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CITY OF SACRAMENTO

January 20th, 1981

CITY MANAGER'S OFFICE
RECEIVED
JAN 14 1981
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City Council
Sacramento, California

Honorable Members In Session:

SUBJECT: Hearing on Abandonment of Unnamed Park Located
at Land Park Drive and Broadway

SUMMARY

Adoption of Resolution abandoning the unnamed park located at the southeast corner of Land Park Drive and Broadway

BACKGROUND INFORMATION

On December 16th, 1980, the Council adopted a Resolution of Intention to Abandon Park, which set a Hearing for this date to allow members of the public to appear and voice any protest they may have on the proposed park abandonment.

The proper notice regarding this matter was published in the Sacramento Union and posted along the boundaries of the park pursuant to the requirements of the Government Code of the State of California.

City staff is presently having the property appraised by a private appraiser. Upon completion of the appraisal, we will submit a report to the Budget and Finance Committee with a recommendation as to its actual disposition.

FINANCIAL DATA

The proceeds from any sale of the property will be deposited in the General Fund.

By the City Clerk
Office of the City Clerk
Cont 40
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RECOMMENDATION

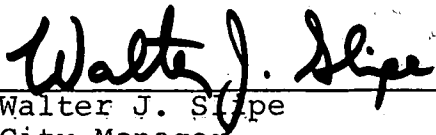
It is recommended that as no protests have been received prior to the Hearing, and in the event none are presented at this meeting, the attached Resolution Declaring the Abandonment of an Unnamed Park as shown on the Official Plat of Swanston Park Unit No. 1, be adopted.

Respectfully submitted,



R. H. Parker
City Engineer

Recommendation Approved



Walter J. Slupe
City Manager

RHP:IEM:bd
Attachment

January 20th, 1981
DISTRICT NO. 4

RESOLUTION NO. 81-072

Adopted by The Sacramento City Council on date of

JANUARY 20, 1981

DECLARING THE ABANDONMENT OF AN UNNAMED
PARK AS SHOWN ON THE OFFICIAL PLAT OF
SWANSTON PARK UNIT NO. 1

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

That at all times herein mentioned the City of Sacramento was and is now a municipal corporation, duly organized and existing under and pursuant to the Constitution and General Laws of the State of California, with its powers and government administered by and through the City Manager form of government.

That there is located within the City of Sacramento, shown on the official Plat of Swanston Park Unit No. 1, a public park designated on the plat as "PARK", and that such unnamed park was dedicated for park purposes at the time of filing the subdivision plat of Swanston Park Unit No. 1 in Book 19 of Maps, Map No. 9 and that since that time said property has been designated on the official records as a park.

That the park area is described as follows:

The area designated "Park" located at the Southeast corner of Land Park Drive and Broadway, as shown on the official Plat of Swanston Park Unit No. 1, recorded in the office of the Recorder of Sacramento County in Book 19 of Maps, Map No. 9.

That to the knowledge of the City of Sacramento, said property has never been used either by the people within the subdivision or by the public at large for park purposes.

That said property is no longer needed, nor will it ever be used for park purposes.

That no bond issue was ever authorized for the purpose of

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improving such property or any part thereof for park purposes and no contracts for that purpose are outstanding or contemplated by the City.

That this land was dedicated for park purposes by the subdivider and no public funds have been expended to improve the land as a park and none are contemplated for that purpose by the City at this time or any future time.

That this land or any portion thereof is not appropriate, convenient or necessary for park purposes.

That the City of Sacramento's abandonment was made pursuant to the Municipal Park Abandonment Law of 1939, Sec. 38501, Government Code, which authorizes the City to abandon property dedicated for park purposes when the property has not been used for such purposes and public funds have not been expended to improve the land as a park in either of the following situations:

- a. When the land within City limits has been dedicated for park purposes by the recording of a plat or map, in the office of the County Recorder, or otherwise.
- b. When any such land has been purchased for park purposes and the legislative body finds that all or any portion of the land is not appropriate, convenient or necessary for park purposes.

That proceedings were had and taken pursuant to said law for the legal abandonment of said unnamed park property as a park.

NOW, THEREFORE, by reason of the findings herein set forth, the City Council declares and orders:

That the City Clerk did set the hearing on said matter more than 30 days from and after declaration by the Council of its intention to abandon said property for park purposes.

That public notice was given by the City Clerk that a hearing would be held in the City Council Chambers of the City of Sac-

ramento, at the City Hall, 915 I Street, on January 20th, 1981, at 7:30 P. M., or as soon thereafter as the matter could be heard, on the City of Sacramento's intention to abandon the unnamed park in Swanston Park Unit No. 1 and that at said time and place any person having an interest in the above matter could appear and protest the abandonment of said property for park purposes.

That the City Clerk caused to be published in the Sacramento Union, the official newspaper of the City, a copy of Resolution No. 80-825, in the manner and for the time provided by Section 6063 of the Government Code, prior to the hearing, and that she caused to be posted not less than four copies of this resolution in conspicuous places, not more than 100 feet apart, along the boundaries of said park.

That no protests were filed in writing and no oral protests were made at the hearing thereof.

That pursuant to the finds above set forth and the Municipal Park Abandonment Law of 1939, said unnamed park above described is hereby permanently and total abandoned for park and recreation purposes.

MAYOR

ATTEST:

CITY CLERK