



CITY OF SACRAMENTO

January 20th, 1981

CITY MANAGER'S OFFICE
RECEIVED
JAN 14 1981
IRVIN E. MORAES
REAL ESTATE SUPERVISOR

REAL ESTATE AND STREET ASSESSMENTS DIVISION
915 I STREET
CITY HALL ROOM 207
SACRAMENTO, CALIFORNIA 95814
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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.

FILED
By the City Council
Office of the City Clerk
Cont 40
2-3-81

JAN 20 1981

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

RB 3 8 1981

January 20th, 1981
DISTRICT NO. 4

RESOLUTION NO.

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

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



PLAT OF SWANSTON - PARK

- UNIT No. 1 -

CITY OF SACRAMENTO

SURVEYED 11 OCTOBER 1926

BY D. C. GATE, LICENSED SURVEYOR

SCALE 1 INCH = 100 FEET
SHEET NO. 1 OF 3 SHEETS

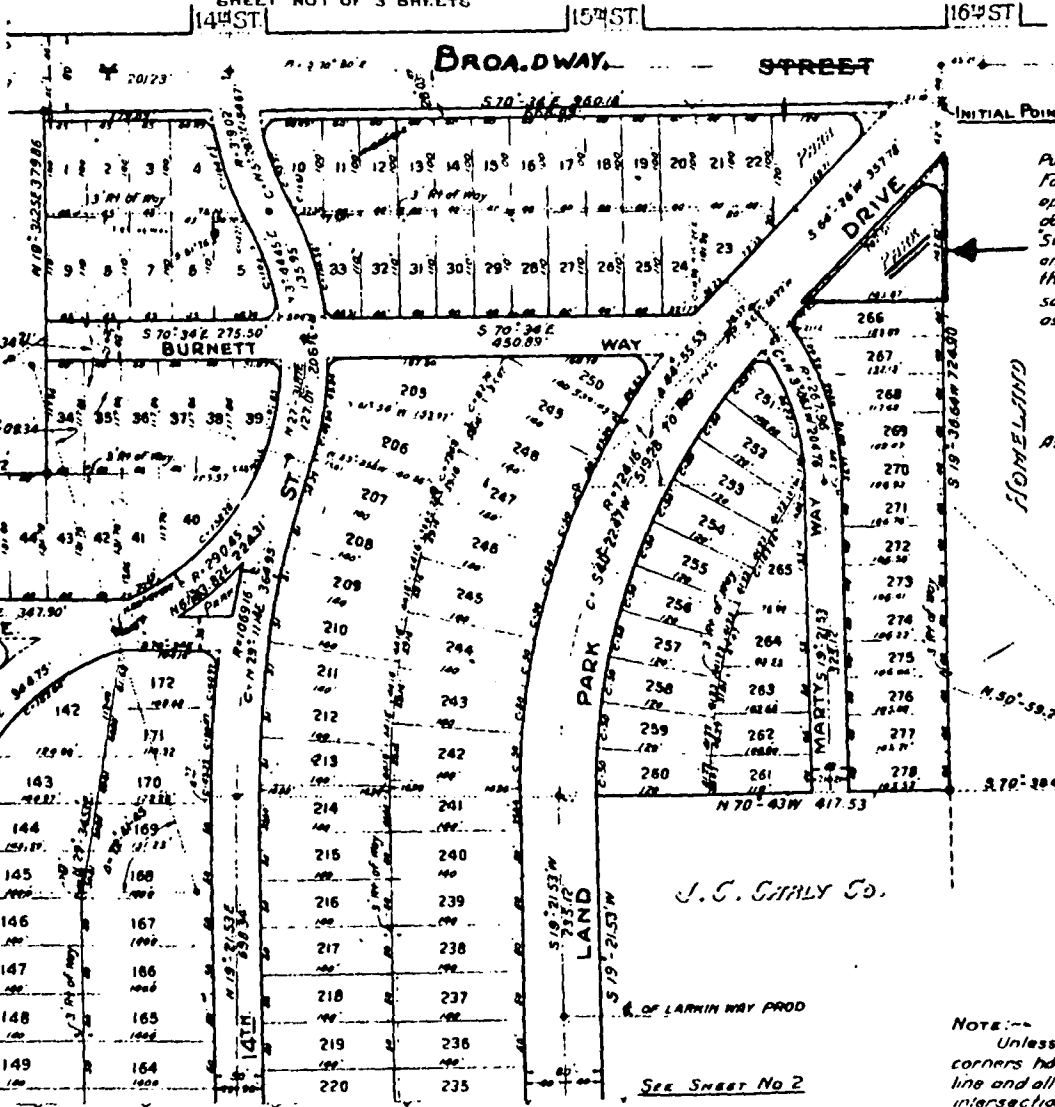
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EVIDENT

within the boundaries of Swanston
have and delineated as described as

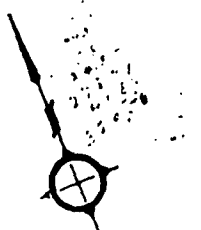
on the southerly line of Y STREET,
at the North West corner of J.C. CARLY
is shown on the official map thereof
Survey Recorder of the County of Sacramento,
said point is described as being located
S 19° 36' 00" W 4000 feet from a stone monument
at intersection of 16th & Y STREETS; thence from
S 64° 17' 24.50" W 24.50 feet along the westerly line
of the lands owned by J.C. CARLY Co., thence
S 19° 21' 53" W 1352.53 feet to the North West corner
of the lands owned by J.C. CARLY Co., thence
along the southerly line of the lands owned by
"Home Land" to the North West corner
of the County Recorder of the County of
Sacramento; thence S 19° 21' 53" W 201.13 feet
to a point; thence N 70° 33' 52" W S 70° 30' 26" E 240.82
feet to a point; thence N 87° 38' W 3993 feet to a point
having a radius of 8258 feet and
38 W 284.31 feet to a point; thence
point; thence N 78° 26' W 84.09 feet to a
point; thence N 51° 45.15 W
feet to a point on
RIVERSIDE BOULEVARD, thence N 25° 24' 21" E
feet to and distant 4000 feet at right
center line of said RIVERSIDE BOULEVARD
3127 feet along the southerly line
of the lands owned by A. MARTY to the South
East corner thereof, thence N 25° 13' 09" E 330.17 feet along the
southerly line of the lands owned by
E.B. and J.F. PIERINI to the Southeast
corner thereof, thence N 19° 31' E 200 feet along the
southerly line of the lands owned by
M.W. CHISHOLM, thence N 19° 31' E
feet to the Southeast corner thereof,
thence along the southerly line of the
lands owned by M.W. CHISHOLM and
of the lands now or formerly
owned by CAL. MONTELEONE
to a point, thence
along the southerly line of
said point, thence N 19° 31' 25" E
feet to the Southeast corner thereof,
thence along the southerly line of
said point, being
thence N 70° 34' W 207.32 feet
to the center line of intersection
of said RIVERSIDE BOULEVARD
S 34° E 960.18 feet along the
southerly line of the lands owned by
to the point of beginning.

SEE SHEET NO. 2



Pursuant to the provisions of Ordinance No. 288,
Fourth Series of Sacramento City Ordinances,
approved July 10th 1926, the Planning Board
does hereby certify that the within plat of
"SWANSTON PARK UNIT No. 1" has been considered
and by resolution, duly and regularly passed
this 26th day of November 1926 recommends that
said plat be approved by the City Council
as hereon shown and delineated.

R. H. ... Chairman
H. L. Denton Secretary



NOTE:--
Unless otherwise shown all street
corners have a 15 foot radius at the property
line and all distances are to the point of
intersection

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