REPORT TO COUNCIL
City of Sacramento

18

915 I Street, Sacramento, CA 95814-2671
www. CityofSacramento.org

Staff Report

September 20, 2005

Honorable Mayor and
Members of the City Council

Subject: Meister Way Right-of-Way Acquisition and Funding Agreement

Location/Council District: Meister Way is located within the North Natomas Finance Plan area in Council District 1 and Neighborhood Services Area 4 (see Exhibit "B" to the Resolution, page 9).

Recommendation:

This report recommends the City Council approve the attached resolution authorizing: 1) The City Manager to execute a three (3) party agreement between KB Home North Bay Inc. (KB Home), North Natomas 575 Investors LLC (Greenbriar) and the City of Sacramento for Acquisition and Funding of Real Property in Fee as described in Exhibit A and A-1 of the attached resolution; 2) The creation of a Capital Improvement Project, "Meister Way Over-crossing" (PN:TF86); and 3) The appropriation of $828,500 in support of the acquisition.

Contact: Edward Williams, Development Engineering and Finance Manager, (916) 808-7995
Presenters: Edward Williams
Department: Development Services Department
Division: Development Engineering and Finance
Organization No: **4815**

Summary:

This report addresses an agreement to purchase real property for right-of-way (ROW) required for the future construction of the Meister Way over-crossing of State Route (SR) 99. Meister Way is a proposed roadway which will connect North Natomas and Greenbriar project, which is currently in the County of Sacramento. The site, shown on

Exhibit "B", is located on the southern boundary of the Hamptons Village 3 final subdivision map. The purchase price for the 2.745 acre property is $600,000 per acre. The total purchase price of one million six hundred forty seven thousand dollars ($1,647,000) has been negotiated with KB Home. The agreement also includes provisions in which the funding of the property will be split evenly between Greenbriar and the City of Sacramento.

Committee/Commission Action:

None.

Background Information:

The Meister Way over-crossing of SR 99 is a transportation mitigation measure identified in the Metro Air Park environmental impact report (EIR) and is also listed as a project in the 1995 cooperative agreement between the City and the State of California, Department of Transportation (Cal Trans), City Agreement 95-217. In May 2005, Greenbriar submitted a formal development application to the Development Services Department. Their plan includes the Meister Way connection and is a significant element of the project's transportation network.

In October 2004, the City placed a condition on KB Home final subdivision maps for the Hamptons residential development, Villages 1, 2, and 3 that read: "The Applicant shall negotiate in good faith with the City of Sacramento for an agreement for the acquisition by the City of all land necessary to supply a 56 foot right-of-way needed for the construction of the future over-crossing of Meister Way."

Financial Considerations:

There is no impact to the General Fund. The North Natomas Financing Plan Public Facilities Fee (Fund 780) will fund one-half of the total cost for the acquisition of $1,647,000. The balance of $823,500 will be paid by Greenbriar. Staff recommends the appropriation of the City's share of $823,500 and $5,000 for processing costs. The transaction associated with this $828,500 appropriation is a transfer in this amount from the fund balance of the Facilities Fees Fund (780-710-7012-4999) to the project (780-500-TF86-4820). There are sufficient resources in Fund 780 to fund the City's share of the property acquisition.

Environmental Considerations:

The Environmental Services Manager has determined that the proposed project is exempt from environmental review pursuant to Section 15301(c) of the CEQA Guidelines.

Policy Considerations:

Approval is consistent with the City's Strategic Plan goals to enhance and preserve the neighborhoods and improve and diversify the transportation system.

Emerging Small Business Development (ESBD):

No goods or services are being purchased as part of this action.

Respectfully submitted by: _____
Edward Williams
Manager, Development Engineering and Finance

Recommendation Approved:

_____
ROBERT P. THOMAS
City Manager

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RESOLUTION NO.

Adopted by the Sacramento City Council

RESOLUTION AUTHORIZING THE PURCHASE OF REAL PROPERTY FROM K.B. HOME NORTH BAY INC. AND THE FUNDING OF THE PURCHASE FROM NORTH NATOMAS 575 INVESTORS LLC AND CITY OF SACRAMENTO

BACKGROUND

A. The Meister Way over-crossing of State Route (SR) 99 is listed as a project in the 1995 cooperative agreement between the City and the State of California, Department of Transportation (Cal Trans), City Agreement 95-217.

B. Greenbriar Farm's (currently County land) current application to the City includes the Meister Way connection and is a significant element of the project's transportation network.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. That the City Manager is hereby authorized and directed to execute a three party agreement between KB Home North Bay Inc., North Natomas 575 Investors LLC and the City of Sacramento for the funding and acquisition of Real Property as right-of way (ROW) for the future Meister Way over crossing of State Route 99.

Section 2. That the City Manager is hereby authorized and directed to execute an Agreement for Acquisition of Real Property from **K.B. Home North Bay Inc.**, for the amount of One Million Six Hundred Forty Seven Thousand Dollars ($1,647,000) for the fee simple interest of the parcels as described in Exhibit "A and A-1" attached, which Agreement is on file with the City Clerk.

Section 3. That the City Manager is hereby authorized and directed to execute an Agreement for Funding of Real Property by **North Natomas 575 Investors LLC** in the amount of Eight Hundred Twenty Three Thousand Five Hundred Dollars ($823,500) and by the **City of Sacramento** in the amount of Eight Hundred Twenty Three Thousand Five Hundred Dollars ($823,500) for the fee simple interest of Real Property of the parcels as described in Exhibit "A and A-1" attached, which Agreement is on file with the City Clerk.

Section 4. That a Capital Improvement Project, "Meister Way Over-crossing" (PN:TF86) is hereby created.

Section 5. That the City Manager is hereby authorized and directed to appropriate $828,500 in support of the City's participation in the acquisition from the fund balance of the North Natomas Community Development Fund (Fund 780), with said amount to be applied to the purchase and to $5,000 in processing costs.

Section 6. That the City Manager is further authorized to execute such additional documents and to take such additional actions as necessary to implement the Agreement for Purchase and Funding of Real Property.

Table of Contents

1) Exhibit A, Legal Description
2) Exhibit A-1, Plat Map
3) Exhibit B, Vicinity Map

EXHIBIT 'A'

#1217.013

LEGAL DESCRIPTION
FOR THE
HIGHWAY 99 FLY OVER

A portion of Lots 45, 46, 51, 52, 57, 58, 63, 64, 69, 70, 75, 76, 81, 82, 87, 88, 93, 94, 99 and 100 as shown on the map entitled "Final Map of The Hamptons Village 3", recorded in Book ___ of Maps, at Page ___, Sacramento County Records, in the City of Sacramento, County of Sacramento, State of California, described as follows:

BEGINNING at a point which is the most southerly southwest corner of said Lot 99; THENCE along the westerly boundary line of said Lot 99,
North 10° 35' 40" West, a distance of 62.31 feet; THENCE continuing along the westerly boundary line of said Lots 99 and 100, North 03° 56' 25" West, a distance of 135.40 feet; THENCE through said Lots, along a non-tangent curve concave to the northeast, having a radius of 2407 84 feet, and to which a radial line bears South 35° 25′ 48″ West, southeasterly 928.28 feet, along said curve through a central angle of 22° 05′ 20″; THENCE along a non-tangent curve concave to the northeast, having a radius of 2472.00 feet, and to which a radial line bears South 10° 10' 12" West, southeasterly 14.37 feet, along said curve through a central angle of 00° 19' 59"; THENCE continuing through said Lots, South 80° 09′ 47″ East, a distance of 121 02 feet; thence along a tangent curve concave to the southwest, having a radius of 1028.00 feet, southeasterly 319 10 feet, along said curve through a central angle of 17° 47′ 07″; THENCE continuing through said Lots, South 62° 22′ 41″ East, a distance of 7.40 feet; THENCE along a tangent curve concave to the northeast, having a radius of 19 00 feet, southeasterly 6.63 feet, along said curve through a central angle of 20° 00′ 19″ to a point on the southeasterly boundary line of said Lot 45, also being the northwesterly boundary line of Lot B as shown on the map entitled "Final Map of The Hamptons Village 1", recorded in Book 339 of Maps, at Page 13, in said County; THENCE along said southeasterly boundary line,
South 27° 37' 19" West, a distance of 58.29 feet to the most southerly corner of said Lot 45; THENCE along the southerly boundary line of said Lots, along a non-tangent curve concave to the southwest, having a radius of 19.00 feet, and to which a radial line bears North 47° 37′ 38″ East, northwesterly 6 63 feet, along said curve through a central angle of 20° 00′ 19″; THENCE continuing along the southerly boundary line of said Lots, North 62° 22′ 41″ West, a distance of 7.40 feet; THENCE along a tangent curve concave to the southwest, having a radius of 972.00 feet, northwesterly 301.72 feet, along said curve through a central angle of 17° 47' 07"; THENCE continuing along the southerly boundary line of said Lots, North 80° 09′ 47″ West, a distance of 121 02 feet; THENCE along a tangent curve concave to the northeast, having a radius of 2528 00 feet, northwesterly 46 82 feet, along said curve through a central angle of 01° 03′ 40″;

THENCE along a non-tangent curve concave to the northeast, having a radius of 2592.16 feet, and to which a radial line bears South 07° 42′ 45″ West, northwesterly 815 74 feet, along said curve through a central angle of 18° 01′ 50″ to the POINT OF BEGINNING.

Containing 119,558 square feet or 2 745 acres, more or less

Basis of Bearings for this description is the westerly boundary line of said Lot 99. Said line is taken to bear North 10° 35′ 40″ West

May 17, 2005

END OF DESCRIPTION

PREPARED BY WOOD RODGERS, INC
SACRAMENTO, CALIFORNIA

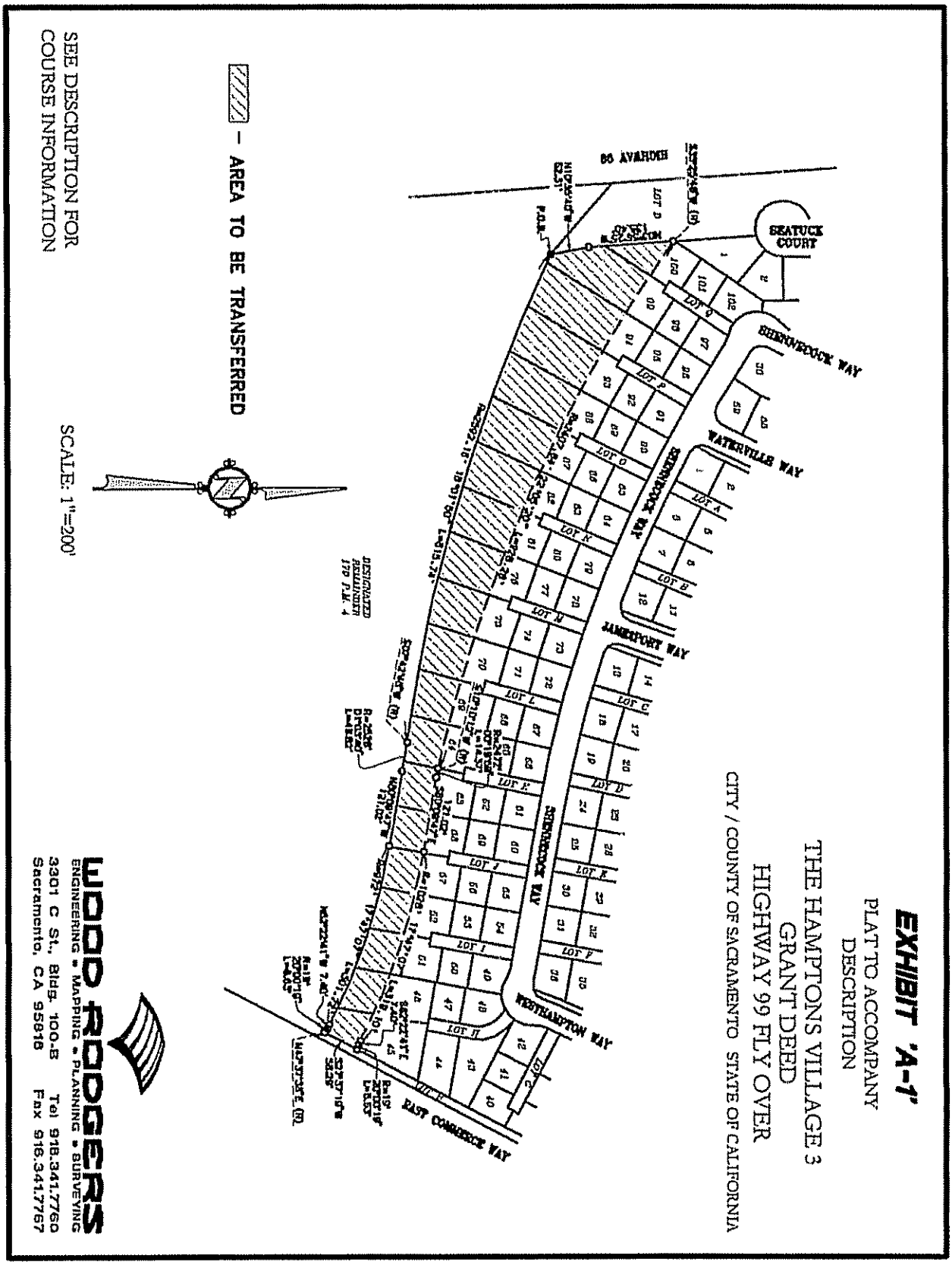
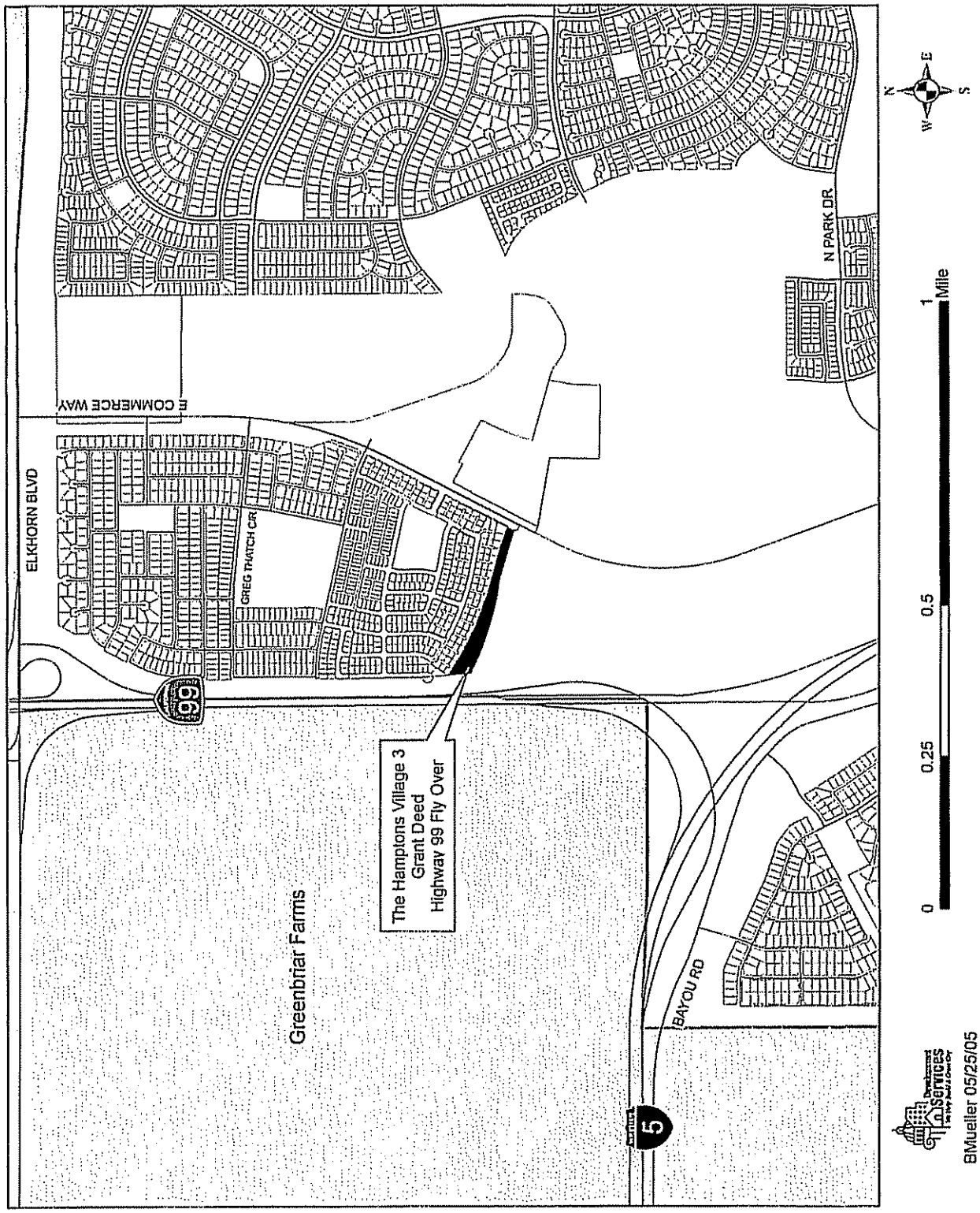


EXHIBIT 'A-1'
PLAT TO ACCOMPANY
DESCRIPTION
THE HAMPTONS VILLAGE 3
GRANT DEED
HIGHWAY 99 FLY OVER
CITY / COUNTY OF SACRAMENTO STATE OF CALIFORNIA
99 AVENUE
SEATUCK COURT
SHINNECOCK WAY
WATERVILLE WAY
JAMESPORT WAY
WESTHAMPTON WAY
EAST COMMERCE WAY
AREA TO BE TRANSFERRED
SEE DESCRIPTION FOR
COURSE INFORMATION
SCALE: 1"=200'
WOOD RODGERS
ENGINEERING • MAPPING • PLANNING • SURVEYING
3301 C St., Bldg. 100-B Tel 916.341.7760
Sacramento, CA 95816 Fax 916.341.7767

Exhibit B


ELKHORN BLVD
E COMMERCE WAY
GREG THATCH DR
N PARK DR
BAYOU RD
Greenbriar Farms
The Hamptons Village 3
Grant Deed
Highway 99 Fly Over
99
5
0
0.25
0.5
1
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N
E
S
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BMueller 05/25/05