

RESOLUTION NO. 2017-275

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE
SALE OF REAL PROPERTY WITH PAPPAS GATEWAY, L.P. FOR THE SALE OF
CITY-OWNED PROPERTY LOCATED ALONG LEWIS STEIN ROAD AND BIG HORN
BOULEVARD [A PORTION OF APN 116-0012-056] (CEQA EXEMPT)**

WHEREAS, the City acquired Assessor Parcel Number 116-0012-056 ("Property") from Pappas Gateway, L.P. in 2005 for the construction, operation and maintenance of the Lewis Stein Road Project ("Project"), whereby the majority of the Property was utilized for constructing the Project; and

WHEREAS, Pappas Gateway, L.P. ("Pappas") is the record owner of the contiguous parcel, Assessor Parcel Number 116-0012-057, and has submitted to the City for review, a parcel map for the Big Horn Professional Center Project (EG-16-051) ("Pappas Project"), located at the northeast corner of Lewis Stein Road and Big Horn Boulevard; and

WHEREAS, as part of the Pappas Project, Pappas identified, and City staff has confirmed, the presence of surplus property located along the east side of Lewis Stein Road, at the intersection of Lewis Stein Road and Big Horn Boulevard, consisting of approximately 3,655 square feet ("Surplus Property"), a portion of APN 116-0012-056; and

WHEREAS, pursuant to Government Code Section 54221, the Surplus Property meets the criteria of "exempt surplus land" because it is: (a) less than 5,000 square feet in area; and (b) is being sold to an owner of contiguous land; and


WHEREAS, pursuant to Elk Grove Municipal Code Section 3.42.300(A)(1) and California Government Code Section 65402(a), procedures for the disposition of real property shall not apply to the disposition of the remainder of a larger parcel which was acquired and used in part for street purposes; and

WHEREAS, in connection with the Pappas Project, City staff recommends the sale of the Surplus Property to Pappas for incorporation into the Pappas Project, at the negotiated sale price of \$4,500, which is equivalent to the original purchase price, per square foot, paid to Pappas by the City for conveyance of the Property; and

WHEREAS, the sale of surplus government property is exempt from the California Environmental Quality Act (Section 21000, et seq. of the California Public Resources Code, hereafter CEQA) pursuant to Title 14 Section 15312 of the California Code of Regulations.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove authorizes the City Manager to execute an Agreement for the Sale of Real Property with Pappas Gateway, L.P., for a sales price of \$4,500, in substantially the form presented, and the City Council further directs that all proceeds from the sale shall be deposited into the City's Roadway Fee Program Fund.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 13th day of December 2017




STEVE LY, MAYOR OF THE
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2017-275**

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

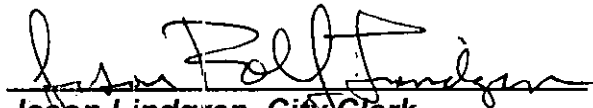
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on December 13, 2017 by the following vote:

AYES: COUNCILMEMBERS: Ly, Suen, Detrick, Hume, Nguyen

NOES: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None


**Jason Lindgren, City Clerk
City of Elk Grove, California**