

RESOLUTION NO. 2025-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT DECLARING PURSUANT TO GOVERNMENT CODE SECTION 54221 THAT REAL PROPERTY OWNED BY THE CITY OF PALM DESERT LOCATED IN THE SHOPS AT PALM DESERT MALL (APN 640-140-020), FORMERLY KNOWN AS THE SEARS BUILDING, IS SURPLUS LAND AND NOT NECESSARY FOR THE CITY'S USE, FINDING THAT SUCH DECLARATION IS EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), PURSUANT TO CEQA GUIDELINES SECTION 15312 (CLASS 12 – SURPLUS GOVERNMENT PROPERTY SALES), AND TAKING RELEVANT ACTIONS.

WHEREAS, the City of Palm Desert ("City") is the owner in fee simple of that certain real property located within the Shops at Palm Desert Mall in the City of Palm Desert, County of Riverside, State of California Assessor's Parcel Number 640-140-020 as further described in Exhibit A, attached hereto and incorporated herein by this reference (the "Property"); and

WHEREAS, under the Surplus Land Act, Government Code Section 54220 *et seq.* ("Act"), surplus land is land owned in fee simple by the City for which the City Council takes formal action in a regular public meeting declaring the land is surplus and not necessary for the City's use. The land must be declared either surplus land or exempt surplus land; and

WHEREAS, under the Act, land is necessary for the City's use if the land is being used, or is planned to be used pursuant to a written plan adopted by the City Council, for City work or operations; and

WHEREAS, the City has determined that the land is not being used, nor is it planned to be used pursuant to a written plan adopted by the City Council, for City work or operations; and

WHEREAS, the Property is approximately 324,957 square feet in size, is a vacant retail store (formerly Sears) and accompanying parking area within the Shops at Palm Desert Mall, and is not currently being used by the City; and

WHEREAS, the City Council desires to declare that the Property is surplus land and not necessary for the City's use; and

WHEREAS, the Act requires that before the City Council disposes of the Property or engages in negotiations to dispose of the Property, the City shall send a written notice of availability ("Notice of Availability") of the Property to certain entities designated as recipients of the Notice of Availability ("Designated Entities"); and

WHEREAS, the staff report presented to the City Council together with this Resolution contains the factual background and supporting information upon which the declaration and findings set forth herein are based;

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

SECTION 1. The above recitals are true and correct and are incorporated as a substantive part of this Resolution.

SECTION 2. The City Council finds that the Property is not necessary for the City's use.

SECTION 3. The City Council hereby declares that the Property is surplus land pursuant to Government Code Section 54221(b)(1), and will be disposed of in accordance with the Act.

SECTION 4. The City Council directs the City Manager, or his designee, to issue a Notice of Availability to the Designated Entities in accordance with the Act.

SECTION 5. Pursuant to the California Environmental Quality Act (CEQA), The City Council finds that the sale of surplus property is categorically exempt from environmental review under CEQA Guidelines Section 15312 (Class 12 – Surplus Government Property Sales). The property does not have significant values for wildlife habitat or other environmental purposes, and the use of the Property and adjacent property has not changed since the time of purchase by the public agency.; and, the sale of the Property will not result in any physical changes to the environment. Any future development or use of the Property by a purchaser will be subject to separate CEQA review by the appropriate lead agency at the time such development or use is processed.

SECTION 6. The City Clerk of the City of Palm Desert is directed to file a Notice of Exemption pursuant to CEQA Guidelines Section 15062.

SECTION 7. The officers and staff of the City are hereby authorized, jointly and severally, to do all things which they may deem necessary or proper to effectuate the purposes of this Resolution, and any such actions previously taken are hereby ratified and confirmed. Such actions include issuing a Notice of Availability and negotiating in good faith in accordance with the requirements of the Act with any of the Designated Entities that submit a written notice of interest to purchase the Property in compliance with the Act.

SECTION 8. The City Clerk of the City of Palm Desert shall certify to the passage, approval and adoption of this resolution, and the City Clerk of the City of Palm Desert shall cause this Resolution and the City Clerk's certification to be entered in the File of Resolutions of the Council of this City.

ADOPTED ON _____, 2025.

JAN C. HARNIK
MAYOR

ATTEST:

ANTHONY J. MEJIA
CITY CLERK

I, Anthony J. Mejia, City Clerk of the City of Palm Desert, hereby certify that Resolution No. 2025-____ is a full, true, and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Desert on September 25, 2025, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:
- RECUSED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Palm Desert, California, on _____.

ANTHONY J. MEJIA
CITY CLERK

EXHIBIT A
PROPERTY DESCRIPTION

For APN/Parcel ID(s): 640-140-020

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF PALM DESERT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:

THOSE PORTIONS OF LOTS 2 AND 8 OF TRACT NO. 18942, IN THE CITY OF PALM DESERT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN ON THE MAP FILED IN BOOK 133, PAGES 55 THROUGH 60 OF MAPS, RECORDS OF SAID COUNTY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID LOT 2; THENCE ALONG THE PERIMETER OF SAID LOT 2 THE FOLLOWING COURSES:

(1) NORTH 00° 04' 30" EAST, 146.29 FEET;

(2) SOUTH 89° 55' 30" EAST, 23.00 FEET;

(3) NORTH 00° 04' 30" EAST, 200.99 FEET;

THENCE LEAVING SAID PERIMETER NORTH 89° 55' 30" WEST, 26.63 FEET; THENCE NORTH 00° 04' 30" EAST, 170.03 FEET; THENCE SOUTH 89° 55' 30" EAST, 61.10 FEET; THENCE NORTH 00° 04' 30" EAST, 30.17 FEET; THENCE SOUTH 89° 55' 30" EAST, 219.00 FEET; THENCE SOUTH 00° 04' 30" WEST, 17.50 FEET; THENCE SOUTH 44° 55' 30" EAST, 135.00 FEET; THENCE NORTH 45° 04' 30" EAST, 57.64 FEET; THENCE SOUTH 89° 55' 30" EAST, 86.80 FEET TO THE EASTERLY LINE OF SAID LOT 2; THENCE ALONG THE PERIMETER OF SAID LOT 2 THE FOLLOWING COURSES:

(1) SOUTH 00° 04' 30" WEST, 327.84 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHERLY;

(2) WESTERLY ALONG SAID CURVE HAVING A RADIUS OF 266.50 FEET, A RADIAL LINE TO SAID BEGINNING BEARS SOUTH 20° 35' 47" EAST; THROUGH A CENTRAL ANGLE OF 10° 55' 48" AN ARC DISTANCE OF 50.84 FEET:

(3) SOUTH 00° 04' 30" WEST, 149.03 FEET;

(4) SOUTH 83° 04' 18" EAST, 36.58 FEET;

(5) SOUTH 86° 59' 39" EAST, 21.90 FEET;

(6) SOUTH 03° 00' 21" WEST, 32.00 FEET;

(7) SOUTH 86° 59' 39" EAST, 152.55 FEET;

(8) NORTH 00° 04' 30" EAST, 142.55 FEET;

(9) NORTH 89° 55' 30" WEST, 148.41 FEET;

(10) NORTH 00° 04' 30" EAST, 69.70 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY;

(11) THENCE NORTHEASTERLY ALONG SAID CURVE HAVING A RADIUS OF 266.50 FEET; A RADIAL LINE TO SAID BEGINNING BEARS SOUTH 23° 16' 01" EAST, THROUGH A CENTRAL ANGLE OF 16° 25' 51", AN ARC DISTANCE OF 76.42 FEET TO THE BEGINNING OF A COMPOUND CURVE CONCAVE NORTHWESTERLY;

(12) THENCE NORTHEASTERLY ALONG SAID CURVE HAVING A RADIUS OF 136.50 FEET, A RADIAL LINE TO SAID BEGINNING BEARS SOUTH 39° 41' 52" EAST, THROUGH A CENTRAL ANGLE OF 47° 15' 09", AN ARC DISTANCE OF 112.57 FEET;

- (13) SOUTH 89° 55' 30" EAST, 207.52 FEET;
- (14) NORTH-11M CW 30° EAST, 22.50 FEET;
- (15) SOUTH 89° 55' 30" EAST, 5.20 FEET;
- (16) SOUTH 00° 04' 30" WEST, 137.43 FEET;
- (17) NORTH-189° W .21" WEST, 120.00 FEET;
- (18) SOUTH 00° 04' 30" WEST 5.50 FEET;
- (19) NORTH-189° W .21" WEST, 100.00 FEET;
- (20) SOUTH 00° 04' 30" WEST, 200.33 FEET;
- (21) NORTH-186° 59' 13" WBST, 19.21 FEET;
- (22) NORTH-183° 04' 18" WBST; 175.41 FEET;
- (23) NORTH-186° 59' 13" WBST, 207.51 FEET TO THE BEGINNING OF A TANGENT OF A CURVE CONCAVE NORTHEASTERLY;
- (24) THENCE NORTHWESTERLY ALONG A CURVE HAVING A RADIUS OF 18.00 FEET, THROUGH A CENTRAL ANGLE OF 87° 04' 09", AN ARC DISTANCE OF 27.15 FEET;
- (25) NORTH-10° CW 30° EAST, 1.59 FEET;
- (26) NORTH-189° 55' 30" WBST, 1.00 FEET; TO THE POINT OF BEGINNING,

THE ABOVE LEGAL DESCRIPTION IS PURSUANT TO THAT CERTAIN CERTIFICATE OF COMPLIANCE RECORDED JULY 9, 2018, AS [INSTRUMENT NO. 159865](#), AND RE-RECORDED NOVEMBER 6, 2017, AS [INSTRUMENT NO. 319672](#), BOTH OF OFFICIAL RECORDS