

DEPARTMENT: Administration

BY: Rick Benson

PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION: Adopt a resolution of intention to purchase real property located at 5101 Bullion Street, Mariposa County (APN#s 013-125-001 & 013-125-002) and schedule January 25, 2011 at the 9:00 a.m. meeting of the Board as the time to consummate the purchase.

The resolution of intention and public meeting are required by California Government Code in order to allow for the purchase of property. This property will then be available for a new courthouse.

BACKGROUND AND HISTORY OF BOARD ACTIONS: The Board has previously given direction for the County Administrative Officer to enter into negotiations for said property.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION: Without adoption of the resolution and public meeting the property cannot be purchased.

Financial Impact? () Yes (x) No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? () Yes () No () Partially Funded		
Amount in Budget: \$		List Attachments, number pages consecutively
Additional Funding Needed: \$		Proposed Resolution
Source:		
Internal Transfer		
Unanticipated Revenue	_____ 4/5's vote	
Transfer Between Funds	_____ 4/5's vote	
Contingency	_____ 4/5's vote	
() General () Other		

CLERK'S USE ONLY:

Res. No.: 10-577 Ord. No. _____
 Vote - Ayes: 5 Noes: _____
 Absent: _____
 Approved
 Minute Order Attached () No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____
 Attest: MARGIE WILLIAMS, Clerk of the Board
 County of Mariposa, State of California

By: _____
 Deputy

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
 No Opinion
 Comments:

CAO: [Signature]

MARIPOSA COUNTY RESOLUTION NO: 10-577

INTENTION TO PURCHASE REAL PROPERTY

WHEREAS, Government Code Section 25350 requires the Board of Supervisors to provide notice of the intention of the Board to purchase real property in excess of \$50,000; and

WHEREAS, the Board of Supervisors has determined that it is in the public interest to purchase real property located at 5101 Bullion Street, Mariposa, California, Assessor's Parcel Numbers (APN) 013-125-001 & 013-125-002, for the reason that the real property is located in an area suitable for the future development of a courthouse or other government office; and

WHEREAS, the owner of the property, the Mariposa SPCA, desires to sell the property to the County.

NOW THEREFORE, BE IT RESOLVED that the Mariposa County Board of Supervisors hereby gives notice of its intention to purchase real property owned by the Mariposa SPCA , described above, upon the following terms and conditions:

The purchase price shall be \$250,000, and the terms of the sale are all cash at close of escrow, plus fees and costs associated with the sale, excluding taxes owed by seller.

BE IT FURTHER RESOLVED, that he Board will meet to consummate this purchase at the Board of Supervisors meeting scheduled on Tuesday, January 25, 2011, at 9:00 AM or as soon thereafter as the matter may be heard in the Board of Supervisors meeting room.

BE IT FURTHER RESOLVED, that this Notice of Intention shall be published in a newspaper of general circulation in the County of Mariposa at least three weeks prior to the time the Board of Supervisors meets to consummate the purchase pursuant to Government Code Section 6063.

PASSED AND ADOPTED by the Mariposa County Board of Supervisors, a political subdivision of the State of California this 21st day of December 2010, by the following vote:

AYES: ABORN, TURPIN, BIBBY, CANN, ALLEN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE



KEVIN CANN, Chairman
Mariposa County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:


MARGIE WILLIAMS, Clerk of the Board


STEVEN W. DAHLEM, County Counsel



COUNTY of MARIPOSA

P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

KEVIN CANN, CHAIR
JIM ALLEN, VICE CHAIR
BRAD ABORN
LYLE TURPIN
JANET BIBBY

DISTRICT IV
DISTRICT V
DISTRICT I
DISTRICT II
DISTRICT III



MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: RICHARD J. BENSON, CAO
FROM: MARGIE WILLIAMS, Clerk of the Board *MW*
SUBJECT: Adopt a Resolution of Intention to Purchase Real Property Located at 5101 Bullion Street, Mariposa County (APN#s 013-125-001 and 013-125-002) and Schedule January 25, 2011, at the 9:00 a.m. meeting of the Board as the Time to Consummate the Purchase
RES. 10-577

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on December 21, 2010

ACTION AND VOTE:

8

Administration

Adopt a Resolution of Intention to Purchase Real Property Located at 5101 Bullion Street, Mariposa County (APN#s 013-125-001 and 013-125-002) and Schedule January 25, 2011, at the 9:00 a.m. meeting of the Board as the Time to Consummate the Purchase

BOARD ACTION: Rick Benson, County Administrative Officer, explained the process of this purchase and advised that an Environmental Impact Report has been completed showing the existing building has a small amount of asbestos; he consulted with the Health Department and was advised that the amount of asbestos is so small the County will not be required to hire outside of the County to remove it. He explained that specific Courthouse funds will be used for this real estate purchase. A correction was noted changing the date on the Resolution to reflect that the Board will meet to consummate this purchase on Jan 25th at 9:00 a.m. Rick Benson responded to questions of the Board relative to funds to construct the Courthouse, is the County required to notify the State on the use of these funds, the property could be purchased from the Courthouse fund if agreeable with the presiding judge if it is ever decided to use the property for something other than a Courthouse. Rick advised that there are no plans at this time to build a new Courthouse and that this property will just be added to our inventory.

Input from the public was provided by the following:

Pat Stacy, President of the Society for the Prevention of Cruelty to Animals (SPCA) Board, recognized Juanita Moore for donating her estate to the SPCA She advised that she hasn't heard any negative comments regarding this sale and that they have notified the Attorney General as required.

Ruth Catalan, member and former President of the SPCA, thanked Pat Stacy for bringing this forward.

Supervisor Allen commented that Juanita would be ecstatic knowing her money is going to be used for the animals and because of her legal background she would be happy to have a Courthouse on her property. Supervisor Bibby thanked Pat Stacy and recognized Juanita for her kindness and dedication to the County. (M)Aborn, (S)Allen, Res. 10-577 was adopted adopting a Resolution of Intention to purchase real property located at 5101 Bullion Street, Mariposa County with correction, correction agreeable with maker/Ayes: Unanimous.

Cc: Auditor
Steven W. Dahlem, County Counsel
File

Tracy Gauthier

From: Dan Tucker [mariposagazette@mariposagazette.com]
Sent: Wednesday, December 22, 2010 10:50 AM
To: Tracy Gauthier
Subject: Re: SPCA Intent to Purchase Resolution 10-577

Received, and will run per schedule. Merry Christmas to you also!
Dan Tucker
mariposagazette@mariposagazette.com

On Dec 22, 2010, at 10:43 AM, Tracy Gauthier wrote:

Merry Christmas Dan,

Attached is a Resolution for publication in the Gazette for the following 3 consecutive weeks:
December 30, 2010, January 6, 2011, and January 13, 2011.

Please reply in receipt of this request.

If you have any questions please contact me at 742-1228 or by reply email.

Tracy
<SPCA Intent to Purchase Resolution 10-577.doc>

Mariposa Gazette
P.O. Box 38
5024 State Highway 140
Mariposa, CA 95338-0038



*Did not pay this one
because it did not run
3 consecutive weeks* Invoice #

Bill To:

Mariposa Cnty Board of Supes
P.O. Box 784
Mariposa, CA 95338

Invoice #: 00011935
Date: 1/2/11

Page: 1

DATE	DESCRIPTION	AMOUNT
12/30/10	Publication of Resolution No. 10-577 <i>001-0101-411-0429-270.00</i>	\$270.00
Invoice Only--No Statement Will Follow--We Appreciate Your Business!		Sales Tax: \$0.00
		Total Amount: \$270.00
		Amount Applied: \$0.00
		Balance Due: \$270.00

Certificate of Publication

C.C.P. 2015.5



STATE OF CALIFORNIA)

) ss.

COUNTY OF MARIPOSA)

I, the undersigned, state:

I am the publisher and principal clerk of the GAZETTE AND MINER, an established weekly newspaper of general circulation, within the Town and County of Mariposa of California, within the provision of Chapter 1 Division 1 of the California Government Code, and which paper has been printed and published weekly in the Mariposa, County of Mariposa, State of California, continuously since the year 1854; that I am a citizen of the United States over the age of 18 years, and a resident of the County of Mariposa; that the notice, of which the annexed is a printed copy, published in each regular issue of said newspaper and any supplement thereof on the following dates, to wit:

12/30/10

MARIPOSA COUNTY RESOLUTION NO: 10-577 INTENTION TO PURCHASE REAL PROPERTY

WHEREAS, Government Code Section 25350 requires the Board of Supervisors to provide notice of the intention of the Board to purchase real property in excess of \$50,000; and

WHEREAS, the Board of Supervisors has determined that it is in the public interest to purchase real property located at 5101 Bullion Street, Mariposa, California, Assessor's Parcel Numbers (APN) 013-125-001 & 013-125-002, for the reason that the real property is located in an area suitable for the future development of a courthouse or other government office; and

WHEREAS, the owner of the property, the Mariposa SPCA, desires to sell the property to the County.

NOW THEREFORE, BE IT RESOLVED that the Mariposa County Board of Supervisors hereby gives notice of its intention to purchase real property owned by the Mariposa SPCA, described above, upon the following terms and conditions:

The purchase price shall be \$250,000, and the terms of the sale are all cash at close of escrow, plus fees and costs associated with the sale, excluding taxes owed by seller.

BE IT FURTHER RESOLVED, that the Board will meet to consummate this purchase at the Board of Supervisors meeting scheduled on Tuesday, January 25, 2011, at 9:00 AM or as soon thereafter as the matter may be heard in the Board of Supervisors meeting room.

BE IT FURTHER RESOLVED, that this Notice of Intention shall be published in a newspaper of general circulation in the County of Mariposa at least three weeks prior to the time the Board of Supervisors meets to consummate the purchase pursuant to Government Code Section 6063.

PASSED AND ADOPTED by the Mariposa County Board of Supervisors, a political subdivision of the State of California this 21st day of December 2010, by the following vote:

AYES:	ABORN, TURPIN, BIBBY, CANN, ALLEN
NOES:	NONE
ABSTAINED:	NONE
EXCUSED:	NONE
NOT VOTING:	NONE

/S/KEVIN CANN
KEVIN CANN, Chairman
Mariposa County Board of Supervisors

ATTEST:
/S/MARGIE WILLIAMS
MARGIE WILLIAMS
Clerk of the Board

APPROVED AS TO FORM:
/S/STEVEN W. DAHLEM
STEVEN W. DAHLEM
County Counsel
12/30/10:1C

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Signature (R.D. Tucker, Publisher)

Date

12/30 2010

Mariposa Gazette
P.O. Box 38
5024 State Highway 140
Mariposa, CA 95338-0038

Invoice

COPY


Bill To:

Mariposa Cnty Board of Supes
P.O. Box 784
Mariposa, CA 95338

Invoice #: 00012041

Date: 2/4/11

Page: 1

DATE	DESCRIPTION	AMOUNT
	<p>1/20-27/11 2/3/11 Publication of Intention to Acquire Real Property</p> <div data-bbox="868 976 1274 1239" style="border: 1px solid black; padding: 5px; text-align: center;"> <p>BOARD OF SUPERVISOR</p> <p>FEB 8 2011</p> <p>RECEIVED</p> </div> <p style="font-size: 1.2em; margin-top: 20px;">502-301-771.06-01</p> 	<p>\$430.00</p>

Invoice Only--No Statement Will Follow--We Appreciate Your Business!

Sales Tax:	\$0.00
Total Amount:	\$430.00
Amount:	\$0.00
Balance Due:	\$430.00

Terms: Net 10

Certificate of Publication

C.C.P. 2015.5



STATE OF CALIFORNIA)

COUNTY OF MARIPOSA)

) ss.

I, the undersigned, state:

I am the publisher and principal clerk of the MARIPOSA GAZETTE AND MINER, an established weekly newspaper of general circulation, within the Town and County of Mariposa, State of California, within the provision of Chapter 1 Division 7 of Title 1 of the California Government Code, and which newspaper has been printed and published weekly in the Town of Mariposa, County of Mariposa, State of California, continuously since the year 1854; that I am a citizen of the United States, over the age of 18 years, and a resident of the County aforesaid; that the notice, of which the annexed is a printed copy, has been published in each regular issue of said newspaper and not in any supplement thereof on the following dates, to wit:

1/20-27/11

+ 2/3/11

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Signature (R.D. Tucker, Publisher)

Date

2/3 2010 11

NOTICE OF THE COUNTY OF MARIPOSA'S INTENTION TO ACQUIRE REAL PROPERTY

NOTICE IS HEREBY GIVEN that on February 15, 2011, at the hour of 9:00 a.m. or as soon thereafter as the matter may be heard, in the Chambers of the Board of Supervisors, 5100 Bullion Street, Mariposa, California, the Board of Supervisors of the County of Mariposa will consider the proposed acquisition of property located at 5101 Bullion Street, Mariposa, California, Assessor's Parcel Numbers (APN) 013-125-001 & 013-125-002, for the future development of a courthouse or other government office.

Attach

The present owner of the property is the Mariposa chapter of the Society for the Prevention of Cruelty to Animals (SPCA) which has agreed to transfer their interests in the property to the County for a cash payment of \$250,000 plus closing costs.

Any interested person may appear at the scheduled time and place and be heard on this matter. More information may be obtained and documents relating to the proposed acquisition may be examined at the Office of the Clerk of the Board of Supervisors, 5100 Bullion Street, Mariposa, California.

Dated this 18th day of January, 2011.

MARGIE WILLIAMS, Clerk of the Board of Supervisors, County of Mariposa, State of California

1/20-27/11 2/3/11:3C