynor Street at Orchard Avenue and a Portion of Orchard Avenue Southeasterly of Traynor Street

RECOMMENDATION:

That the City Council adopt the attached resolution pertaining to the vacation and sale of a portion of Traynor Street at Orchard Avenue, and the vacation of a portion of Orchard Avenue southeasterly of Traynor Street.

BACKGROUND:

The State relinquished Traynor Street on February 5, 1964. The underlying fee title of the portion to be vacated and sold belongs to the City. Upon vacation of the street, a total of 24,708 square feet will be sold to the developer of Tentative Tract Map 7893 (Citation Homes Central) for \$446,000, an amount staff has established as the fair-market value of this parcel, based on \$18.00 per square foot.

Once vacated as public street right-of-way, approximately 200 feet of Orchard Avenue located southeasterly of Traynor Street will revert to the adjacent property within the proposed Tract.

On June 26, 2007, the City Council unanimously approved Resolution 07-097, which included finding abandonment of portions of Traynor Street and Orchard Avenue rights-of-way to be consistent with the General Plan.

This action qualifies as a summary vacation as defined under the California Streets and Highways Code. A summary vacation is appropriate as the portions of Traynor Street and Orchard Avenue being vacated lie within the property being developed, and both will be superseded and realigned by the development. Currently, sewer, water and other public utilities are within areas of the street to be vacated. Provisions for new easements and their maintenance will be addressed on the Final Map for Tract Map 7893.

The effective date of the vacation will be when the Final Map for Tract 7893 is filed for recordation with the Alameda County Recorder.

Under the California Environmental Quality Act Guidelines (CEQA), Section 15305, Class 5, Minor Alterations of Land Use Limitations and City Guidelines, the vacation of excess right-of-way is exempt from the Application of CEQA.

Prepared by:



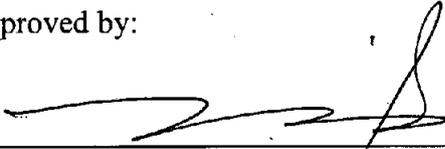
Morad Fakhrai, Deputy Director of Public Works

Recommended by:



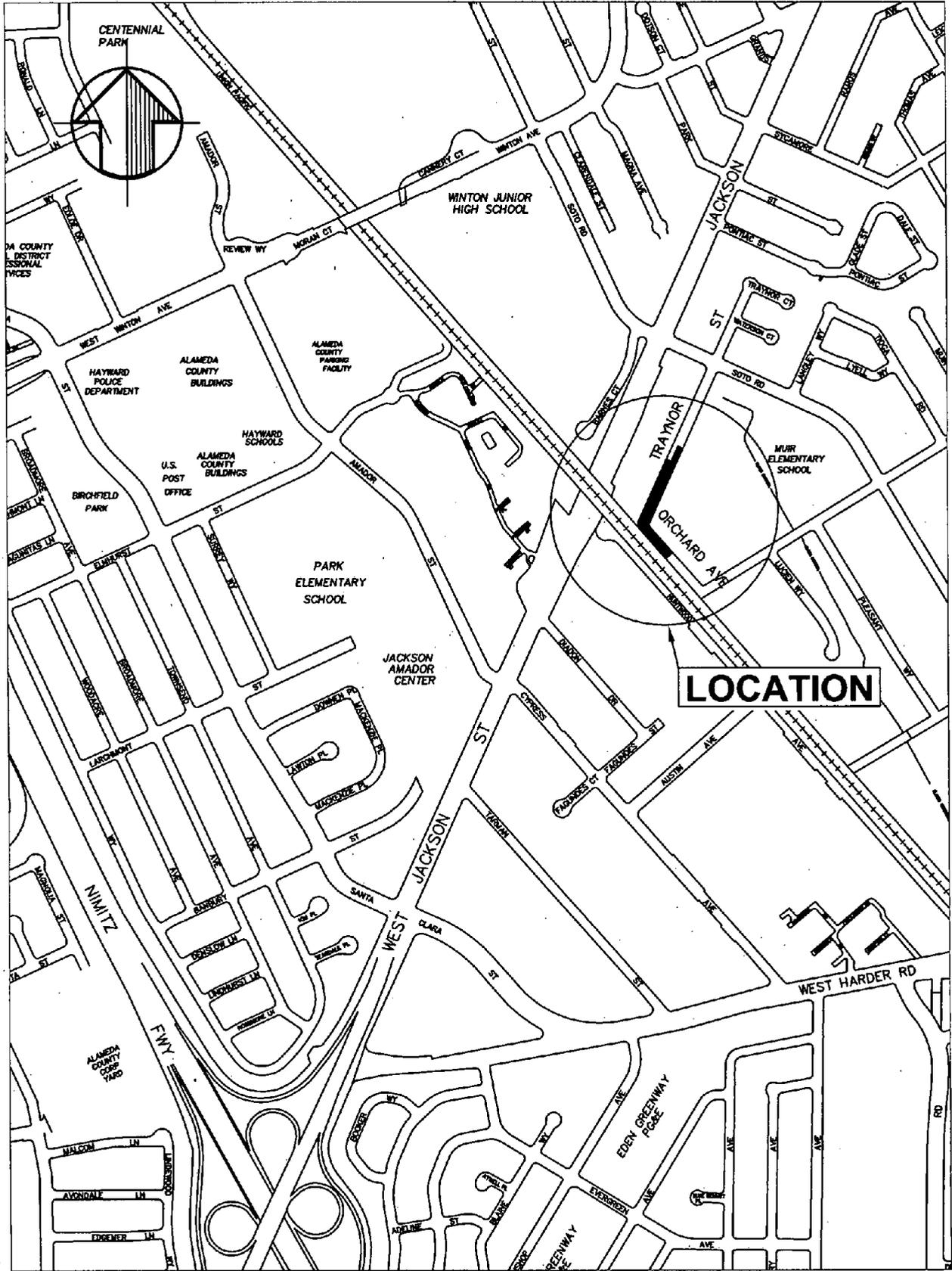
Robert A. Bauman, Director of Public Works

Approved by:



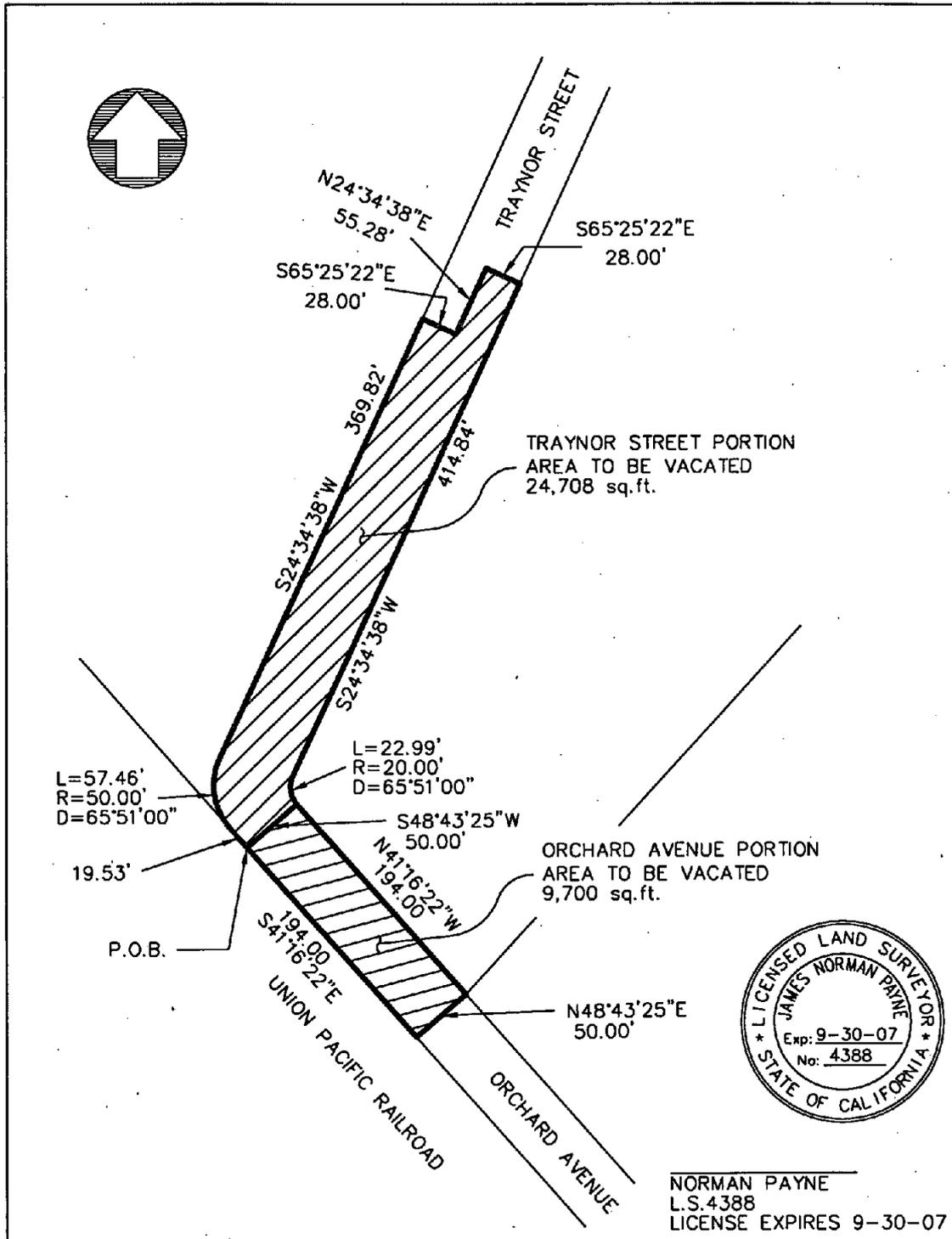
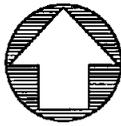
Fran David, Acting City Manager

Attachment: Location Map



VICINITY MAP

Exhibit A-1



NORMAN PAYNE
L.S. 4388
LICENSE EXPIRES 9-30-07

CITY OF HAYWARD ENGINEERING DIVISION				<h2>EXHIBIT "A"</h2> <h1>TRAYNOR STREET VACATION</h1>	DWG. NO. 07005
REV	DATE	BY			FILED
					SHT. 2 OF 2
			DRAWN BY: BDS	DATE: 3/26/07	
			CHECKED BY: JNP	SCALE: 1"=100'	
			APPD. BY:	APPROVED:	
			CITY ENGINEER	DIR. PUBLIC WORKS	

Exhibit A-2

 **DRAFT**

Handwritten: C
1/20/07

HAYWARD CITY COUNCIL

RESOLUTION NO. 07-

Introduced by Council Member _____

RESOLUTION SUMMARILY VACATION OF PORTION OF TRAYNOR STREET AT ORCHARD AVENUE AND A PORTION OF ORCHARD AVENUE SOUTHEASTERLY OF TRAYNOR STREET

WHEREAS, the City of Hayward desires to vacate 24,708 square feet of a portion of Traynor Street and sell the property to the developer of Tentative Tract Map 7893, Citation Homes Central, for \$446,000 for development of the property; and

WHEREAS, the City of Hayward also desires to vacate 9,700 square feet of a portion of Orchard Avenue which will revert to the property being developed as Tentative Tract Map 7893, Citation Homes Central; and

WHEREAS, on June 26, 2007, City Council approved Resolution No.07-097 which found abandonment of portions of Traynor Street and Orchard Avenue rights-of-way to be consistent with the General Plan; and

WHEREAS, this action qualifies as a summary vacation under the California Streets and Highways Code and is appropriate as the portions being vacated lie within the property being developed; and

WHEREAS, under the California Environmental Quality Act Guidelines (CEQA) Section 15305, Class 5, Minor Alterations of Land Use Limitations and City Guidelines, the vacation of excess right-of-way is exempt from the Application of CEQA

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that, pursuant to California Streets and Highways Code, it is hereby ordered that the portions of Traynor Street and Orchard Avenue southeasterly of Traynor Street as more described in Exhibit "A" attached hereto and made a part hereof, are to be vacated. The effective date of this vacation will be determined by the City Engineer prior to City Council approval of the Final Map for Tract 7893. The City Clerk is authorized and directed to cause a certified copy of this resolution to be recorded in the office of the County Recorder of Alameda, upon notification by the City Engineer.

BE IT FURTHER RESOLVED, that the Acting City Manager is authorized to execute quitclaim deeds to the adjoining property owners for the portions of the streets to be vacated.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2007

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward