

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

RESOLUTION NO. 2023-XX

RESOLUTION TO APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE A PURCHASE AND SALE AGREEMENT FOR THE ACQUISITION OF STATE RIGHT-OF-WAY FOR THE CONSTRUCTION OF THE MACARTHUR / SUPERIOR ROUNDABOUT PROJECT, PROJECT NO. 2014.0470

WHEREAS, Caltrans is the owner of the certain real property identified as DD-021647-X1-X1 on the Purchase and Sale Agreement associated with this Resolution; and

WHEREAS, the City of San Leandro has determined that the area identified as DD-021647-X1-X1 is required for the construction of a roundabout with separated bike lanes as part of the MacArthur / Superior Roundabout Project; and

WHEREAS, the City of San Leandro has expressed an interest in purchasing from Caltrans a 8,892 square foot area ("Property") identified in Exhibit A to the Purchase and Sale Agreement between the City of San Leandro and Caltrans; and

WHEREAS, Caltrans is willing to sell the Property to the City of San Leandro under the terms and conditions set forth in the Purchase and Sale Agreement, which includes the condition that the area to be sold will be for public use; and

WHEREAS, City staff recommends that it is in the best interest of the City to proceed with the acquisition of the property from Caltrans in accordance with the Purchase and Sale Agreement.

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

- The foregoing recitals are adopted as true and correct.
- The City Council finds and declares that the Property is needed for the construction of the subject project, and said Property will remain for public use post-construction.
- The purchase of the Property is hereby approved on the terms and conditions shown in the attached Purchase and Sale Agreement.
- The City Manager is authorized and directed to execute the purchase of the Property; to pay all required fees and charges on behalf of the City of San Leandro; to execute an appropriate grant deed and any additional escrow instructions related to the sale; to execute any additional documents required by the Purchase and Sale Agreement; and to take all other steps necessary or convenient to purchase the Property in accordance with this Resolution. The City Manager is authorized to approve the legal description of the Property, identified as Exhibit A of the Purchase and Sale Agreement.
- This Resolution shall take effect immediately upon approval of the City Council.

Introduced by Councilmember _____ and passed and adopted this 20th day of June 2023, by the following vote:

AYES:

NOES:

ABSENT:

ATTEST:

Kelly B. Clancy, CMC
City Clerk