

**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-A

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONORA
APPROVING THE VACATION OF EXCESS RIGHT-OF-WAY
AT SOUTHEAST INTERSECTION OF SANGUINETTI ROAD AND OLD WARDS
FERRY 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, the City desires to transfer the Property to the Applicant, pursuant to an agreement between the City and the Applicant; and

WHEREAS, under the proposed agreement, Parcel 1 may be used for future development consistent with the neighboring shopping center, 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) Introduction of an ordinance to rezone Parcel 1 from “Open Space” to “Commercial,” to allow future development of Parcel 1 consistent with the neighboring shopping center; and
- (b) Adoption of a Resolution to memorialize the change in General Plan designation for Parcel 2 from Heavy Commercial to Park/Recreation/Resource/Open Space; and
- (c) Adoption of a resolution to approve an agreement with the Applicant setting forth the provisions for the transfer of Parcel 1 and Parcel 2 to the Applicant, including but not limited to, the future uses and restrictions for development of subject parcels; and

WHEREAS, on August 24, 2026, the Sonora Planning Commission evaluated the proposed vacation, the associated agreement, 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, City staff recommends that the City Council make the following findings for the proposed vacation:

- 1. The Property is excess right-of-way and is not necessary for present or prospective public use or traffic needs in the area.
- 2. Vacation of the Property conforms to the City’s General Plan, as described in Planning Commission Resolution No. _____. The findings of Planning Commission Resolution No. _____ are hereby incorporated by this reference.

WHEREAS, the proposed vacation is subject to the terms and conditions agreed to between the City and the Applicant, approved by the City Council in conjunction with this Resolution; and

WHEREAS, the roadway vacation 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, and 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); and

WHEREAS, the purpose of this Resolution is to formally vacate the Property described in **Exhibit A**, reserve the required public utility easements, and authorize recording of this Resolution in the official records of Tuolumne County.

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 Property is hereby deemed excess and not required for current or future public use or traffic needs in the area.
3. The City Council hereby approves vacation of the Property described in **Exhibit A**.
4. The vacation described herein is conditioned upon and does not eliminate, extinguish, or waive any easements, rights-of-way, and appurtenant rights presently existing within the Property for the benefit of any public utilities, governmental agencies, and/or private utility holders, including but not limited to easements for water, sewer, storm drainage, gas, electric, telecommunications, cable, fiber, and other public or utility services. The City hereby expressly reserves unto itself and to all utility providers and governmental agencies all easements and rights necessary for the operation, maintenance, repair, replacement, relocation (as necessary), and inspection of the facilities located in or serving the Property, and such easements shall remain in full force and effect following the vacation. Any and all utilities currently located in the Property shall be allowed continued access to the facilities for the purposes described above, including reasonable ingress and egress over, under, and through the Property.

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

Legal Description of Property