

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

RESOLUTION NO. 2025-XXX

RESOLUTION PURSUANT TO GOVERNMENT CODE SECTION 54220 ET SEQ DECLARING THAT CERTAIN PROPERTY, COMMONLY KNOWN AS EDEN ROAD (APN: 042-4530-005-02), GENERALLY LOCATED BETWEEN DOOLITTLE DRIVE AND THE WESTERN TERMINUS, IS EXEMPT SURPLUS LAND AND NOT NECESSARY FOR THE CITY'S USE; AND FINDING THAT SUCH DECLARATION IS EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND TAKING RELATED ACTIONS

WHEREAS, the City of San Leandro ("City") is the fee simple owner of unimproved property, commonly known as Eden Road (APN: 042-4530-005-02), located between Doolittle Drive and the western terminus, in the City of San Leandro, Alameda County, State of California and described with greater particularity in Exhibit A and depicted in Exhibit B, each such Exhibit attached hereto and incorporated herein by this reference (the "Eden Road Property"); and

WHEREAS, under the Surplus Land Act, Government Code §§54220-54233 ("Act"), surplus land is land owned in fee simple by the City for which the City Council takes formal action in a regular meeting declaring the land is surplus and not necessary for the City's use. The land must be declared either surplus land or exempt surplus land; and

WHEREAS, the Eden Road Property is approximately 49,806 square feet in size and is proposed to be conveyed to the abutting property owner pursuant to Government Code §54221(f)(1)(E) as "Surplus land that is a former street, right-of-way or easement" and not needed for any public purpose; and

WHEREAS, §54221(f)(2) of the Surplus Land Act provides that a written notice of the availability of surplus land for open-space purposes shall be sent to specified entities before disposing of the surplus land if the land is located within a coastal zone, is adjacent to a historical unit of the State Parks system, is listed on, or determined by the State Office of Historic Preservation to be eligible for, the National Register of Historic Places, or is within the Lake Tahoe region; and

WHEREAS, the Eden Road Property is not located within a coastal zone, is not adjacent to a historical unit of the State Parks system, is not listed on, or determined by the State Office of Historic Preservation to be eligible for, the National Register of Historic Places, and is not located within the Lake Tahoe region, and is therefore not required to provide a written notice pursuant to §54221(f)(2) of the Surplus Land Act; and

WHEREAS, the City will hold a public hearing on July 7, 2025 pursuant to Streets & Highways Code Section 8320, et seq., and will adopt a resolution of vacation of the Eden Road Property as a public street; and

WHEREAS, the City Council desires to declare the Eden Road Property as exempt surplus land and to convey the Eden Road Property to the adjacent property owner, KK Eden Properties LLC.

NOW, THEREFORE, the City Council of the City of San Leandro does **RESOLVE** as follows:

Section 1. Findings and determinations.

The City Council hereby finds and determines that the above recitals are true and correct and have served as the basis, in part, for the findings and actions of the City set forth below.

Section 2. Exempt Surplus Land.

The City Council hereby declares that the Eden Road Property is exempt surplus land pursuant to Government Code § 54221(f)(1)(E) because it is surplus land that is a former street, right-of-way, or easement, and is to be conveyed to an owner of an adjacent property, conditioned upon the approval of the street vacation. The City Council further determines that the disposition of the Eden Road Property is not subject to the notice requirements of §54221(f)(2) of the Surplus Land Act because such property is not located within a coastal zone, is not adjacent to a historical unit of the State Parks system, is not listed on, or determined by the State Office of Historic Preservation to be eligible for, the National Register of Historic Places, and is not located within the Lake Tahoe region.

Section 3. Exempt from California Environmental Quality Act (CEQA).

The City Council's declaration of exempt surplus property is categorically exempt under CEQA §15312 (Surplus Government Property Sales).

Introduced by _____ and passed and adopted this 19th day of May 2025 by the following vote:

AYES: _____ ()

NOES: _____ ()

ABSENT: _____ ()

ATTEST: _____
Kelly B. Clancy, CMC
City Clerk