

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2022

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW
DECLARING A CERTAIN SEGMENT OF LOGUE AVENUE TO BE EXEMPT SURPLUS LAND
PURSUANT TO GOVERNMENT CODE SECTION 54221(f)(1), SUBSECTIONS (C) AND (E)
UPON THE VACATION OF SAID SEGMENT OF LOGUE AVENUE AS A PUBLIC STREET

WHEREAS, the Surplus Land Act (“SLA” or the “Act”) was amended to promote affordable housing development on unused or underutilized public land throughout the state to respond to the affordable housing crisis, and now requires public agencies, including charter cities, to follow certain procedures to dispose of “surplus land” or declare land to be “exempt surplus land” at a public hearing prior to disposition; and

WHEREAS, pursuant to Government Code Section 54221(f)(1)(C), “exempt surplus land” means and includes “[s]urplus land that a local agency is exchanging for another property necessary for the agency’s use”; and

WHEREAS, further, pursuant to Government Code Section 54221(f)(1)(E), “exempt surplus land” means and includes “[s]urplus 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 of Mountain View (“City”) owns in fee the public street known as Logue Avenue within the City limits, including that certain segment of Logue Avenue as more particularly described in Exhibit A and depicted in Exhibit B, both attached hereto and incorporated herein (the “Property” or the “Logue Avenue Segment”); and

WHEREAS, Logue Avenue is currently used as a public street; and

WHEREAS, Google, LLC , the owner of all of the parcels adjacent to the Logue Avenue Segment, on both sides of the street (“Adjacent Property Owner”), submitted a development application for a master plan on a 40-acre site to demolish existing buildings and reconfigure existing parcels to create new parcels for a new mixed-use development of up to 1,520 market rate residential units, 1,317 million square feet of office and research and development (R&D) buildings, 50,000 square feet of retail commercial space, land dedication of 2.4 acres to accommodate affordable residential units, district parking facilities, 6.97 acres of dedicated public parks and 2.87 acres of privately-owned publicly-accessible open space, pedestrian and bicycle improvements, and an optional private district utility system; and

WHEREAS, the master plan application includes a request that the City vacate existing street right-of-way and public easements, as described in the Resolution of Intention to Vacate Street

Right-of-Way and Public Easements Within the Middlefield Park Master Plan (“Resolution of Intention”) that the City Council adopted on October 25, 2022, pursuant to Streets & Highways Code Section 8320(b)(2), setting the public hearing date for November 15, 2022 to consider the vacation; and

WHEREAS, among the proposed vacations noticed in the Resolution of Intention is the vacation of the Logue Avenue Segment as a public street; and

WHEREAS, the master plan includes extending Logue Avenue to the north with new street easements, removal of the existing cul-de-sac where Logue Avenue now terminates, and construction of a new cul-de-sac at its new termination point; and

WHEREAS, in order to implement this portion of the master plan, the Adjacent Property Owner has proposed to convey a public street easement to the City (on approximately 19,500 square feet of land) for the extension of Logue Avenue and construction of the new cul-de-sac, in exchange for conveyance by the City of the Logue Avenue Segment (approximately 3,488 square feet) to the Adjacent Property Owner for incorporation into the adjacent properties; and

WHEREAS, the City Council will consider the proposed property conveyance of the Logue Avenue Segment, including authorization to the City Manager to negotiate and execute an agreement with the Adjacent Property Owner, together with the conditional vacation of the Logue Avenue Segment as a public street; and

WHEREAS, City intends to conditionally vacate the Logue Avenue Segment as a public street, which vacation would become effective only after the applicant has met the conditions of approval of the vacation, including, but not limited to, submittal of improvement plans, agreements and performance bonds, and the approval of the phased final map that includes the extension of the street; and

WHEREAS, when the vacation is effectuated, the Logue Avenue Segment will become a former public street; and

WHEREAS, the disposition and transfer of ownership of the Logue Avenue Segment will only occur after the conditions to public street vacation are satisfied and the vacation is effectuated, and the vacation resolution is recorded; and

WHEREAS, prior to or concurrently with adoption of this Resolution, the City Council on November 15, 2022, by Resolution No. _____, certified the Supplemental Environmental Impact

Report (SEIR) for the Middlefield Park Master Plan and adopted required findings under the California Environmental Quality Act (“CEQA”); now, therefore, be it

RESOLVED: by the City Council of the City of Mountain View:

1. That the Council adopts the recitals set forth above as findings of fact.

2. That the Council has determined and declares the Logue Avenue Segment to be exempt surplus land under Government Code Section 54221(f)(1), subsection (C) as property exchanged for another property necessary for the City’s use, as the portion of Logue Avenue to be conveyed is part of a cul-de-sac that will be relocated to the new northern termination point of Logue Avenue, and in exchange the City will receive the grant of public street easements to implement the Logue Avenue extension and new cul-de-sac.

3. That the Council has determined and declares the Logue Avenue Segment to be exempt surplus land under Government Code Section 54221(f)(1), subsection (E) as a former street and right-of-way conveyed to an owner of an adjacent property, upon the completion and effectuation of the vacation of the Logue Avenue Segment as a public street as approved by the Council.

LH/6/RESO
823-10-19-22r

Exhibits: A. Legal Description
 B. Map



EXHIBIT "A"
VACATION
RAILROAD AND TRANSPORTATION EASEMENT

All that real property situate in the city of Mountain View, County of Santa Clara, California, being a portion of Logue Avenue as shown on that certain 'Record of Survey' filed September 10, 1971 in Book 289 of Maps at Pages 36, Official Records of said County, being more particularly described as follows:

Vacation Area 1

Beginning at the northerly terminus of the westerly right of way line of Logue Avenue, as shown on said map, said westerly line having a bearing of North 17°18'02" East, also being the beginning of a tangent curve to the left, and the **Point of Beginning** of this description;

Thence continuing along said westerly right of way line, along said curve, having a radius of 40.00 feet, through an angle of 41°24'35" for an arc length of 28.91 feet, to the beginning of a reverse curve to the right;

Thence continuing along said westerly right of way line, along said reverse curve, having a radius of 60.00 feet, through an angle of 98°08'50", for an arc length of 102.78 feet;

Thence leaving said westerly right of way line, South 17°18'02" West, 116.33 feet to said westerly right of way line and the point of beginning of this description.

Containing an area of 1,742 square feet, more or less.

Vacation Area 2

Beginning at the Northerly terminus of the easterly right of way line of Logue Avenue, as shown on said map, said easterly line having a bearing of North 17°18'02" East, being a point lying 70.00 feet distant from and perpendicular to the point of beginning of Vacation Area 1, also being the **Point of Beginning** of this description;

Thence leaving said easterly right of way line, along a line lying 70.00 feet distant from and running parallel to that certain course described above as "South 16°16'53" West, 114.88 feet" North 17°18'02"

East 114.43 feet to the easterly right of way line of Logue Avenue as shown on said map, and the beginning of a non-tangent curve to the right, whose radius point bears South 51°58'00" West;

Thence continuing along said westerly right of way line, along said curve, having a radius of 60.00 feet, through an angle of 93°16'36", for an arc length of 97.68 feet to the beginning of a reverse curve to the left;

Thence continuing along said westerly right of way line, along said reverse curve, having a radius of 40.00 feet, through an angle of 42°56'56" for an arc length of 29.98 feet to the point of beginning of this description.

Containing an area of 1,742 square feet, more or less.

A plat showing the above-described areas is attached hereto and made a part hereof as Exhibit B.

This legal description was prepared by me or under my direction in conformance with the requirements of the Professional Land Surveyors' Act.

Preliminary

10/28/2022 12:29:45 AM

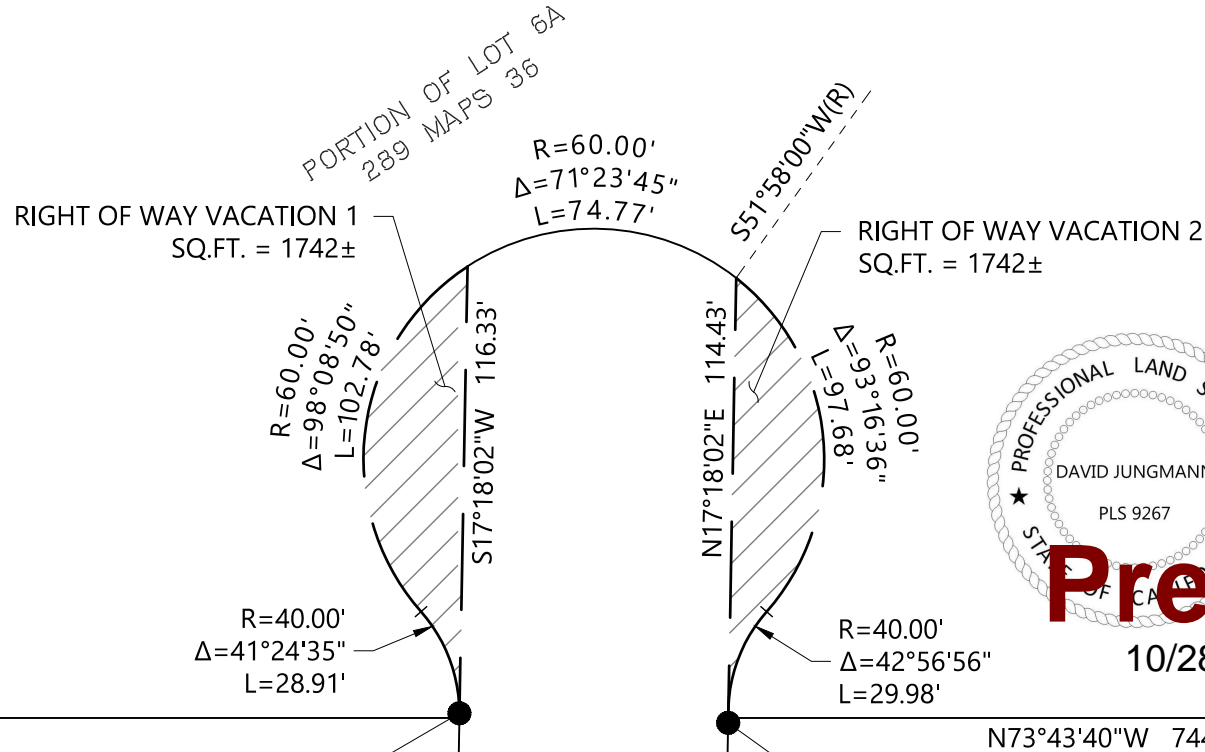
David C. Jungmann, PLS 9267



END OF DESCRIPTION

10/27/2022

Date



Preliminary

10/28/2022 12:30:00 AM

POINT OF BEGINNING VACATION 1

PORTION OF LOT 2
138 MAPS 24

LOGUE AVE
(70' R/W - A PUBLIC STREET)

POINT OF BEGINNING VACATION 2

PARCEL 1
524 MAPS 27

ABBREVIATIONS

- (R) RADIAL BEARING
- R/W RIGHT OF WAY
- SQ.FT. SQUARE FOOT

LINETYPES

- ADJACENT LOT LINE
- TIE LINE
- EASEMENT TO BE VACATED (AS NOTED)

DRAWING NAME: \\\\2020_200299_East_Whisper_Drive_Dilegence\Surf\Maping\Plats & Legals\2022-10 Road Vacated_Easement\ltrow-ency.dwg
PLOT DATE: 10-28-22
PLOTTED BY: djl

BKF
255 SHORELINE DR.,
SUITE 200
REDWOOD CITY, CA 94065
(650) 482-6300
www.bkf.com

SUBJECT **EXHIBIT [B]** – PLAT TO ACCOMPANY
LEGAL DESCRIPTION
JOB NO. **200299**
BY **ADD** APPR. **AJD** DATE **10/28/2022**
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