MARIPOSA COUNTY
BOARD OF SUPERVISORS

AGENDA ACTION FORM

DEPARTMENT: County Counsel BY: Jeffrey G. Green PHONE: 966-3222

DATE: 4-17-01 AGENDA ITEM NO.:_

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes___ No___)

Resolution rescinding Resolution No. 85-342 and adopt the attached Resolution for procedures for filing an affidavit to demonstrate proof of payment of any unsecured tax levied against the mining claim on which the affidavit of assessment work is filed prior to recordation with the County Recorder.

Sections 3913 and 3914 have replaced section 2315 of the Public Resources Code contained in Resolution No. 85-342.

BACKGROUND AND HISTORY OF BOARD ACTIONS:


LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

| COSTS: | ( ) Not Applicable |
| A. Budgeted current FR | $ |
| B. Total anticipated costs | $ |
| C. Required additional funding | $ |
| D. Internal transfers | $ |

| SOURCE: | ( ) 4/5ths Vote Required |
| A. Unanticipated revenues | $ |
| B. Reserve for contingencies | $ |
| Balance in Reserve for Contingencies, if approved: | $ |

SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:

CLERK'S USE ONLY:
Res. No.: 01-105 Ord. No. 

Vote: Ayes: 4 Noes: 0

Approved: 

Denied:

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

12-150SA Action Form Revised 5/92

ADMINISTRATIVE OFFICER'S RECOMMENDATION:
This item on agenda as:

Recommended
Not Recommended
For Policy Determination
Submitted with Comment
Returned for Further Action

Comment: 

A.O. Initials: 

 action form revised 5/92
MARIPOSA COUNTY RESOLUTION NO. 01-105

PROCEDURES FOR FILING AN AFFIDAVIT PURSUANT TO SECTIONS 3913 AND 3914 OF THE PUBLIC RESOURCES CODE TO DEMONSTRATE PROOF OF PAYMENT OF ANY UNSECURED TAX LEVIED AGAINST THE MINING CLAIM ON WHICH THE AFFIDAVIT OF ASSESSMENT WORK IS FILED PRIOR TO RECORDEATION WITH THE COUNTY RECORDER

WHEREAS, pursuant to Public Resources Code Section 3914, it is the intent of this resolution to require proof of payment of any unsecured tax levied against the mining claim on which the affidavit is filed, prior to the recordation of such affidavit.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Mariposa County, a political subdivision of the State of California, as follows:
1. That the County Recorder is prohibited from accepting any affidavit of “assessment work” pursuant to Section 3913 and 3914 of the Public Resources Code, for recordation, without the Tax Collector’s certification that the taxes have been paid.
2. If the County Recorder receives an affidavit for recording by mail, and the affidavit does not contain the Tax Collector’s certification, the County Recorder shall forward the affidavit to the Tax Collector.
3. If all taxes regarding the mining claim as identified in the affidavit are current, the Tax Collector shall so certify on the face of the affidavit and return it to the County Recorder for recording.
4. If the taxes described in paragraph 3 above are not current, the Tax Collector shall return the affidavit in a timely manner to the filers address as provided by the County Recorder, with a written notation of the status of the tax due.

PASSED AND ADOPTED this 17th day of April, 2001 by the following vote:

AYES: Parker, Reilly, Pickard, Stewart

NOES: None

ABSTAIN: None

ABSENT: Balmain

DOUG BALMAIN, Chairman

ATTEST:

MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

JEFFREY G. GREEN, County Counsel