

RESOLUTION NO. 05-1398

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ACCEPTING THE DONATION OF CERTAIN SPECIFIED PARCELS OF REAL PROPERTY AS DEDICATED OPEN SPACE AND AUTHORIZING THE CITY CLERK TO EXECUTE AND RECORD CERTIFICATES OF ACCEPTANCE AS NECESSARY

The City Council of the City of Agoura Hills does hereby find and resolve as follows:

WHEREAS, Enchanto Park, L.P., John C. Phillips, Silvio Serrapica, and Coastal Vision, Inc., through their representative, Batta Vujicic (collectively “the donors”), have offered to donate to the City of Agoura Hills (“the City”) ten (10) parcels of Open Space zoned land totaling approximately eleven (11) acres; and

WHEREAS, the property proposed to be donated by the donors is located generally south of Agoura Road and east of Cornell Road, in the location specified on Exhibits A and B attached hereto; and

WHEREAS, the assessor’s parcel numbers for the properties proposed to be donated are: 2061-031-001 – 2061-031-009, inclusive and 2061-029-020 (collectively “the properties”); and

WHEREAS, the donation and acceptance of such property is consistent with the City’s Open Space Plan.

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. The acceptance of the proposed donation of open space properties is exempt from the requirements of the California Environmental Quality Act, as it can be seen with certainty that the acceptance of donated, undeveloped, open space property for maintenance as open space in perpetuity will not effect a physical change and will not cause any significant impact on the environment.
2. The City of Agoura Hills hereby accepts, with gratitude, the donation of the properties from the donors.
3. The City Clerk is hereby authorized and directed to execute any necessary statements of acceptance in a form acceptable to the City Attorney, and to take such other steps as may be necessary to effect the transfer of fee interest in the properties prior to December 31, 2005.
4. Prior to the transfer of the properties, the Director of Community Development shall make reasonable efforts to verify that the properties are free from any significant environmental contamination, and that title to the properties is free from any liens or encumbrances unacceptable to the City Attorney, or shall secure appropriate indemnification from the donors.

PASSED, APPROVED AND ADOPTED this ____ of _____, 2005 by the following vote:

AYES: (0)
NOES: (0)
ABSTAIN: (0)
ABSENT: (0)

Denis Weber
Mayor

ATTEST:

Kimberly Rodrigues, CMC
City Clerk