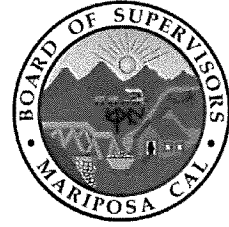




MARIPOSA COUNTY

Administration/Community Development · 966-3222



RESOLUTION - ACTION REQUESTED 2018-122

MEETING: March 27, 2018

TO: The Board of Supervisors

FROM: Dallin Kimble, County Administrative Officer

RE: Resolution Declaring Board's Intent to Sell Real Property Located at 5028 Broadway in Coulterville

RECOMMENDATION AND JUSTIFICATION:

Adopt a Resolution Declaring the Board's Intent to Sell Real Property Located at 5028 Broadway in Coulterville, Reduce the Minimum Bid Amount to \$75,000; and Allow the Deposit to be Submitted to an Escrow Account at Inter-County Title Company.

This property was used as collateral to secure a business assistance loan that was funded in February 2014 and was acquired by Mariposa County through foreclosure due to the borrower's default.

The property will be sold to the highest bidder at a public meeting to be held on May 1, 2018 at 9:00 a.m., or as soon thereafter as the matter may be heard. The minimum bid price has been set at \$75,000. Sealed proposals will be accepted until 9:00 a.m. on Tuesday, May 1, 2018.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

August 5, 2014: the Board of Supervisors approved a request to foreclose on property (APN 002-040-0190) Per the Terms & Conditions of an Economic Development Business Assistance Loan that was in Default.

October, 2016: The foreclosure process proceeded as an attempt to collect a debt of \$17,255.83 owed to the County which was processed through the Micro-Business Assistance Fund.

July 11, 2017: A public hearing took place to open sealed bids and resulted in no bids on said property.

October 10, 2017: A public hearing took place to open sealed bids and resulted in one bid on said property. The bidder failed to present the required 10% deposit, so the bid was deemed not to be a qualified bid.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not declare the intent to sell. The County will not proceed with the sale of the

Resolution - Action Requested 2018-122

property and will owe the past-due payments on the first mortgage.

ATTACHMENTS:

RES OF INTENT TO SELL_501 (DOCX)

NOTICE-Coulterville_501(DOC)

BID SHEET_501 (DOCX)

PUBLIC NOTICE-Coulterville_501 (DOC)

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: Marshall Long, District III Supervisor

AYES: Smallcombe, Jones, Long, Cann, Menetrey

MARIPOSA COUNTY RESOLUTION NO. 18-122

RESOLUTION OF INTENTION TO SELL REAL PROPERTY

WHEREAS, the County of Mariposa owns real property located in the town of Coulterville, in the County of Mariposa, identified as APN 002-040-0190 and commonly known as 5028 Broadway (“the Property”); and

WHEREAS, the Mariposa County Board of Supervisors has determined that the Property is no longer necessary for County purposes; and

WHEREAS, California Government Code Section 25521 permits the County to sell any real property without a vote of the electorate of the County first being taken; and

WHEREAS, the Mariposa County Board of Supervisors has determined it is in the best public interest to sell the Property AS IS.

NOW, THEREFORE, BE IT RESOLVED that the Mariposa County Board of Supervisors hereby declares its intention to sell the Property AS IS.

BE IT FURTHER RESOLVED that the minimum price for which the Property will be sold is SEVENTY-FIVE THOUSAND DOLLARS (\$75,000). Purchaser shall pay all costs of purchase.

BE IT FURTHER RESOLVED that any party interested in bidding on the sale of the Property shall provide a sealed proposal on a bid sheet to the Clerk of the Board of Supervisors, located at 5100 Bullion Street, Mariposa, California, to be received no later than 9:00 a.m. on May 1, 2018. Bid sheets shall be made available at the Clerk of the Board’s Office and on the County website.

BE IT FURTHER RESOLVED that the Mariposa County Board of Supervisors shall conduct at a public meeting a sale of the Property to be held on May 1, 2018 at 9:00 a. m., or as soon thereafter as the matter may be heard, at the Mariposa County Government Center located at 5100 Bullion Street, Mariposa, California, at which time sealed proposals will be received and considered. The Chair of the Board will call for oral bidding following the opening of the sealed bids at the hearing. The initial oral bid must exceed the highest sealed bid by at least 5% to be accepted. Subsequent oral bids must exceed the previous oral bid by at least 5% to be accepted

BE IT FURTHER RESOLVED that all bidders are required to make a \$7,500 deposit prior to submitting a bid (refundable to any unsuccessful bidder). Said deposit shall be made in cash or by cashier’s check or money order made payable to Inter-County Title Company and shall be remitted to Inter-County Title Company at 5160 Bullion Street, Mariposa, California by 9:00 a.m. on May 1, 2018. The balance of the purchase price, together with any and all closing costs, must be paid in full by 3:00 p.m. on May 1, 2018 at Inter-County Title Company. All payments shall be made in cash or by cashier’s check or money order made payable to Inter-County Title Company.


BE IT FURTHER RESOLVED that failure on the part of the successful bidder to consummate the sale within the period specified shall result in the forfeiture of any deposit and all rights the successful bidder may have with respect to the Property.

BE IT FURTHER RESOLVED that copies of this Resolution shall be posted in three public places in the County not less than fifteen (15) days before the day of the meeting wherein sealed

bids will be opened and, further, a notice of the adoption of this resolution and of the time and place of holding the meeting shall be published in a newspaper of general circulation in the County one time each week for a period of three (3) weeks prior to the meeting wherein the proposals will be opened.

PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 27th day of March, 2018 by the following vote:

AYES: SMALLCOMBE, JONES, LONG, CANN, MENETREY
NOES: NONE
ABSENT: NONE
ABSTAINED: NONE


ROSEMARIE SMALLCOMBE, Chair
Board of Supervisors

ATTEST:


RENE LAROCHE, Clerk of the Board

APPROVED AS TO FORM :


STEVEN W. DAHLEM, County Counsel