RESOLUTION NO. R2M23-31

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALHAMBRA, CALIFORNIA, AUTHORIZING THE DISPOSITION OF CERTAIN REAL PROPERTY

WHEREAS, the City of Alhambra owns a certain parcel of unimproved real property approximately 0.29 acres in size (APN 5337-002-900) that is part of Story Park but is separated from the improved portion of Story Park by a concrete channel known as the San Pascual Wash (the "Property"), which is depicted in Exhibit "A" attached hereto and incorporated herein by reference;

WHEREAS, the Property can only be accessed through the six private residential properties abutting the Property on North Story Place, and several of the abutting property owners have unofficially incorporated part of the Property into their rear yards;

WHEREAS, the provisions of California Government Code §§ 38501, et seq. (the "Municipal Park Abandonment Law of 1939"), authorize a city to abandon and transfer parkland that has not been used by the public for park purposes, no public funds have been expended to improve the land as a park, if the city council finds that all or a portion of the land is not appropriate, convenient or necessary for park purposes;

WHEREAS, pursuant to California Government Code §38503, the City Council adopted a resolution to dispose of the Property and set the date for the public hearing on the proposed disposition for June 26, 2023;

WHEREAS, on June 26, 2023, the City Council held a duly noticed public hearing on the disposition of the Property.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ALHAMBRA DOES HEREBY RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

SECTION 1. Findings. The City Council finds:

A. The Property has not been used by the public for park purposes.

   The Property is separated from Story Park and has never been developed for park purposes or accessible to the public.

B. No consideration has been paid for the Property except by the City.

   The City is unaware of any compensation being paid for this Property.

C. No public funds have been expended to improve the Property as a park.

   The Property is unimproved and no public funds have been spent on park improvements for the Property.
SECTION 2. The City Council orders the Property to be abandoned as a public park and disposed of consistent with applicable legal requirements. The City Manager is authorized to take any actions necessary to dispose of the Property.

SECTION 3. The City Clerk shall certify to the adoption of this Resolution and cause the same to be published and posted pursuant to the requirements of California Government § 38504.

SECTION 4. The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED, AND ADOPTED this 26th day of June, 2023.

ADELE ANDRADE-STADLER, MAYOR

ATTEST:

LAUREN MYLES, CITY CLERK

APPROVED AS TO FORM:

JOSEPH M. MONTES, CITY ATTORNEY
I, Lauren Myles, City Clerk of the City of Alhambra, do hereby certify that the foregoing Resolution No. R2M23-31 was duly adopted by the City Council of the City of Alhambra at its regular meeting thereof, held on the 26th day of June, 2023, by the following vote:

AYES: LEE, MAZA, MALONEY, PÉREZ, ANDRADE-STADLER
NOES: NONE
ABSENT: NONE

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LAUREN MYLES, CITY CLERK