

HAYWARD CITY COUNCIL

RESOLUTION NO. 26-___

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A PURCHASE AND SALES AGREEMENT WITH LINK LOGISTICS REAL ESTATE LLC FOR THE TRANSFER OF THE FORMER WHITESELL STREET RIGHT-OF-WAY (WITH RESERVATION OF UTILITY EASEMENTS) LOCATED AT WHITESELL ST AND BAY CENTER PLACE (APN 439-99-77-1); AND FINDING THE ACTION EXEMPT FROM ENVIRONMENTAL REVIEW

WHEREAS, California Streets and Highways Code section 8330(a) authorizes summary vacation of a street or highway that has been superseded by relocation; and

WHEREAS, Streets and Highways Code section 8340 authorizes a public entity to reserve from vacation of a street or highway easements for sanitary sewers and storm drains, and pipe, conduit and other structures for the conveyance of water; and

WHEREAS, California Government Code section 54221(f)(1)(E) specifies that surplus land that is a former street, right-of-way, or easement, and is conveyed to an owner of an adjacent property is exempt from the requirements of the Surplus Land Act; and

WHEREAS, Government Code section 54221(f)(1)(B) specifies that surplus land that is less than one-half acre in area and is not contiguous to land owned by a state or local agency that is used for open-space or low- and moderate-income housing purposes is exempt from the requirements of the Surplus Land Act; and

WHEREAS, in 2013 the City of Hayward acquired a portion of the property at 25500 Whitesell Street from Rohm and Haas Company to facilitate the I-880/SR-92 Reliever Route and the realignment of Whitesell Street; and

WHEREAS, as part of that transaction the City obtained a remnant parcel, approximately 0.48 acres in size, located northeast of Breakwater Avenue and west of the current alignment of Whitesell Street, which remains under City ownership; and

WHEREAS, the City also acquired fee title to the easterly half (approximately 0.32 acres) of the former Whitesell Street right-of-way, resulting in total City ownership of approximately 0.8 acres; and

WHEREAS, Link Logistics Real Estate LLC, the adjoining property owner of 3832 Bay Center Place, has expressed interest in acquiring the City-owned properties for consolidation with its existing industrial holdings; and

WHEREAS, on May 26, 2026, Link Logistics Real Estate LLC submitted a Letter of Intent to purchase the property for \$840,000, reflecting fair market value; and

WHEREAS, the former Whitesell Street right-of-way and remnant parcel are no longer needed for City purposes and are considered surplus; and

WHEREAS, the subject properties qualify as Exempt Surplus Land pursuant to Government Code section 54221(f); and

WHEREAS, the sale of the surplus land to the purchaser does not have the potential for creating a significant effect on the environment and is therefore exempt from further review under CEQA pursuant to State CEQA Guidelines Section 15060(c)(3) because it is not a project as defined by the CEQA Guidelines Section 15378. Any proposed development of the site will undergo separate CEQA review as part of the land use entitlement process.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby authorizes the sale of the City-owned properties, totaling approximately 0.8 acres, to Link Logistics Real Estate LLC, the adjoining property owner of 3832 Bay Center Place, for a purchase price of \$840,000, subject to the terms and conditions of a Purchase and Sale Agreement and that the proceeds of such sale are to be directed toward General Fund Reserves.

BE IT FURTHER RESOLVED that the City Manager is authorized to negotiate and execute the Purchase and Sale Agreement and all related documents, in a form approved by the City Attorney, and to take all actions necessary to complete the transaction.

BE IT FURTHER RESOVLED that sale of the surplus land to the purchaser does not have the potential for creating a significant effect on the environment and is therefore exempt from further review under CEQA pursuant to State CEQA Guidelines Section 15060(c)(3) because it is not a project as defined by the CEQA Guidelines Section 15378. Any proposed development of the site will undergo separate CEQA review as part of the land use entitlement process.

IN COUNCIL, HAYWARD, CALIFORNIA, _____, 2026

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