

HAYWARD CITY COUNCIL

RESOLUTION NO. 21-_____

Introduced by Council Member _____

RESOLUTION ACCEPTING EASEMENTS FOR PUBLIC ROAD RIGHTS-OF-WAY
IN THE OLD HIGHLANDS HOMEOWNER ASSOCIATION (OHHA) FOR THE
FIRST PHASE OF ROAD IMPROVEMENTS

WHEREAS, on December 8, 2020, the Council adopted Resolutions No. 20- 216 and No. 20- 217, initiating proceedings pursuant to Streets and Highways Code Sec. 1160 et. seq., and Prop. 218 (California Constitution Article XIII C and XIID; Government Code Section 53753) for creation of the Old Highlands Area Road Improvement Assessment District (District); and

WHEREAS, on February 2, 2021, the Council conducted a Prop. 218 hearing regarding assessments for the District, which was approved by the property owners within the District; and

WHEREAS, the Old Highland area was annexed to the City in 1963 and at that time, the 6.12 miles of streets within the Old Highland area were not brought up to City standards upon annexation and have not been regularly or routinely maintained; and

WHEREAS, after annexation, certain streets remained unaccepted by the County and remained private right-of-way; and

WHEREAS, City staff has identified streets that remained private right-of-way from which easements for a public road right-of-way must be accepted in advance of the first phase of pavement improvements, which are identified in Exhibit A to this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward accepts the easements for a public road right-of-way as identified in Exhibit A to this Resolution.

BE IT FURTHER RESOLVED that the City Manager is authorized to execute any documents necessary to finalize acceptance of the easements, in a form approved by the City Attorney, and to cause the easements to be recorded with the County.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2021

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward