

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA DECLARING CITY-OWNED LANDS WITHIN
TELEGRAPH CANYON ROAD AS EXEMPT SURPLUS
LANDS AND APPROVING TRANSFERS OF THE CITY-
OWNED EXEMPT SUPLUS LANDS TO ADJACENT
PROPERTY OWNERS

WHEREAS, in September 2019, property owners of lots 19-38 of the Telegraph Knolls Subdivision requested approval of the partial vacation of Telegraph Canyon Road between Hilltop Drive and Melrose Avenue at the northerly edge of said Subdivision; and

WHEREAS, on March 13, 2020, the City Council adopted Resolution No. _____ ordering the summary vacation of the southerly 22 feet of Telegraph Canyon Road as shown, dedicated, and accepted in Grant Deed No. 121961 on August 13, 1957 and depicted on Map 3665 which concerns right-of-way within, on, above, and over lots 19-38 of the Telegraph Knolls Subdivision as shown on Map 3665 (the “Property”); and

WHEREAS, the California Surplus Lands Act (Cal. Gov. Code §§ 54220 et seq.) as modified by California Assembly Bill 1486, effective October 9, 2019, provides the framework and state law requirements for disposal of a local agency’s surplus real property; and

WHEREAS, the California Surplus Land Act provides exemptions from the requirements of the Act for “exempt surplus land”, which includes land that is former right-of-way that is conveyed to an owner of an adjacent property (Cal. Gov. Code § 54221(f)(1)(E)); and

WHEREAS, the Property is former right-of-way that was ordered to be summarily vacated by the City Council; and

WHEREAS, Chula Vista Municipal Code section 2.56.130 provides that the City may sell real property at less than fair market value upon a determination by the City Council that doing so will be in the public interest; and

WHEREAS, staff analyzed the Property and determined that it is not required for street or highway purposes and has no current or future planned public use; and

WHEREAS, staff recommends the transfer of the Property to the adjacent twenty (20) property owners as in the public interest as it would relieve the City of the responsibility, costs, and liability associated with the ownership and maintenance of the Property, and the adjacent property owners have agreed to be responsible for the staff costs associated with the vacation and transfers of the Property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista that it declares the Property to be “exempt surplus land” under the California Surplus Land Act (Gov. Code §§ 54220 et seq.).

BE IT FURTHER RESOLVED by the City Council of the City of Chula Vista that it finds the proposed transfer of the Property to the twenty (20) adjacent property owners to be in the public interest as the lands are not required for street or highway purposes, have no current or future planned public use, and transfer would relieve the City of the responsibility, costs, and liability associated with the ownership and maintenance of the Property.

BE IT FURTHER RESOLVED by the City Council of the City of Chula Vista that it authorizes the transfer of the Property to the adjacent twenty (20) property owners, authorizes and directs the City Manager, or designee, to execute and record such documentation, as approved by the City Attorney, as necessary or convenient to transfer the Property as described herein and to otherwise effectuate the purpose of this resolution.

Presented by:

Approved as to form by:

William S. Valle, PE
Director of Engineering & Capital
Projects/City Engineer

Glen R. Googins
City Attorney