

**RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:**

City of Sonora
City Hall
94 N. Washington Street
Sonora, CA 95370
Attn: City Clerk

No recording fee per Gov. Code §§ 6103, 27383

RESOLUTION NO. 09-21-26-B

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONORA
APPROVING A COVENANT AND AGREEMENT REGARDING PROPERTY
TRANSFER, IMPROVEMENTS, AND USE RESTRICTIONS WITH THE ADJACENT
LANDOWNER, IN CONNECTION WITH THE VACATION OF EXCESS RIGHT-OF-
WAY AT THE INTERSECTION OF OLD WARDS FERRY ROAD AND SANGUINETTI
ROAD**

WHEREAS, the City of Sonora owns and controls the area of right-of-way near the intersection of Sanguinetti Road and Old Wards Ferry Road, divided by the Sierra Railroad, described as a portion of APN 056-570-059, and as further described and depicted in **Exhibit A** attached hereto (the "Property"); and

WHEREAS, the Property is composed of two parcels, Parcel 1 of approximately 13,418 square feet south of the Sierra Railroad, and Parcel 2 of approximately 5,868 square feet north of the Sierra Railroad. This subject Property is at the northwest corner of the Walmart shopping center area; and

WHEREAS, the Property is not used for roadway purposes and is currently developed with landscaping and for drainage purposes; and

WHEREAS, a portion of the Property is excess right-of-way which is within the right-of-way of Old Wards Ferry Road. This intersection was realigned at the time of development of the Lowe's and Walmart shopping center; and

WHEREAS, the Property is approximately 19,286 square feet (~0.44 acres); and

WHEREAS, the neighboring landowner of the Walmart shopping center ("Applicant") has expressed interest in acquiring a portion of the Property for future development; and

WHEREAS, pursuant to Streets and Highways Code § 8355, if the legislative body determines that property previously subject to a street, highway, or public service easement, title to which is owned by the public entity, is no longer needed by the public, the legislative body may sell or exchange the property in the manner, and upon the terms and conditions, approved by the legislative body; and

WHEREAS, the City desires to transfer the Property to the Applicant, pursuant to the Covenant and Agreement Regarding Property Transfer, Improvements, and Use Restrictions between the City and the Applicant attached hereto as **Exhibit A** ("Agreement"); and

WHEREAS, under the proposed Agreement, Parcel 1 may be used for future development consistent with the applicable zoning, with any remainder area used for landscaping, and Parcel 2 would be restricted for landscaping to enhance the intersection of Old Wards Ferry Road and Sanguinetti Road; and

WHEREAS, in conjunction with this Resolution, the City Council further considered and approved the following actions:

- (a) Adoption of a resolution to formally vacate the City's interest in the Property and recording of the vacation in the official records of Tuolumne County; and
- (b) Introduction of an ordinance to rezone Parcel 1 from "Open Space" to "Commercial," to allow future development of Parcel 1 consistent with the applicable zoning for the neighboring shopping center; and
- (c) A resolution to memorialize the change in General Plan designation for Parcel 2 from Heavy Commercial to Park/Recreation/Resource/Open Space; and

WHEREAS, on August 24, 2026, the Sonora Planning Commission evaluated the proposed vacation, the associated Agreement, and the proposed rezoning of Parcel 1, and the proposed General Plan Amendment for Parcel 2, for conformance with the City's General Plan and forwarded its recommendation to the City Council; and

WHEREAS, notice of this public hearing has been provided in accordance with the California Streets & Highways Code and the California Government Code; and

WHEREAS, the City Council hereby finds that the Agreement is in the public interest, health, and welfare, by advancing economic development, community benefits and services, and relieving the City from ongoing maintenance and costs associated with the Property. Future development of Parcel 1 has the potential to provide new commercial or retail services, and increase revenues from property tax and sales tax benefits. The Agreement is of overall fiscal benefit to the City and the public. Enhancing the visual appearance and overall quality of Parcel 2 is of further benefit to the City and the appearance of a major intersection in the southwest corner of City limits; and

WHEREAS, the Agreement is a component of the overall project approved by the City Council, which involves vacation of excess right-of-way, transfer of the Property to the adjacent landowner pursuant to the Agreement, rezoning of Parcel 1 from Open Space to Commercial, and a corresponding General Plan Amendment for vertical consistency and the existing use. No physical development of the Property has been formally proposed at this time, and any such future site plan or design review would be subject to CEQA at that time. Accordingly, the proposed actions have been determined to be exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines § 15061(b)(3) (Commonsense Exemption), CEQA Guidelines § 15312 (Surplus Government Property Sales), CEQA Guidelines § 15304 (Minor Alterations to Land), and CEQA Guidelines § 15301 (Existing Facilities).

WHEREAS, the purpose of this Resolution is to approve and authorize execution of the Agreement attached hereto as **Exhibit A**.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SONORA AS FOLLOWS:

1. The City Council hereby finds that the above recitals are true and correct and are made part of this Resolution.
2. The City Manager is hereby authorized to execute the Vacation Agreement attached hereto as **Exhibit A**, and take all acts necessary and incidental to carry out the terms of the Vacation Agreement.

PASSED AND ADOPTED as a resolution by the Sonora City Council on this _____
day of _____ 2026, by the following vote:

Members of the City Council:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

Signed and dated: _____, 2026

SIGNED:

Ann Segerstrom
Mayor of the City of Sonora

ATTEST:

Nicole McCutchen
City Clerk of the City of Sonora

EXHIBIT A

**Covenant and Agreement Regarding Property Transfer, Improvements,
and Use Restrictions**