

RESOLUTION NO. RES-2023-209

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA DECLARING PURSUANT TO GOVERNMENT CODE SECTION 54221 THAT REAL PROPERTY OWNED BY THE CITY LOCATED AT 1136 STONY POINT ROAD, SANTA ROSA, CALIFORNIA IS EXEMPT SURPLUS LAND

WHEREAS, the City of Santa Rosa (the “City”) is the owner in fee simple of that certain real property known as Assessor Parcel Number 125-192-015, and located at 1136 Stony Point Road (“Property”); and

WHEREAS, the Property is an unimproved 2445.7 square foot acre site which is a remnant portion of a larger site that was acquired for the Stony Point Widening and Reconstruction Phase 2- Sebastopol Road to Hearn Avenue Project and not all of the property included within the larger parcel was required for the Project; and

WHEREAS, said Project has been constructed, the City has determined that it does not have a public use for the Property, and the City desires to convey of the Property to an adjacent property owner to better maximize its value in furtherance of the City’s land use and policy goals; and

WHEREAS, the Surplus Land Act, Government Code sections 54220 *et seq.* (as amended, the “Act”), applies when a local agency disposes of “surplus land,” as that term is defined in Government Code section 54221; and

WHEREAS, the Property is “surplus land” under the Act, because it is land owned in fee simple by the City for which the City Council will take formal action (in the form of adoption of this resolution) in a regular public meeting declaring that the Property is surplus and is not necessary for the City’s use; and

WHEREAS, the Act exempts certain surplus land from its requirements, including “surplus land that (i) is less than 5,000 square feet in area” pursuant to Government Code section 54221 (f)(1)(B); and

WHEREAS, to the best of the City’s knowledge, none of the characteristics listed under Government Code section 54221(f)(2) apply to the property.

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NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa hereby finds and declares that the Property is “exempt surplus land” as defined by the Act, because the Property is owned in fee simple by the City, fits within the definition of “exempt surplus land” as set forth in the Act, and is not necessary for the City’s use and directs staff to convey the property to an adjacent property owner.

BE IT FURTHER RESOLVED that the Council hereby authorizes the City Manager or their designee to take all necessary actions to fully comply with the Act and carry out the City Council’s direction as set forth herein.

IN COUNCIL DULY PASSED this 12th day of December, 2023.

AYES: (7) Mayor N. Rogers, Vice Mayor Stapp, Council Members Alvarez, Fleming, MacDonald, Okrepkie, C. Rogers

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM: _____
City Attorney