

**City Council Regular Meeting**  
**March 24, 2010**  
**Item No. 9**

**CITY COUNCIL DISCUSSION/ACTION**

9. Ratify Purchase of Real Property at Foreclosure Sale: Assessor's Parcel Number 2052-009-012 and 2055-010-025

STAFF REFERENCE: CITY MANAGER RAMIREZ

*The attached documents were received on May 24, 2010, after the printing and distribution of the Agenda Packet and presented to the City Council at their regularly schedule meeting. Copies were placed in the Council foyer and posted to the website for the public.*

*Dated: March 24, 2010 at 6:38 p.m.  
By: Kimberly M. Rodrigues, MMC,  
City Clerk*

**RESOLUTION NO. 10-1578**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, RATIFYING THE PURCHASE OF CERTAIN REAL PROPERTY AT A FORECLOSURE SALE AND DELEGATING TO THE CITY CLERK THE AUTHORITY TO ACCEPT THE DEED FOR SAID PROPERTY**

**WHEREAS**, pursuant to Government Code Sections 37350 and 37351, the City of Agoura Hills has the authority to purchase and hold real property located both within and outside of the City; and

**WHEREAS**, by Notice of Trustee's Sale No. 09-00410, the City of Agoura Hills became aware of a scheduled sale at public auction of Assessor's Parcel Nos. 2052-009-012 and 2055-010-025 pursuant to foreclosure proceedings; and

**WHEREAS**, there is a public purpose for the City to acquire said property due to the fact that it is located immediately adjacent to the City boundaries and a residential neighborhood in the City and has been approved by the County of Los Angeles for a highly intense institutional use that many believe is not compatible with the existing neighborhood. Acquisition by the City will promote integrated and compatible planning in the area. In addition, the approved institutional use would, at full build-out, generate traffic that would require significant enhancements to streets and the adjacent freeway off-ramp and bridge, all at public expense. If the approved institutional use is not constructed, it is expected that millions of dollars of public funding for the traffic improvements can be avoided; and

**WHEREAS**, the City Manager was authorized by the City Council to bid on the purchase of the property at the public auction, and did so. The City was the highest and successful bidder at the Trustee's sale and thereby acquired the aforementioned parcels pursuant to the foreclosure by sale provisions of that certain first priority lien Deed of Trust recorded as Instrument No. 05-1571227 in the Official Records of Los Angeles County.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AGOURA HILLS HEREBY FINDS AND RESOLVES:**

1. That the recitals above are true and correct.
2. That the City Council hereby ratifies the purchase of Assessor's Parcel Nos. 2052-009-012 and 2055-010-025 at foreclosure sale for the sum of \$630,000 from the General Funds of the City of Agoura Hills.

3. That it can be seen with certainty that the purchase ratified herein has no potential to cause any significant adverse impact on the environment given the already approved intense institutional use approved on the property, a use the City does not intend to continue, and therefore the purchase is exempt from consideration under the California Environmental Quality Act ("CEQA").
4. That the City Council delegates to the City Clerk the authority to accept the deed(s) for the parcels acquired hereunder.
5. That the City Manager and City Attorney are authorized to take such further actions as they deem necessary to protect and perfect the City's interest in the property.

**PASSED, APPROVED, AND ADOPTED** this 24<sup>th</sup> day of March, 2010.

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William D. Koehler  
Mayor

ATTEST:

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Kimberly M. Rodrigues, MMC  
City Clerk