

APPROVED
BY THE CITY COUNCIL

JUL 29 1997

OFFICE OF THE
CITY CLERK



1.12

DEPARTMENT OF
PUBLIC WORKS

REAL ESTATE SERVICES

CITY OF SACRAMENTO
CALIFORNIA

915 "J" STREET
ROOM 200
SACRAMENTO, CA
95814-2700
PH 916-264-5710
FAX 916-264-5573

July 3, 1997

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: GRANT DEED TO 2814 FIFTH STREET ASSOCIATES, A CALIFORNIA
LIMITED PARTNERSHIP

LOCATION/COUNCIL DISTRICT: 2814 Fifth Street in Council District 4.

RECOMMENDATION:

This report recommends that Council adopt the attached resolution authorizing the City Manager to execute a deed granting a small .031 acre (1,350 square feet) remnant parcel of land to 2814 Fifth Street Associates, a California Limited Partnership.

CONTACT: Bruce J. Aler 264-5055

FOR COUNCIL MEETING OF: July 29, 1997

SUMMARY:

This Council action is necessary to correct a previous action wherein in the Sacramento Housing and Redevelopment Agency (SHRA) attempted to transfer the subject property which, unknowingly to them, was actually the property of the City of Sacramento.

City Council
Grant Deed to 2814 Fifth Street Associates
July 3, 1997

BACKGROUND INFORMATION:

Originally this remnant was created as a result of a deed discrepancy when the larger parcel was transferred from the City to SHRA. Due to a misunderstanding regarding ownership of this remnant triangle parcel, the Housing Authority of the City of Sacramento adopted Resolution No. 96-101 on November 26, 1996, authorizing and directing their Executive Director to grant deed this parcel to the 2814 Fifth Street associates, a California Limited Partnership (2814 Fifth Street Associates). The Housing Authority's resolution acknowledged that the remnant parcel had negligible value and significant potential liability to the Authority. When this portion of Fifth Street was abandoned in December 1995, the partnership was informed by David Pratt of First American Title Company that the City of Sacramento, not the Housing Authority, owned the remnant triangle parcel.

The 2814 Fifth Street Associates are requesting that the City, as owner of the parcel, execute this Grant Deed to 2814 Fifth Street Associates. As determined by the Housing Authority, the parcel has negligible value and potential liability to the City. Additionally, transfer of title to 2814 Fifth Street Associates will support the intent of the public street abandonment to protect the project from unnecessary levels of traffic.

For further background information and location maps, refer to the attached staff report prepared by SHRA dated November 6, 1996 (Exhibit A).

Land Park Woods, Inc. is a 501 (c)(3) non-profit charitable organization and is the managing general partner of 2814 Fifth Street Associates which was formed by Rural California Housing Corp. (RCHC) which is also a 501 (c)(3) non-profit organization. RCHC develops affordable single family and multi-family housing.

This remnant parcel has negligible value, is a potential liability problem for the City and can only be used by the adjacent property owner. It will be used in conjunction with an affordable housing project (the Land Park Wood Development). For these reasons staff believes it is in the best interest of the City to sell this property to 2814 Fifth Street Associates, Inc. without first calling for bids.

FINANCIAL CONSIDERATIONS:

The City has established a nominal value for this property of \$1,000 which will be used to defray staff costs associated with processing the sale of this property.

ENVIRONMENTAL ISSUES:

The proposed action is exempt from CEQA per Section 15061(b)(3).

City Council
Grant Deed to 2814 Fifth Street Associates
July 3, 1997

POLICY GUIDELINES:

This proposed action is consistent with City Code Section 12.07.170, which allows the City to sell property without first calling for bids when it finds that such action will be in the best interest of the City.

MBE/WBE:

None, no goods or services are being sold.


Respectfully submitted,



Gary Alm, Manager
Development Services

RECOMMENDED FOR APPROVAL:

APPROVED:



WILLIAM H. EDGAR
City Manager



Michael Kashiwagi, Director
Public Works Department

W.H.E.
Attachments: Exhibit A

EXHIBIT A

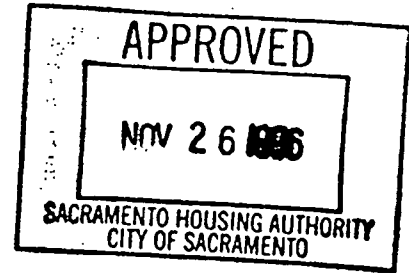
11

CONTINUED
FROM 11.19.96
TO 11.26.96

November 6, 1996



Housing Authority of the
City of Sacramento
Sacramento, California



Honorable Members in Session:

SUBJECT: GRANT DEED TO 2814 FIFTH STREET ASSOCIATES

LOCATION & COUNCIL DISTRICT 2814 Fifth Street, District 4

RECOMMENDATION

Staff recommends adoption of the attached resolution authorizing the Executive Director to grant deed a small parcel of land owned by the City of Sacramento Housing Authority to the 2814 Fifth Street Associates, owner of the Land Park Woods Apartments.

CONTACT PERSONS John Dangberg, Director of Community Development, 440-1357
Beverly Fretz-Brown, Assistant Director of Community Development, 440-1302

FOR COUNCIL MEETING OF November 19, 1996

SUMMARY

The attached resolution authorizes the Executive Director to transfer ownership of a small parcel of land adjacent to a now-abandoned section of Fifth Street to the 2814 Fifth Street Associates. The land is owned by the City of Sacramento Housing Authority and is part of the River Oaks public housing development.

COMMISSION ACTION

At its meeting of November 6, 1996, the Sacramento Housing and Redevelopment Commission recommended approval of the attached resolution. The votes were as follows:

SACRAMENTO HOUSING & REDEVELOPMENT AGENCY

Housing Authority of the
City of Sacramento
Sacramento, California
November 6, 1996
Page (2)

AYES: Amundson, Castello, Dobbins, Harland, Hoag, Cespedes

NOES: None

NOT PRESENT TO VOTE: Diepenbrock, Holloway

ABSENT: Newsome, Rotz, Simon

BACKGROUND

The Land Park Woods apartment complex is located at 2814 and 2815 Fifth Street, immediately adjacent to the River Oaks development, owned and operated by the City Housing Authority (a map is included as Attachment I). The project, formerly known as Camellia Commons, was constructed in 1969 and contained 50 one-bedroom and 50 two-bedroom apartments. The property deteriorated rapidly over the last decade under a succession of private owners. Rubbish and crime proliferated on-site and the complex became a focus of the City's "Problem Oriented Policing" program.

Camellia Commons went into foreclosure in June of 1994. The City Council subsequently approved a loan to the 2418 Fifth Street Associates, Limited Partnership, to acquire and rehabilitate the project. The Partnership's general partners are the John Stewart Company and Rural California Housing Corporation, both of which are experienced in the development and operation of multi-family housing in the Sacramento area. The project was renamed "Land Park Woods" upon transfer to the Partnership.

Street Abandonment

Upon petition of the neighborhood associations in 1993, that portion of Fifth Street traversing the property was temporarily abandoned in an effort to reduce crime. The Partnership sought to enhance the property's security through the installation of metal gates to permanently restrict access and requested the City to abandon Fifth Street between Vallejo Way and Fourth Avenue (see Attachment II). The City Council thus adopted a resolution on December 12, 1995, approving such abandonment. Upon abandonment, ownership of the right-of-way reverts to the ownership from which it came. In the case of this section of Fifth Street, all of the former right-of-way is now the property of Land Park Woods, with the exception of a small triangular parcel (APN 012-0010-025), which reverted to the Housing Authority. This is problematic, as ingress and egress to the project now must cross this small parcel. The Housing Authority is thus open to liability with respect anything that might occur on this property. Staff thus recommends that the Housing Authority grant deed this small parcel to the owners of the Land Park Woods Apartments.

SACRAMENTO HOUSING & REDEVELOPMENT AGENCY

Housing Authority of the
City of Sacramento
Sacramento, California
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FINANCIAL CONSIDERATIONS

The subject parcel has no practical use or value to the River Oaks housing development or to the Housing Authority in general. Transfer of the parcel can be accomplished at no cost and will relieve the Housing Authority of potential future liability.

POLICY CONSIDERATIONS

The proposed action is consistent with previously adopted policy concerning the rehabilitation and operation of the Land Park Woods Apartments.

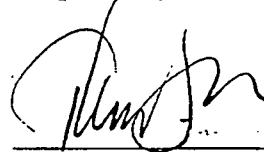
ENVIRONMENTAL REVIEW

The proposed action is consistent with previous environmental documentation. This action is exempt from CEQA per Section 15061 (b)(3), and categorically excluded from NEPA per 58.35 (a)(5).

M/WBE CONSIDERATIONS

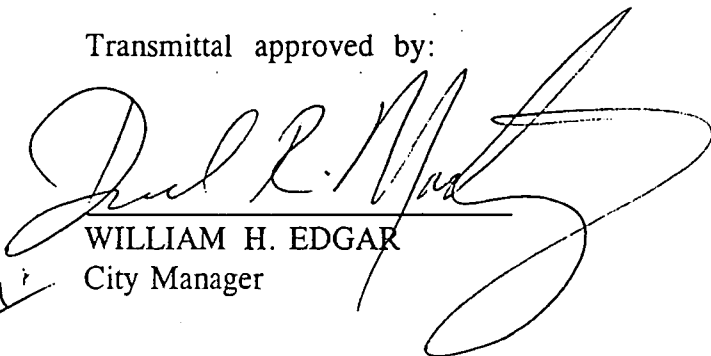
The items discussed in this report have no M/WBE impact, therefore M/WBE considerations do not apply.

Respectfully Submitted by,



THOMAS V. LEE
Executive Director

Transmittal approved by:



WILLIAM H. EDGAR
City Manager

U:\Share\Landpark



RESOLUTION NO. 96-010

ADOPTED BY THE HOUSING AUTHORITY OF THE CITY OF SACRAMENTO

ON DATE OF _____

DISPOSITION OF REMNANT PARCEL

BE IT RESOLVED BY THE HOUSING AUTHORITY OF THE CITY OF SACRAMENTO:

WHEREAS, substantial City HOME funds and Housing Trust Funds have been made available to 2814 Fifth Street Associates, a California limited partnership ("2814 Fifth Street Associates") for development of Land Park Woods Apartments ("Apartments").

WHEREAS, the remnant real property parcel described below has negligible value and significant potential liability to the Authority; and

WHEREAS, the Authority desires to transfer the property for the benefit of the Apartments and to avoid potential liability for the Authority.

Section 1: The Executive Director is directed and authorized to grant deed real property described in the Legal Description attached to this Resolution to the 2814 Fifth Street Associates, a California Limited Partnership.

CHAIR

ATTEST

SECRETARY

f:\mdi\staffres\lpwoods.cty

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____ 7

DATE ADOPTED: _____

ATTACHMENT I

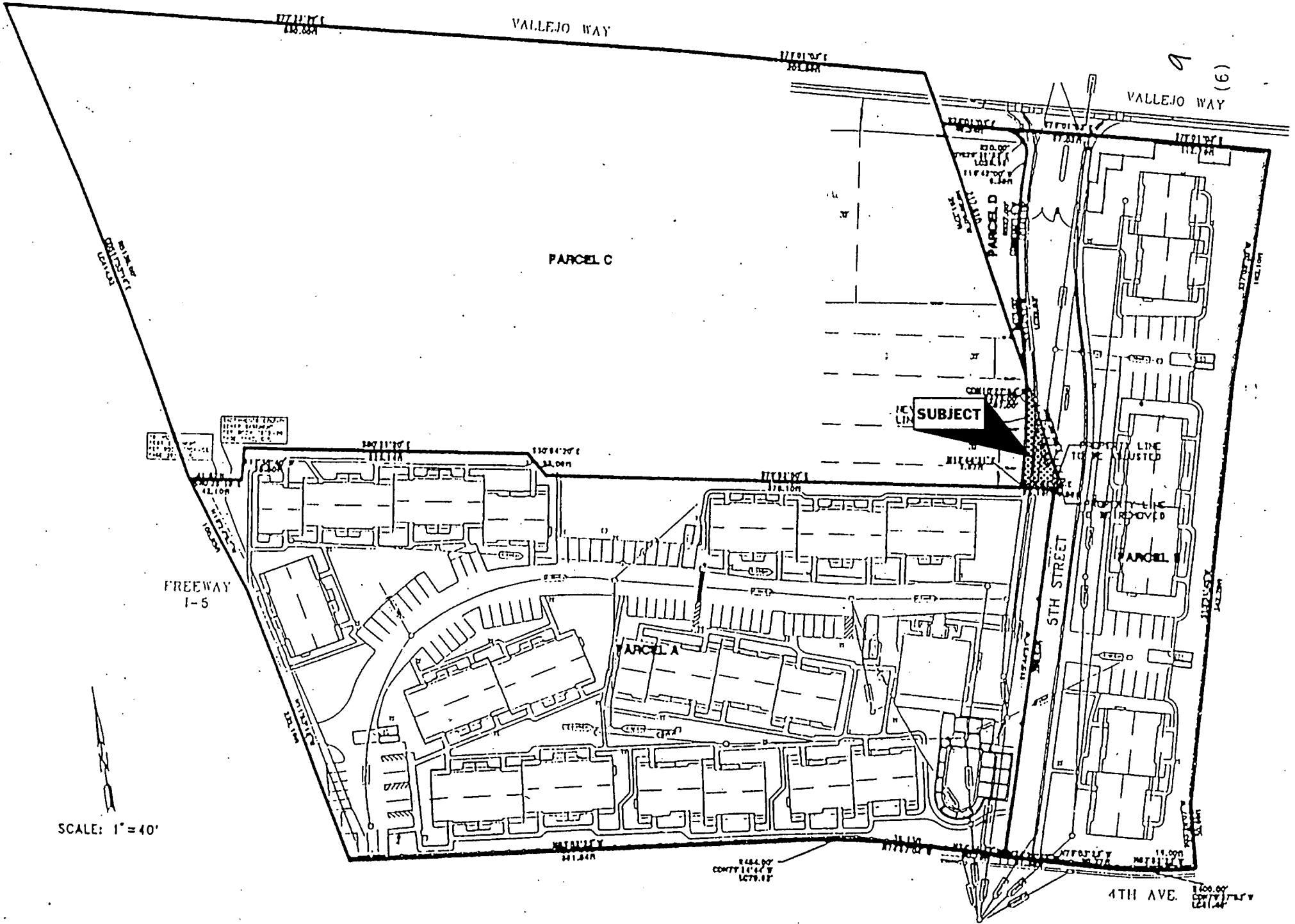
All that portion of that certain tract of land designated "Genevra Wilson" as shown on that certain Record of Survey entitled Property of Estate of Danial Flint, recorded in the Office of the Recorder of Sacramento County in Book 3 of Surveys, Map No. 18, described as follows:

BEGINNING at the Southeast corner of said "Genevra Wilson" tract of land; thence from said point of beginning along the Southerly Boundary of said "Genevra Wilson" tract of land, North 79d52'50" West 33.01 feet; Thence North 15d44'31" East 2.67 feet; thence curving to the left on an arc of 473.00 feet radius, and arc being subtended by a chord bearing North 10d27'54" East 87.00 feet to a point located on the Easterly boundary of said "Genera Wilson" tract of land; thence along said Easterly boundary South 09d38'50" East 95.26 feet to the point of beginning described in the deed from Housing Authority of the City of Sacramento to the city of Sacramento, recorded August 18, 1971 in Book 7108-18 at Page 56, Official Records.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____ 8

DATE ADOPTED: _____



SCALE: 1" = 40'

4TH AVE. 11,000.00
CONTRACT 107.00

VALLEJO WAY (6)

PARCEL C

PARCEL A

PARCEL D

SUBJECT

FREEWAY 1-5

VALLEJO WAY

VALLEJO WAY

5TH STREET

VALLEJO WAY

CONTRACT 107.00

CONTRACT 107.00

CONTRACT 107.00

APPROVED
BY THE CITY COUNCIL

JUL 29 1997

OFFICE OF THE
CITY CLERK

RESOLUTION NO. 97-427

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

RESOLUTION AUTHORIZING EXECUTION OF A DEED
GRANTING A REMNANT PARCEL OF LAND
TO THE 2814 FIFTH STREET ASSOCIATES,
A CALIFORNIA LIMITED PARTNERSHIP

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

1. That the City Manager and City Clerk are hereby authorized to execute a deed in favor of the 2814 Fifth Street Associates, a California Limited Partnership selling a .031 acre remnant City-owned parcel described in the attached legal description (Attachment A) for \$1,000.
2. That the City Council finds that this action is in the best interest of the City and therefore approves the sale of this real property without first calling for bids.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO: _____

DATE ADOPTED: _____

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RECORDING REQUEST OF
FIRST AMERICAN TITLE INS.CO.

Order No. 136778
Escrow No.
Loan No.

ATTACHMENT A

WHEN RECORDED MAIL TO:
2814 Fifth Street Associates
2125 19th Street
Sacramento, CA 95818

SPACE ABOVE THIS LINE FOR RECORDERS USE

MAIL TAX STATEMENTS TO:

Same as Above

DOCUMENTARY TRANSFER TAX \$ None-R&T41.131
Computed on the consideration or value of property conveyed; OR
Computed on the consideration or value less liens or encumbrances
remaining at time of sale.

The undersigned Grantor declares

Signature of Declarant or Agent determining tax - Firm Name

Ptn: 012-0010-026 & 023

GRANT DEED

APN: Ptn: 012-0010-026 & 023

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged. THE CITY OF SACRAMENTO,

A Municipal Corporation

hereby GRANT(S) to 2814 FIFTH STREET ASSOCIATES, A California Limited Partnership

the real property in the City of Sacramento
County of Sacramento
as

State of California, described

as more particularly described on attached Exhibit "A"

Dated _____

THE CITY OF SACRAMENTO, A Municipal Corporation

STATE OF CALIFORNIA }
COUNTY OF _____ }ss.

By: _____

On _____ before
me, _____
personally appeared _____

By: _____

personally known to me (or proved to me on the basis of satisfactory
evidence) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged to me that he/she/they executed the
same in his/her/their authorized capacity(ies), and that by his/her/their
signature(s) on the instrument the person(s) or the entity upon behalf of
which the person(s) acted, executed the instrument.
WITNESS my hand and official seal.

Signature _____

EXHIBIT "A"

All that portion of that certain tract of land designated "Genevra Wilson" as shown on that certain Record of Survey entitled Property of Estate of Daniel Flint, recorded in the office of the Recorder of Sacramento County in Book 3 of Surveys, Map No. 81, described as follows:

Beginning at the southeast corner of said "Genevra Wilson" tract of land; thence from said point of beginning along the southerly boundary of said "Genevra Wilson" tract of land, North $79^{\circ} 52' 50''$ West 33.01 feet; thence North $15^{\circ} 44' 31''$ East 2.67 feet; thence curving to the left on an arc of 473.00 feet radius, said arc being subtended by a chord bearing North $10^{\circ} 27' 54''$ East 87.00 feet to a point located on the easterly boundary of said "Genevra Wilson" tract of land; thence along said easterly boundary south $09^{\circ} 38' 50''$ East 95.26 feet to the point of beginning; containing 0.031 acre, more or less.