TO: Honorable Mayor and City Council  
Attention: Jeremy Craig, Interim City Manager

FROM: Shawn L. Cunningham, Director of Public Works  
(Staff Contact: Tim Burke, (707) 449-5170)

SUBJECT: RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VACAVILLE  
AUTHORIZING THE SALE OF EXCESS RIGHT-OF-WAY LOCATED AT THE  
NORTHEAST CORNER OF ALLISON DRIVE AND EAST MONTE VISTA AVENUE  
TO THE OWNER OF THE ADJACENT VACANT PARCEL, APN: 0129-340-180

DISCUSSION:

The City acquired right-of-way along Allison Drive in October of 1992 at the intersection of East Monte Vista Avenue as part of the Allison Drive Overcrossing Project. Using Traffic Impact Fees, the City purchased a 33-foot wide portion of the Assessor’s Parcel Number 0129-340-180. The City purchased the right-of-way with the plan to have 3 northbound through lanes on Allison Drive at this location. However, the current General Plan shows only 2 through lanes are required, leaving 23 feet of right-of-way as excess.

The owner of the adjacent parcel, APN: 0129-340-180, now desires to construct an automobile repair and service facility and wishes to obtain the excess right of way previously purchased by the City between his parcel and Allison Drive. Staff have reviewed the owner’s request and finds that the right-of-way is excess and can be sold.

As required by a condition of approval for their project, the owner commissioned an appraisal report for the property. Even though the prices for vacant land have risen and fallen over the years, the report calculated an appraised value at the same $12 sq. ft. (totaling $120,000 for 10,000 square feet) the City paid in 1992. The owner has agreed to purchase the property at this appraised value.

To avoid creating non-standard parcels, staff recommends a lot line adjustment be completed in order to incorporate the excess right-of-way into the adjacent parcel. The City will reserve the right to establish a Public Utility Easement over the property being sold. Depending on the location of existing utilities, the width of the easement will be a minimum of 10 ft. and a maximum of 23 ft.

On January 10, 2017, the City Council adopted a Resolution of Intent for the City of Vacaville to sell excess right-of-way and set the public hearing for February 14, 2017, City Council meeting.

FISCAL IMPACT:

The property owner requesting the property will pay for all the necessary fees to have a lot line adjustment prepared, executed and recorded to incorporate this right-of-way into his property. The funds from the sale of the property will go back to the fund source that originally purchased the property (Traffic Impact Fee). There is no impact to the General Fund as a result of this action.

RECOMMENDATION:

By simple motion, adopt the subject resolution.

ATTACHMENTS:

Resolution – Action Item
Attachment 1: Limits of Right-of-Way
RESOLUTION NO. 2017-


WHEREAS, the owner of the adjacent parcel, APN: 0129-340-180, desires to construct an automobile repair and service facility and wishes to obtain the excess right-of-way previously purchased between his parcel and Allison Drive by the City. Staff have reviewed the owner’s request and finds that the right-of-way is excess and can be sold; and

WHEREAS, in accordance with Government Code Section 65402(a), the City Council, acting as Planning Agency for such purposes, finds that the proposed sale of property does not conflict with any applicable provision or policy of the City’s adopted General Plan or any of its elements; and

WHEREAS, based on the newly-adopted General Plan, it has been determined the right-of-way is in excess of the 2 required northbound through lanes; and

WHEREAS, the adjacent property owner agrees to purchase the property for the appraised value of $120,000; and

WHEREAS, a Public Utility Easement will be reserved over the property.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Vacaville, authorizes the sale of the excess right-of-way along Allison Drive as shown on Attachment 1; and

IT IS THEREFORE, HEREBY ORDERED that the City Engineer is authorized to execute the documents and take any further action necessary to effectuate said sale and recordation.

I HEREBY CERTIFY that the foregoing resolution was introduced and passed at a regular meeting of the City Council of the City of Vacaville, held on the 14th day of February, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ATTEST:

____________________________________
Michelle A. Thornbrugh, City Clerk