

RESOLUTION NO. 7497

**CITY OF SOUTH GATE
LOS ANGELES COUNTY, CALIFORNIA**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SOUTH GATE FINDING AND DETERMINING THAT
CERTAIN PROPERTIES ARE SURPLUS TO THE CITY'S
NEEDS AND CONDITIONALLY DISPOSING OF THOSE
PROPERTIES BY TRANSFER TO THE ADJOINING
PROPERTY OWNER**

WHEREAS, the City of South Gate conditionally approved the vacation of Mason Street between Atlantic Avenue and Hildreth Street, and the portions of Burke and Hildreth Streets between Firestone Boulevard and Mason Street by Resolution No. 7471 adopted by the City Council on January 10, 2012; and

WHEREAS, the City Council of the City of South Gate finds that when the referenced street vacation of portions of Mason, Burke and Hildreth Streets are complete, the half-width of Mason Street and these portions of Burke and Hildreth Streets as described will not be of convenient or necessary use and will be surplus to the needs of the City (collectively the "City Surplus Parcels"). Each surplus parcel (a "Surplus Parcel") that was part of the half-width of Mason Street or part of the described sections of Hildreth or Burke Streets is individually depicted and legally and separately described in **Attachment No. 1** hereto; and

WHEREAS, the City Council finds that each Surplus Parcel upon the final vacation of the referenced portions of Mason, Burke and Hildreth Streets would be attached to an adjacent separate legal parcel pursuant to tract map no. Tract 5561, dated 1924. Accordingly, the City Council finds that each Surplus Parcel is itself part of a separate legal lot, and that the City Surplus Parcels cannot be combined and are not together a single legal parcel for determining the rights and duties in connection with the disposition of surplus property; and

WHEREAS, the City Council finds that each Surplus Parcel is "exempt surplus land" pursuant to California Government Code sections 54221(e)(2) and 54222.3 and is therefore not subject to the offer requirements of California Government Code section 54222; and

WHEREAS, the City Council finds that each Surplus Parcel:

- (a) is less than 5,000 square feet in area,
- (b) is less than the minimum legal residential building lot size or 5,000 square feet in area, and
- (c) has no record access and is less than 10,000 square feet in area; and is not contiguous to land owned by a state or local agency that is used for park, recreational, open-space, or low- and moderate-income housing purposes and is located neither within an enterprise zone pursuant to Government Code section 7073 nor a designated program area as defined in Government Code section 7082; and

WHEREAS, the City has determined to dispose of such City Surplus Parcels by transaction with the nearest adjacent property owner, namely, Atlantic-Firestone, LLC, a Delaware limited liability company ("Developer"); and

WHEREAS, the Developer, has entered into a separate agreement with the City whereby the Developer has undertaken to perform at its cost removal of the City-owned utility lines, pipes and other equipment from the City Surplus Parcels;

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF SOUTH GATE DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council of the City of South Gate finds that the Recitations set forth above are true and accurate and are incorporated into this Resolution.


SECTION 2. The City Council of the City of South Gate does hereby adopt and APPROVE the disposal of the previously defined City Surplus Parcels, more particularly described and shown in Attachment No. 1, and the transfer of the same to Atlantic-Firestone, LLC consistent with the terms and conditions of the Infrastructure Financial and Fee Waiver Agreement and Joint Escrow Instructions being considered concurrently with this Resolution.

SECTION 3. Each Surplus Parcel is part of a separate legal parcel and cannot be combined with another Surplus Parcel. As a result, pursuant to California Government Code sections 54221(e)(2) and 54222.3, each of the City Surplus Parcels is not subject to the offer requirements of California Government Code section 54222.

SECTION 4. The City Clerk shall certify to the adoption of this Resolution, which shall be effective upon its adoption.

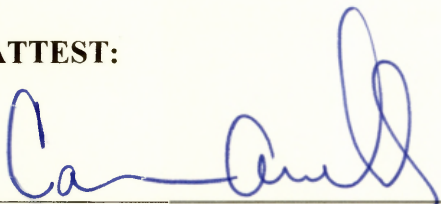
PASSED, APPROVED and ADOPTED this 29th day of May, 2012.

CITY OF SOUTH GATE:



Gil Hurtado, Vice Mayor

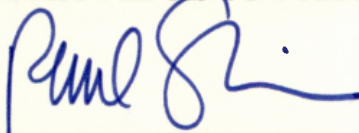
ATTEST:



Carmen Avalos, City Clerk

(SEAL)

APPROVED AS TO FORM:



Raul F. Salinas, City Attorney

EXHIBIT "A"

Legal Description

The southerly half of Mason Street, 40 feet wide, as shown on Parcel Map No. 18851, in the City of South Gate, County of Los Angeles, State of California, as per map filed in Book 207, Pages 53 through 55, inclusive, of Parcel Maps, in the Office of the County Recorder of said County, bounded as follows:

Easterly by the northerly prolongation of the easterly line of Hildreth Avenue as shown on said parcel map;

Westerly by the northerly prolongation of the westerly line of Hildreth Avenue as shown on said parcel map.

As shown on Exhibit "B" attached hereto and by this reference made a part hereof

Prepared under my supervision:

David O. Knell 5-14-12
Date

David O. Knell PLS 5301

