



## Legislation Text

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File #: 22-275, Version: 1

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Resolution of the City of San Leandro City Council Ordering the Summary Vacation and Abandonment of the Public Service Easement Located at 960 San Leandro Boulevard

### **SUMMARY AND RECOMMENDATIONS**

Staff recommends the City Council approve a Resolution to vacate Grant Deed language pertaining to the reservation of an easement on Creekside Associates, LLC's property.

### **BACKGROUND**

In 2001, certain former Redevelopment Agency property located at 500 Davis Street was sold to Creekside Associates, LLC for the development of three office buildings and a parking structure, now known as Creekside Plaza. During the disposition of this property, discussions took place proposing to earmark a portion of the property for an easement in support of the construction of a Friends of the Creek Center. At the conclusion of these discussions, this idea was abandoned, and a new location for the Center was proposed farther downstream, without impact to the Creekside property. The language pertaining to the reservation of this easement remained in the Grant Deed. Creekside Associates, LLC is currently in the process of selling the property, and requests to strike this language from the Grant Deed.

### **Analysis**

The 2001 Grant Deed granting Creekside Associates, LLC the real property now known as Creekside Plaza, includes the following caveat, pertaining to the proposed construction of the Friends of the Creek Center on the former Redevelopment Agency property:

"The conveyance is subject to a reservation of easement in favor of the Agency and its designees for ingress, egress, access and parking (including unrestricted weekend and evening use and eight (8) parking spaces during the hours of 9:00 a.m. to 5:00 p.m., Monday through Friday)."

Community Development Department staff and the City Attorney's Office have determined that the language in question is obsolete as its purpose was abandoned upon the relocation of the proposed Friends of the Creek Center.

Staff therefore recommends the City Council authorize the vacation of this language from the Grant Deed, thereby reconveying the easement to Creekside Associates, LLC.

### **Legal Analysis**

The City Attorney has reviewed the Grant Deed and pertinent supporting documents and recommends the course of action proposed herein.

## **Fiscal Impacts and Budget Authority**

There is no Fiscal Impact resulting from this Resolution

## **ATTACHMENT**

### **Attachments**

- Attachment A - Resolution Ordering the Summary Vacation and Abandonment of the Public Service Easement Located at 960 San Leandro Boulevard
  - Exhibit A - Grant Deed

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