

CITY OF FAIRFIELD

RESOLUTION NO. 2021-138

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAIRFIELD ORDERING THE SUMMARY VACATION OF A PORTION OF DOBE LANE, DECLARING SAID VACATED LAND TO BE EXEMPT SURPLUS LAND, AND AUTHORIZING CONVEYANCE OF SAID VACATED LAND

WHEREAS, the City Council of the City of Fairfield hereby orders the Summary Vacation of that portion of Dobe Lane, as conveyed to the County of Solano by document recorded April 13, 1965 in Book 1332, page 282, Instrument No. 9948, and in Book 1332, page 287, Instrument No. 9950, Solano County Records, which is described and shown on Exhibits “A” and “B” attached hereto and incorporated herein. The City of Fairfield has succeeded to the interests so conveyed. Said Property is located adjacent to the property known as Assessor’s Parcel Numbers 0174-040-020 and -200; and

WHEREAS, the City Council hereby elects to proceed with the Summary Vacation of said portion of Dobe Lane, as described under and pursuant to Chapter 4 of Part 3, of Division 9 of the Streets and Highway Code of the State of California (Section §8330 to §8336); and

WHEREAS, the Summary Vacation is made in accordance with Section §8334(a), which authorizes the summary vacation of excess right-of-way of a public street not required for street purposes if there are no in-place public utility facilities that are in use and would be affected by the vacation; and

WHEREAS, there are no in-place public service easement or public utility facilities within said portion of Dobe Lane; and

WHEREAS, the City of Fairfield owns the underlying fee title to the proposed area to be vacated; and

WHEREAS, the City proposes to transfer said portion of Dobe Lane to Century Communities of California, LLC, owner of the adjacent property; and

WHEREAS, the Surplus Land Act does not apply to the disposition of property if the property is exempt surplus land as defined in Government Code Section 54221(f)(1); and

WHEREAS, pursuant to the Surplus Land Act, the City Council must take formal action in a regular public meeting to declare that property is exempt surplus land, as supported by written findings; and

WHEREAS, Government Code Section 54421(f)(1)(E) defines exempt surplus land to include land that is a former street, right of way, or easement, and is conveyed to an owner of an adjacent property; and

WHEREAS, the City Council finds that the vacation of said portion of Dobe Lane is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305 of the CEQA Guidelines, as a minor alteration in land use limitations that does not result in any land use or density changes or in the creation of a new parcel; and further finds that the sale of said portion of Dobe Lane is categorically exempt pursuant to Section 15312 of the CEQA Guidelines. In addition, the City Council finds that said vacation and sale are consistent with the Mitigated Negative Declaration (ER2018-019) for the Monte Verde development project, adopted by City Council Resolution 2019-219.

NOW, THEREFORE THE COUNCIL OF THE CITY OF FAIRFIELD HEREBY RESOLVES:

Section 1. The City Council specifically finds that the facts and determinations contained in the Recitals to this Resolution are true and correct.

Section 2. The City Council hereby finds that the location, purpose and extent of the proposed vacation of the portion of Dobe Lane, more particularly described and shown on Exhibits "A" and "B" attached hereto, is consistent with the Fairfield General Plan.

Section 3. The City Council hereby finds that the portion of Dobe Lane, more particularly described and shown on Exhibits "A" and "B" attached hereto, is excess right-of-way that is unnecessary for present or prospective public use and is not useful as a non-motorized transportation facility (ie. for bikes and pedestrians)

Section 4. That said portion of Dobe Lane, more particularly described and shown on Exhibits "A" and "B" attached hereto, is hereby vacated, and from and after the recordation of this resolution such vacated portion no longer constitutes a portion of Dobe Lane.

Section 5. The city clerk is hereby authorized and directed to record in accordance with Section 8336 of the Streets and Highways Code a certified copy of the resolution, attested by the city clerk and under the seal of this City, in the Office of the County Recorder of Solano County.

Section 6. The City Council finds and declares, based on the findings contained herein, that upon vacation said portion of Dobe Lane is "exempt surplus land" under the Surplus Lands Act, Government Code Section 54221(f)(1)(E).

Section 7. Upon completion of the vacation, the city manager is hereby authorized to take all actions necessary and proper to effectuate this resolution, including but not limited to (a)

submitting a copy of this Resolution to HCD in accordance with the Surplus Land Act Guidelines; and (b) executing a grant deed from the City to Century Communities of California, LLC.

PASSED AND ADOPTED this 15th day of June, 2021, by the following vote:

AYES: COUNCILMEMBERS: PRICE / BERTANI / MOY / PANDURO / TIMM / TONNESEN / VACCARO

NOES: COUNCILMEMBERS: _____

ABSENT: COUNCILMEMBERS: _____

ABSTAIN: COUNCILMEMBERS: _____

MAYOR

ATTEST:

CITY CLERK