

RESOLUTION R2020-\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, AUTHORIZING THE SUMMARY ABANDONMENT OF A PORTION OF SALVADOR AVENUE THAT HAS BEEN SUPERSEDED BY RELOCATION, AFFECTING PROPERTY LOCATED AT 1895 SALVADOR AVENUE (APN 038-021-001), AND DETERMINING THAT THE ACTIONS AUTHORIZED BY THIS RESOLUTION ARE EXEMPT FROM CEQA

WHEREAS, in 1992, the City of Napa acquired the fee simple interest in a portion of property on Salvador Avenue for use as public right of way by a Grant Deed recorded February 19, 1992 as Instrument No. 1992-005038, Napa County Official records (the "Subject Property," as described in Exhibit "A," attached hereto and incorporated herein by reference); and

WHEREAS, the Subject Property has never been fully developed with public street improvements; and

WHEREAS, the adjoining property owner, Napa Valley Petroleum, Inc., owner of the Chevron Service Station located at 1895 Salvador Avenue (APN 038-021-001) at the southeast corner of Highway 29 and Salvador Avenue, has an approved project, Project No. PC2018-19, (the "Project"), to expand and improve their service station; and

WHEREAS, the Project was conditioned to dedicate additional right of way to the City consistent with a proposed realignment of Salvador Avenue, and said realignment will render portions of the Subject Property excess to the City's needs for use as public right of way; and

WHEREAS, Napa Valley Petroleum, Inc., has signed and delivered a grant deed to the City conveying the property area consistent with the realignment of Salvador Avenue; and

WHEREAS, with the new conveyance property to the City from Napa Valley Petroleum, Inc., the Subject Property has been superseded and is not required for street or highway purposes; and

WHEREAS, the City Council is authorized to summarily vacate the Subject Property pursuant to California Streets and Highways Code Section 8330 since the Subject Property has been superseded by relocation; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meetings of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

## ATTACHMENT 1

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Napa, as follows:

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct and establish the factual basis for the City Council's adoption of this Resolution.

2. The City Council hereby determines that the actions authorized by this Resolution are exempt from CEQA pursuant to CEQA Guidelines Section 15301 (minor alteration of existing facilities).

3. The City Council hereby finds, consistent with Streets and Highways Code Section 8330, that the Subject Property (described on Exhibit "A") has been superseded by relocation and is no longer needed for street or highway purposes.

4. Pursuant to Streets and Highways Code Division 9, Part 3, Chapter 4 (particularly Section 8335), the City Council hereby vacates and abandons the Subject Property (described on Exhibit "A").

5. The City Council hereby authorizes conveyance of the underlying fee simple interest in and to the Subject Property to Napa Valley Petroleum, Inc., by Quit Claim Deed at no cost to the grantee.

6. The City Council hereby authorizes the City Manager (or designee) to execute all related documents and take all actions necessary to implement the abandonment of the herein described Subject Property authorized by this Resolution.

7. The City Council hereby authorizes the City Manager (or designee) to record this Resolution of Abandonment in the Office of the County Recorder of Napa County.

8. Upon recordation of this Resolution of Abandonment, the Subject Property described on Exhibit "A" shall no longer constitute a public right of way.

9. This Resolution shall take effect immediately upon its adoption.

## ATTACHMENT 1

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa at a public meeting of said City Council held on the 17<sup>th</sup> day of November, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: \_\_\_\_\_  
Tiffany Carranza  
City Clerk

Approved as to form:

\_\_\_\_\_  
Michael W. Barrett  
City Attorney