

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2026

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW
DECLARING THE CITY-OWNED PORTION OF FAIRMONT AVENUE,
BETWEEN CASTRO STREET AND HOPE STREET, TO BE EXEMPT SURPLUS LAND
PURSUANT TO GOVERNMENT CODE SECTION 54221(f)(1)(E) UPON THE VACATION OF
FAIRMONT AVENUE AS A PUBLIC STREET AND PUBLIC EASEMENT

WHEREAS, the City of Mountain View (“City”) owns in fee the public street known as Fairmont Avenue between Castro Street and Hope Street within the City limits, as more particularly described and depicted in Exhibit A, attached hereto and incorporated herein (“City-Owned Portion of Fairmont Avenue” or the “Property”); and

WHEREAS, the City has an easement interest for public street purposes in the remaining segment of Fairmont Avenue, also depicted in Exhibit A; and

WHEREAS, the City-Owned Portion of Fairmont Avenue is currently used as a public street and provides access to the approximately four parcels along Fairmont Avenue between Castro Street and Hope Street; and

WHEREAS, Castro GPRV 10, LLC, the owner of all of the parcels adjacent to the City-Owned Portion of Fairmont Avenue, on both sides of the street (“Adjacent Property Owner”), submitted a development application to construct a mixed-use development project, currently proposed to be 140 residential condominium units and 6 commercial units with and including a state density bonus, on a project site consisting of their parcels and the City-Owned Portion of Fairmont Avenue; and

WHEREAS, in order to proceed with the development project, the Adjacent Property Owner proposed to purchase the City-Owned Portion of Fairmont Avenue; and

WHEREAS, on March 24, 2026, the City Council adopted a resolution providing notice of intention to vacate the City-Owned Portion of Fairmont Avenue as a public street and any other public easements thereon or therein pursuant to the Streets and Highways Code, Section 8320(b)(2), and setting the public hearing date for April 28, 2026, to consider the vacation; and

WHEREAS, on April 28, 2026, the City Council held a duly noticed public hearing to consider the proposed purchase and sale of the City-Owned Portion of Fairmont Avenue, including authorization to the City Manager or designee to execute an agreement with the Adjacent Property Owner, together with the vacation of the City-Owned Portion of Fairmont Avenue as a public street and other public easements; and

WHEREAS, after the public hearing, the City Council adopted Resolution No. _____ ordering the conditional vacation of the City-Owned Portion of Fairmont Avenue as a public street and any other public easements thereon or therein, which vacation would become effective only after the satisfaction of the conditions as set forth in the vacation resolution; and

WHEREAS, the City Council further authorized the City Manager to execute a purchase and sale agreement with the Adjacent Property Owner; and

WHEREAS, when the vacation is effectuated, the City-Owned Portion of Fairmont Avenue will become a former public street, and the street easement that is not owned by the City will revert to the property owner of those adjacent properties, who owns the underlying fee; and

WHEREAS, the disposition and transfer of ownership of the City-Owned Portion of Fairmont Avenue at close of escrow will only occur after the conditions to public street and public easement vacations are satisfied, the vacation is effectuated, and the vacation resolution is recorded; and

WHEREAS, the project is exempt from review under the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15332 ("Infill Development Projects"); 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)(E), "exempt surplus land" means and includes "surplus land that is a former street, right of way, or easement, and is conveyed to an owner of an adjacent property"; now, therefore, be it

RESOLVED: that the City Council of the City of Mountain View hereby makes the following findings:

1. The City Council adopts the recitals set forth above as findings of fact.
2. The City Council has determined and declares the City-Owned Portion of Fairmont Avenue to be exempt surplus land under Government Code Section 54221(f)(1)(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 City-Owned Portion of Fairmont Avenue as a public street as approved by Council.

PWK/LL/CH-10-28-25r

Exhibits: A. Plat and Legal Description

EXHIBIT "A"
LEGAL DESCRIPTION
STREET VACATION
FAIRMONT AVENUE, CITY OF MOUNTAIN VIEW, CA

All that certain real property, situate in the City of Mountain View, County of Santa Clara, State of California, being a portion of Fairmont Avenue as shown on the certain Parcel Map, filed in the office of the County Recorder of Santa Clara County in Book 935 of Maps at Pages 30 through 32 on January 21, 2011, as shown on Exhibit "B" made a part hereof, more particularly described as follows:

Beginning at the West corner of Grant Deed recorded in the office of said County Recorder on August 17, 2015 as Document Number 23054050, said point being on the Northeast right of way of said Fairmont Avenue (50 feet wide); thence along said Northeast right of way South 58°09'13" East (Basis of Bearings), 209.35 feet; thence along a curve the left, with a radius of 10.00 feet, though a central angle of 95°36'43", an arc distance of 16.69 feet to the Northwest right of way of Hope Street (60 feet wide) as shown on said Parcel Map; thence along the Southwesterly prolongation of last said right of way South 26°13'59" West, 84.42 feet to the Southwesterly line of a Street Easement recorded in the office of said County Recorder on March 21, 1972 in Book 9808 at Page 497 said county records, said point also at the beginning of a non-tangent curve to the left to which a radial bears South 63°46'26" East; thence along said southwesterly line of easement and said curve with a radius of 20.00 feet, through a central angle of 84°23'04", an arc distance of 29.46 feet; thence North 58°09'32" West, 92.78 feet to the Northwest line of land described in Grant Deed recorded in the office of said County Recorder January 29, 2021 as Document Number 24808485; thence along said Northwest line North 26°17'34" East, 5.03 feet to the North corner of lands, said point also being the Easterly corner of Grant Deed recorded in the office of said County Recorder on December 27, 2016 as Document Number 23543670, said point also being on the Southwest right of way of said Fairmont Avenue; thence along the Northeasterly line of last said Grant Deed and said Southwest right of way North 58°09'13" West, 108.12 feet; thence leaving last said line and right of way North 24°41'58" East, 50.39 feet to the **Point of Beginning**.

Basis of Bearings

The bearing South 58°09'13" East of the Northeast line of Fairmont Avenue, as shown on that certain Parcel Map filed in Book 935 of Maps at Pages 30-32 on January 21, 2021, Santa Clara County records is the basis of all bearings in this description.

Containing 11,635 square feet, more or less.

END OF DESCRIPTION

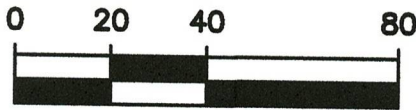
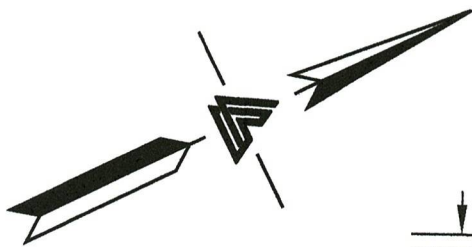


BASIS OF BEARINGS

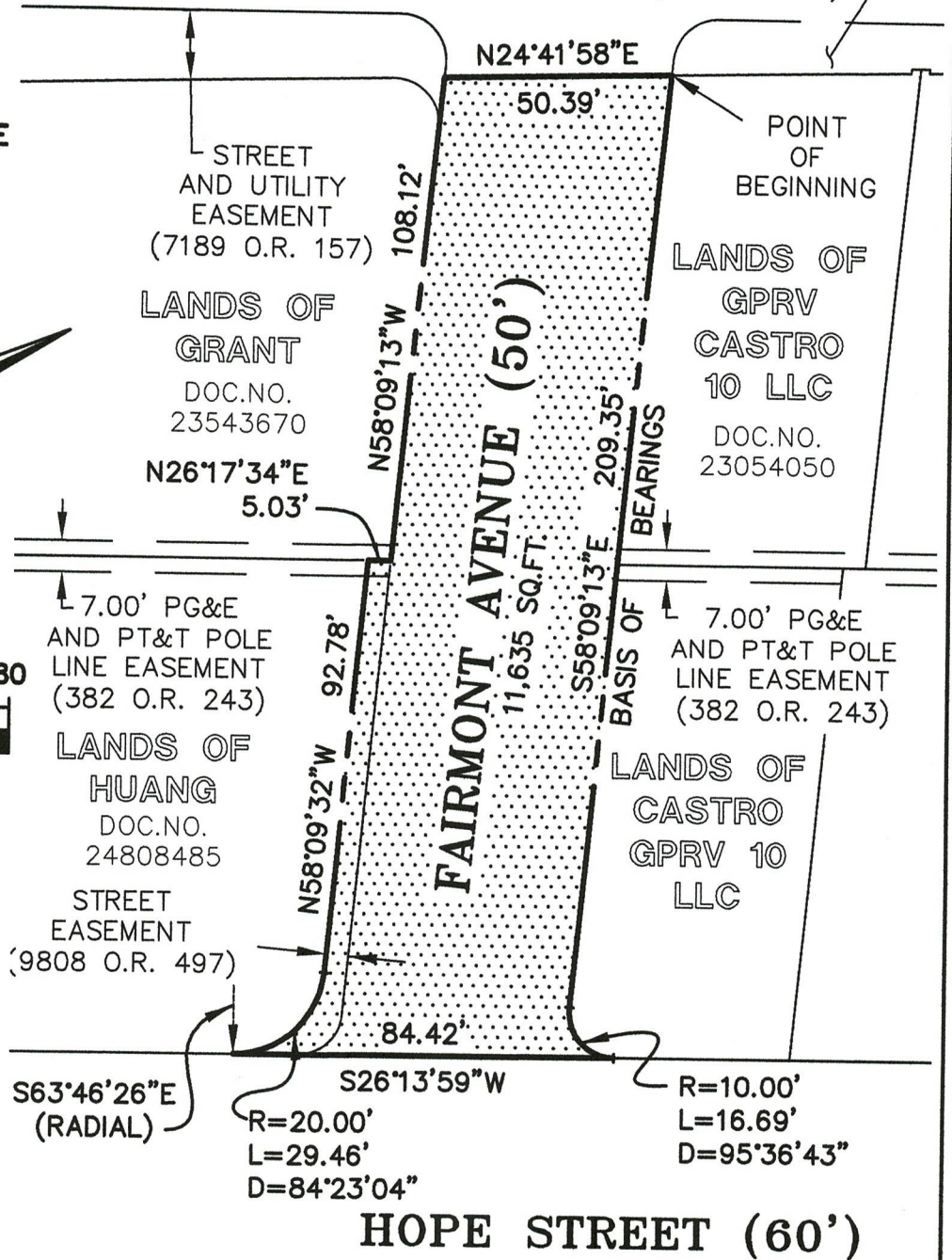
THE BEARING SOUTH 58°09'53" EAST ALONG THE NORTHEAST LINE OF FAIRMONT AVENUE, AS SHOWN ON THAT CERTAIN PARCEL MAP FILED IN BOOK 935 OF MAPS AT PAGES 30-32, JANUARY 21, 2021, SANTA CLARA COUNTY RECORDS, IS THE BASIS OF ALL BEARINGS SHOWN UPON THIS PLAT.

**CASTRO STREET
(WIDTH VARIES)**

EASEMENT FOR PUBLIC STREET & UTILITIES TO CITY OF MOUNTAIN VIEW (6851 O.R. 1)



SCALE: 1" = 40'



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**STREET VACATION
 FAIRMONT AVENUE
 MOUNTAIN VIEW, CALIFORNIA
 SANTA CLARA COUNTY**
 JOB NO. 2210820 SU SCALE: 1" = 40'