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Code: Select Code Section: 1 or 2 or 1001

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## GOVERNMENT CODE - GOV

**TITLE 3. GOVERNMENT OF COUNTIES [23000 - 33205]** ( Title 3 added by Stats. 1947, Ch. 424. )

**DIVISION 2. OFFICERS [24000 - 28085]** ( Division 2 added by Stats. 1947, Ch. 424. )

**PART 2. BOARD OF SUPERVISORS [25000 - 26490]** ( Part 2 added by Stats. 1947, Ch. 424. )

**CHAPTER 6. Parks and Recreation [25550 - 25588]** ( Chapter 6 added by Stats. 1947, Ch. 424. )

**ARTICLE 2. County Park Abandonment Law of 1959 [25580 - 25588]** ( Article 2 added by Stats. 1959, Ch. 579. )

**25580.** This article may be cited as the County Park Abandonment Law of 1959.  
(Added by Stats. 1959, Ch. 579.)

**25581.** The board of supervisors of any county may abandon all or any portion of a park dedicated to the county for park purposes or acquired by the county by deed limiting its use to park purposes, and may sell the land comprising it pursuant to this article or use the land for other county purposes, if it finds that all of the park, where all is to be abandoned, or the portion to be abandoned is not being used by the public for park purposes and that all of said park, or the portion to be abandoned if less than all, is not appropriate, convenient or necessary for park purposes.

The transfer of a park or any portion thereof by the county to any city or district of the county, whether by lease or conveyance, shall not be deemed to be an abandonment of park purposes under this article if such lease or conveyance is expressly made subject to the condition that the property transferred be used only for park purposes.  
(Amended by Stats. 1970, Ch. 170.)

**25582.** If the land comprising all or any portion of such park has been purchased with funds realized from the sale of bonds of a bond issue authorized for the purpose of acquiring the land for park purposes, the question of abandonment of all or any portion of such park and the sale or conveyance of the land or the use of the land for other county purposes shall first be submitted to, and approved by a majority of the voters of the county voting at the next statewide election or at a special election called for that purpose.  
(Added by Stats. 1959, Ch. 579.)

**25583.** Before abandoning all or any portion of a park the board of supervisors shall adopt a resolution of intention by unanimous vote of all of its members describing the park or the portion of it proposed to be abandoned and fixing a time at least 60 days after the adoption of the resolution when it will meet to take final action.  
(Added by Stats. 1959, Ch. 579.)

**25584.** The resolution shall be published pursuant to Section 6063 in a newspaper of general circulation in the county printed and published nearest to the park all or a portion of which is proposed to be abandoned and in the newspaper of greatest circulation in the county if that newspaper is not the one printed and published nearest to such park. Not less than four copies of the resolution shall be posted conspicuously not more than 100 feet apart at the point where any public highway or highways or park road or roads providing access into or through such park across the park boundaries and along the route of such highways or roads within the park boundaries.  
(Added by Stats. 1959, Ch. 579.)

**25585.** At the time and place stated in the resolution the board of supervisors shall meet and hear and pass on objections to the abandonment of all or any portion of the park. If the board of supervisors sustains the objections,

the proceedings shall terminate and a new resolution of intention describing all or any substantial part of the area proposed to be abandoned as a park shall not be adopted for six months.

*(Added by Stats. 1959, Ch. 579.)*

**25586.** If at or before the hearing there is filed with the board of supervisors a petition signed by not less than 200 voters of the county objecting to the abandonment, the board of supervisors shall either terminate the proceedings or submit the question of abandonment to the voters of the county at the next statewide election or at a special election called for that purpose.

*(Added by Stats. 1959, Ch. 579.)*

**25587.** If all objections are overruled or if the election required by Section 25586 results in a vote of approval by a majority of those voting thereat, the board of supervisors has jurisdiction to order the park or that portion thereof described in the resolution of intention abandoned and sold or used for other county purposes.

*(Added by Stats. 1959, Ch. 579.)*

**25588.** No abandonment or sale or other county use of a park or portion thereof pursuant to this article shall affect any private right in lands acquired or owned by any private person or corporation, nor shall such abandonment or sale or other county use affect any right, easement or interest owned or under the control of any other governmental agency for public use other than park purposes.

In the absence of an express or implied reservation of a right of reversion in the dedication or instrument of purchase, the park lands abandoned pursuant to this article shall not revert to private ownership.

*(Added by Stats. 1959, Ch. 579.)*

## Sec. 2-5-301. - Abandonment.

- (a) The Board of Supervisors may abandon all or any portion of a park restricted to park purposes under Section 2-5-300 of this Code, and may sell the land comprising it pursuant to this section or use the land for other County purposes, if it finds that all of the park, where all is to be abandoned, or the portion to be abandoned is not being used by the public for park purposes and that all of said park, or the portion to be abandoned if less than all, is not appropriate, convenient or necessary for park purposes. The transfer of a park or any portion thereof by the County to any city or district of the County, whether by lease or conveyance, shall not be deemed to be an abandonment of park purposes under this section if such lease or conveyance is expressly made subject to the condition that the property transferred be used only for park purposes.
- (b) If the land comprising all or any portion of such park has been purchased with funds realized from the sale of bonds of a bond issue authorized for the purpose of acquiring the land for park purposes, the question of abandonment of all or any portion of such park and the sale or conveyance of the land or the use of the land for other County purposes shall first be submitted to, and approved by a majority of the voters of the County voting at the next statewide election or at a special election called for that purpose.
- (c) Before abandoning all or any portion of a park, the Board of Supervisors shall adopt a resolution of intention by unanimous vote of all of its members describing the park or the portion of it proposed to be abandoned and fixing a time at least sixty (60) days after the adoption of the resolution when it will meet to take final action.
- (d) The resolution shall be published pursuant to California Government Code Section 6063 in a newspaper of general circulation in the County printed and published nearest to the park all or a portion of which is proposed to be abandoned and in the newspaper of greatest circulation in the County if that newspaper is not the one printed and published nearest to such park. Not less than four (4) copies of the resolution shall be posted conspicuously not more than one hundred (100) feet apart at the point where any public highway or highways or park road or roads providing access into or through such park across the park boundaries and along the route of such highways or roads within the park boundaries.
- (e)

At the time and place stated in the resolution the Board of Supervisors shall meet and hear and pass on any objections to the abandonment of all or any portion of the park. If the Board of Supervisors sustains the objections, the proceedings shall terminate and a new resolution of intention describing all or any substantial part of the area proposed to be abandoned as a park shall not be adopted for six (6) months.

- (f) If at or before the hearing there is filed with the Board of Supervisors a petition signed by not less than two hundred (200) voters of the County objecting to the abandonment, the Board of Supervisors shall either terminate the proceedings or submit the question of abandonment to the voters of the County at the next statewide election or at a special election called for that purpose.
- (g) If all objections are overruled or if the election required by California Government Code Section 25586 results in a vote of approval by a majority of those voting, the Board of Supervisors may order the park or that portion thereof described in the resolution of intention to be abandoned and sold or used for other County purposes.
- (h) No abandonment or sale or other County use of a park or portion thereof pursuant to this article shall affect any private right in lands acquired or owned by any private person or corporation, nor shall such abandonment or sale or other County use affect any right, easement or interest owned or under the control of any other governmental agency for public use other than park purposes.

(Ord. No. 01-012, § 1, 10-23-01; Ord. No. 10-012, § 4, 9-28-10)

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**25526.5.** Whenever the board of supervisors determines that any real property or interest therein belonging to the county is no longer necessary for county or other public purposes, and its estimated value does not exceed twenty-five thousand dollars (\$25,000), the county may sell, exchange, quitclaim, or convey that real property or interest therein in the manner and upon the terms and conditions approved by the board of supervisors without complying with any other sections in this article. The board of supervisors may, by ordinance, designate an appropriate county officer or officers to execute sales of the real property or interest therein, provided that notice of intention that the county officer or officers will execute the sale shall be posted in a public place for five working days prior to effecting the transfer.

(Amended by Stats. 2002, Ch. 454, Sec. 8.5. Effective January 1, 2003.)

State of California

GOVERNMENT CODE

Section 54222

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54222. Except as provided in Division 23 (commencing with Section 33000) of the Public Resources Code, any local agency disposing of surplus land shall send, prior to disposing of that property or participating in negotiations to dispose of that property with a prospective transferee, a written notice of availability of the property to all of the following:

(a) (1) A written notice of availability for the purpose of developing low- and moderate-income housing shall be sent to any local public entity, as defined in Section 50079 of the Health and Safety Code, within whose jurisdiction the surplus land is located. Housing sponsors, as defined by Section 50074 of the Health and Safety Code, that have notified the Department of Housing and Community Development of their interest in surplus land shall be sent a notice of availability of surplus land for the purpose of developing low- and moderate-income housing. All notices shall be sent by electronic mail, or by certified mail, and shall include the location and a description of the property.

(2) The Department of Housing and Community Development shall maintain on its internet website an up-to-date listing of all notices of availability throughout the state.

(b) A written notice of availability for open-space purposes shall be sent:

(1) To any park or recreation department of any city within which the land may be situated.

(2) To any park or recreation department of the county within which the land is situated.

(3) To any regional park authority having jurisdiction within the area in which the land is situated.

(4) To the State Resources Agency or any agency that may succeed to its powers.

(c) A written notice of availability of land suitable for school facilities construction or use by a school district for open-space purposes shall be sent to any school district in whose jurisdiction the land is located.

(d) A written notice of availability for the purpose of developing property located within an infill opportunity zone designated pursuant to Section 65088.4 or within an area covered by a transit village plan adopted pursuant to the Transit Village Development Planning Act of 1994 (Article 8.5 (commencing with Section 65460) of Chapter 3 of Division 1 of Title 7) shall be sent to any county, city, city and county, successor agency to a former redevelopment agency, public transportation agency, or housing authority within whose jurisdiction the surplus land is located.

## ATTACHMENT G

(e) The entity or association desiring to purchase or lease the surplus land for any of the purposes authorized by this section shall notify in writing the disposing agency of its interest in purchasing or leasing the land within 60 days after the agency's notice of availability of the land is sent via certified mail or provided via electronic mail.

(f) For the purposes of this section, "participating in negotiations" does not include the commissioning of appraisals, due diligence prior to disposition, discussions with brokers or real estate agents not representing a potential buyer, or other studies to determine value or best use of land, issuance of a request for qualifications, development of marketing materials, or discussions conducted exclusively among local agency employees and elected officials.

(Amended by Stats. 2019, Ch. 664, Sec. 3. (AB 1486) Effective January 1, 2020.)