

RESOLUTION NO. 2019-77

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH DECLARING THAT A STRIP OF CITY OWNED PROPERTY ADJACENT TO 743 13TH STREET, HUNTINGTON BEACH, IS SURPLUS PROPERTY

WHEREAS, the City of Huntington Beach is the owner of certain real property adjacent to 743 13th Street, Huntington Beach (Assessor's Parcel Map No. 023-04-01, and as legally described in Exhibit "A," and depicted in Exhibit "B," respectively, attached hereto and incorporated by this reference; and

The property legally described in Exhibit A and depicted in Exhibit B will be referred to as the "Property;

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby find and resolve as follows:

1. The Property is declared as Surplus Property. The disposition of the Property is in the public interest and necessity.

2. The Property is to be sold for cash to the adjacent property owner pursuant to Huntington Beach Municipal Code ("HBMC") Section 3.06.010(c) for the amount described in the Agreement for Acquisition and Escrow Instructions to be approved concurrently with this Resolution.

3. Pursuant to HBMC Section 3.06.010(b), the Property was not appraised because of its low value. Instead, the fair market value was established through negotiations between the City and the adjacent property owners.

4. The costs incurred in preparing the Property for sale, including all related expenses and appraisal fees have been added to and made a part of the value to be paid on the sale of the Parcels; and

5. The City Council hereby authorizes the City Manager, or his written designee, to execute all documents and take all steps necessary to dispose of the Property, pursuant to the determinations of this Council and the procedures set forth in Chapter 3.06 of the Huntington Beach Municipal Code.

6. The legal description to the deed conveying the Property to the buyers shall include the following concluding paragraph:

"EXCEPTING therefrom all oil, gas and other hydrocarbon substances and minerals lying below a depth of 500 feet from the surface of said land, but without the right of surface entry at any time upon said land or within the top 500 feet thereof, for the purpose of exploiting, developing, producing, removing and marketing said substances."

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 2019.

Mayor

REVIEWED AND APPROVED:

City Manager

APPROVED AS TO FORM:



City Attorney

INITIATED AND APPROVED:



Deputy Director of Business Development

SFF
MW