

CITY OF MOUNTAIN VIEW  
RESOLUTION NO.  
SERIES 2023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW  
DECLARING THE CITY-OWNED SITE AT 87 EAST EVELYN AVENUE TO BE  
EXEMPT SURPLUS LAND PURSUANT TO THE SURPLUS LAND ACT

WHEREAS, the City of Mountain View (“City”) is the owner of that certain real property within the City limits located at 87 East Evelyn Avenue and consisting of approximately 2.01 acres, as more particularly described in Exhibit A, attached hereto (the “Property”); and

WHEREAS, the City purchased the Property from the Santa Clara Valley Transportation Authority on or about June 16, 2023 for the purpose of developing affordable housing on the Property; and

WHEREAS, in 2022, the City initiated a process for redevelopment of the property as an affordable residential project, issuing a Request for Proposals (RFP) seeking proposals from affordable housing developers; and

WHEREAS, at the conclusion of the RFP process, the City Council will select a preferred developer to develop the Property as affordable housing under a long-term ground lease with the City, the City and the preferred developer will enter into negotiations and coordinate to identify the project elements as well as City loan funding and lease terms; and

WHEREAS, under a Lease Disposition, Development, and Loan Agreement (“LDDLA”) that would be entered into by and between City and the preferred developer, the 87 East Evelyn Avenue project will include: a 100% residential affordable housing project composed extremely low-income units (up to 30% of Area Median Income (“AMI”), very low-income units (30% to 50% of AMI), and low-income units (50% to 80% of AMI); and nonresidential, community-serving, ground-floor commercial uses; and

WHEREAS, the 87 East Evelyn Avenue project is expected to be eligible for streamlined review and processing under Senate Bill (“SB”) 35 and exempt from review under the California Environmental Quality Act (“CEQA”) on that basis, which determination will be made prior to execution of a LDDLA; and

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)(A), “exempt surplus land” means and includes surplus land that is transferred pursuant to Government Code Section 37364, which authorizes a city, subject to certain conditions, to sell, lease, exchange, quitclaim, convey, or otherwise dispose of real property to provide housing affordable to persons and families of low or moderate income; now, therefore, be it

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

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

2. That the City Council has determined, and hereby affirms, that the Property can be used to provide housing affordable to persons and families of low or moderate income, as defined by Section 50093 of the Health and Safety Code or as defined by the United States Department of Housing and Urban Development or its successors, and that this use is in the City’s best interests.

3. That the City Council further makes the following findings, pursuant to Government Code Section 37364:

a. Not less than 80% of the area of the Property to be disposed of under the proposed LDDLA will be used for the development of housing. The Property will be developed as 100% residential affordable housing development. The nonresidential portion of the project will include neighborhood-serving commercial uses. The project incorporates publicly accessible open spaces that will serve the residents.

b. Not less than 40% of the total number of those housing units developed on the Property will be affordable to households whose incomes are equal to or less than 75% of the maximum income of lower-income households (equivalent to 60% of AMI), and at least half of which will be affordable to very low-income households (up to 50% of AMI).

c. All dwelling units produced will be for persons and families of low income and below (except for manager’s units), and these affordable units shall be restricted by a regulatory agreement to remain continually affordable to those persons and families for at least 55 years. The regulatory agreement will contain a provision making the covenants and conditions of the agreement binding upon successors in interest of the housing sponsor, will be recorded in the office of the county recorder of the county in which the housing development is located, and will be recorded in the grantor-grantee index to the name of the property owner as grantor and to the name of the City as grantee.

4. That the City Council has determined and declares 87 East Evelyn Avenue to be exempt surplus land under Government Code Section 54221(f)(1)(A) as property transferred pursuant to Government Code Section 37364(D).

-----

DT/6/RESO  
845-09-26-23r

Exhibit: A. Legal Description of 87 East Evelyn Avenue Property

**EXHIBIT A**  
**LEGAL DESCRIPTION OF REAL PROPERTY**  
**[APN 160-65-008]**

The land referred to is situated in the County of Santa Clara, City of Mountain View, State of California, and is described as follows:

All that certain property situated in the City of Mountain View, County of Santa Clara, State of California, and being all of Lots 2 and 3, and a portion of Lot 1, as said lots are shown on that certain Map entitled "Miramonte", filed in Book "G" of Maps, Pages 14 and 15, Records of Santa Clara County, California, and more particularly described as follows:

Beginning at the Northeasterly corner of said Lot 3, and said point being the point of intersection of the Southwesterly line of Evelyn Avenue (formerly Louise Avenue and being a 25.00 foot half-street) and the Northwesterly line of Pioneer Way (formerly Alice Avenue and being a 25.00 foot half-street) as said Louise Avenue and Alice Avenue are shown on said Map of "Miramonte", thence Northwesterly along the said Southwesterly line of Evelyn Avenue North 62° 36' 45" West 401.54 feet to the Northeast corner of that certain parcel of land described as Parcel Two in that Individual Quitclaim Deed, recorded in Book L340, Pages 1523 and 1524, Official Records of Santa Clara County, California; thence Southwesterly along the Southeasterly line of said Parcel Two South 27° 23' 15" West 279.98 feet to the Northeasterly line of Lot 4, as said lot is shown on said Map of "Miramonte"; thence Southeasterly along said Northeasterly line South 62° 36' 45" East 401.70 feet to the said Northwesterly line of Pioneer Way; thence Northeasterly along the said Northwesterly line North 27° 21' 15" East 279.99 feet to the point of beginning.

EXCEPTING THEREFROM that portion deeded to the City of Mountain View, a municipal corporation by Grant Deed recorded May 24, 1999, Official Records as Instrument No. 14826210, described as follows:

All of that certain property situated in the City of Mountain View, County of Santa Clara, State of California, and being a portion of Lots 1, 2 and 3, of Block "I", as said lots and block are shown on that certain Map entitled "Miramonte", filed in Book "G" of Maps, Pages 14-15, Records of Santa Clara County, California, and more particularly described as follows:

Beginning at the Northeasterly corner of said Lot 3, said corner also being the point of intersection of the Southwesterly line of Evelyn Avenue (formerly Louise Avenue and being a 25.00 foot half street) with the Northwesterly line of Pioneer Way (formerly Alice Avenue and being a 25.00 foot half street) as said Louise and Alice Avenues are shown on said Map of "Miramonte", thence Northwesterly along said Southwesterly line of Evelyn Avenue (formerly Louise Avenue) North 62° 36' 45" West 491.54 feet to the Northeasterly corner of that certain parcel of land described as Parcel Two in that certain Quitclaim Deed, recorded in Book L340, Pages 1523-1524, Official Records of Santa Clara County; thence leaving said Southwesterly line of Evelyn Avenue and proceeding Southwesterly along the Southeasterly line of said Parcel Two South 27° 23' 15" West 36.55 feet; thence leaving said Southeasterly line of said Parcel Two South

62° 24' 56" East 60.44 feet; thence South 52° 34' 28" East 108.25 feet; thence South 62° 24' 56" East 55.00 feet; thence 31944 South 68° 25' 02" East 100.43 feet; thence South 62° 24' 56" Page 2 of 2 East 49.70 feet to the beginning of a curve concave Westerly with a radius of 20.00 feet; thence Southerly along said curve (with radius 20.00 feet) through a central angle of 89° 46' 11" and an arc length of 31.34 feet to the Northwesterly line of that certain Easement to the City of Mountain View recorded in Book J097, Page 656, Official Records of Santa Clara County, thence Southerly along said Northwesterly line of said Easement South 27° 21' 15" West 214.17 feet to the Southwesterly line of said Lot 3; thence Southeasterly along said Southwesterly line of Lot 3, South 62° 36' 45" East 10.00 feet to the Southeasterly line of said Lot 3, (Northwesterly line of Pioneer Way and formerly Alice Avenue per said Map of "Miramonte"); thence Northeasterly along said Southeasterly line of Lot 3, (Northwesterly line of Pioneer Way and formerly Alice Avenue per said Map of "Miramonte") North 27° 21' 15" East 279.99 feet to the point of beginning.

APN: 160-65-008