



Legislation Details (With Text)

**File #:** 13-127      **Version:** 1      **Name:** Agreements with the Chamber Concerning the Garage R

**Type:** Resolution - Council      **Status:** Passed

**On agenda:** 4/1/2013      **In control:** City Council

**Enactment date:** 4/1/2013      **Final action:** 4/1/2013

**Enactment #:** Reso 2013-045

**Title:** ADOPT: Resolution Approving and Authorizing the City Manager to Execute Two Agreements with the San Leandro Chamber of Commerce: 1) A Property Exchange and Indemnity Agreement with One Right of First Offer for the City’s Office Space Located at 120 Estudillo Avenue in the New Downtown Parking Garage in Exchange for the Chamber’s Parcel at 262 Davis Street and 2) a Reciprocal Easement Agreement and Declaration of Covenants, Conditions, and Restrictions for the Office Space Located at 120 Estudillo Avenue in the New Downtown Parking Garage (allows for the transfer of ownership of 262 Davis to the City and 120 Estudillo, the office space within the downtown garage, to the Chamber and the conditions under which the garage space will be shared)

**Sponsors:** Uchenna Udemezue

**Indexes:**

**Code sections:**

**Attachments:** 1. Property Exchange Agreement, 2. Reciprocal Agreement

Date	Ver.	Action By	Action	Result
4/1/2013	1	City Council	Adopted	Pass

ADOPT: Resolution Approving and Authorizing the City Manager to Execute Two Agreements with the San Leandro Chamber of Commerce: 1) A Property Exchange and Indemnity Agreement with One Right of First Offer for the City’s Office Space Located at 120 Estudillo Avenue in the New Downtown Parking Garage in Exchange for the Chamber’s Parcel at 262 Davis Street and 2) a Reciprocal Easement Agreement and Declaration of Covenants, Conditions, and Restrictions for the Office Space Located at 120 Estudillo Avenue in the New Downtown Parking Garage (allows for the transfer of ownership of 262 Davis to the City and 120 Estudillo, the office space within the downtown garage, to the Chamber and the conditions under which the garage space will be shared)

WHEREAS, in 2008 the City of San Leandro Redevelopment Agency and the San Leandro Chamber of Commerce negotiated a lease, with an option to purchase, of the Chamber of Commerce property located at 262 Davis Street; and

WHEREAS, part of that agreement included the construction by the City of office space inside a new downtown parking garage that would be exchanged for the San Leandro Chamber of Commerce property at 262 Davis Street; and

WHEREAS, now before the City Council for review and approval are agreements substantially in the forms attached to effect the property exchange of the downtown parking garage office space from the City to the Chamber, and the transfer of 262 Davis Street from the Chamber to the City, as well as title to an office parcel within the new downtown parking garage with ingress / egress,

parking, trash, communications, and HVAC amenities, and shared responsibility for certain aspects of upkeep through a reciprocal easement and a declaration of covenants, conditions, and restrictions for the use and upkeep of the garage office space.

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

1. The Property Exchange and Indemnity Agreement with One and Only Right of First Offer is approved, and the City Manager is authorized to execute, subject to approval as to form by the City Attorney, the Property Exchange and Indemnity Agreement with One and Only Right of First Offer to the City for the City's office space located at 120 Estudillo Avenue in the new downtown parking garage in exchange for the Chamber of Commerce's property at 262 Davis Street; and

2. The Declaration of Reciprocal Easements and Covenants, Conditions, and Restrictions are approved, and the City Manager is authorized to execute, subject to approval as to form by the City Attorney, the reciprocal easements agreement and declaration of covenants, conditions, and restrictions for the office space located at 120 Estudillo Avenue.