RECOMMENDED ACTION AND JUSTIFICATION:  
(Policy Item: Yes [ ] No [x])  
At the conclusion of the public hearing and acceptance of public input, adopt this Resolution approving the purchase of real property described as parcel 3 on Exhibit "A" attached hereto, as the site for the new Adult Detention Facility, from the seller William and Cathleen Freeman, upon the following terms and conditions:

1. Purchase price of $250,000, payable in cash at close of escrow.
2. Every effort will be made by the parties to close escrow by May 1, 1993.
3. The purchase will be contingent upon the County of Mariposa obtaining an Environmental Impact Report on the property indicating that the property is environmentally acceptable for the construction of the proposed Adult Detention Facility for the County of Mariposa.
4. The purchase is contingent upon a gift of other real property to the County of Mariposa from William and Cathleen Freeman described on Exhibit "A" attached hereto as parcel 1 and a portion of parcel 2.
5. Escrow fees/closing costs will be divided evenly by and between the parties.

Authorize the Auditor to draw a warrant for this purchase, plus appropriate escrow expenses, to an escrow account at a title company to be mutually selected by the seller and the County, from the Jail Expansion Remodel fund. Further authorize the Clerk of the Board to certify acceptance of interest in real property.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
On October 22, 1992, the Board selected the Freeman site as the preferred location for the Adult Detention Facility upon the recommendation of Andy Morgan of Vanir, Inc. The Board directed staff to begin the negotiation process for land acquisition with the understanding that final acquisition will not occur until after the EIR is completed.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Do not approve this purchase.
Provide direction for modification of purchase terms.

| COST:  ( ) Not Applicable | | SPECIAL INSTRUCTIONS:
|----------------------------|----------------------------| List the attachments and number the pages consecutively:
| A. Budgeted current FY $ | | Exhibit "A"
| B. Total anticipated costs $ | | Notice of Hearing Date
| C. Required add'l funding $ | | _________________________
| D. Internal Transfers $ | | _________________________

SOURCE:  ( ) 4/5ths Vote Required
A. Unanticipated revenues $ __________________
B. Reserve for contingencies $ ________________
D. Source Description: _______________________

Balance in Reserve for Contingencies, if approved: $ __________________

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CLERK'S USE ONLY:
Res. No.: 93-346 Ord. No.: 
Vote: Ayes: 5 Noes: 
Absent: ___ Abstained: ___
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 of Supervisors
County of Mariposa, State of Calif.
By: __________________________________

Deputy

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

✓ Recommended

✓ Not Recommended

✓ For Policy Determination

✓ Submitted with Comment

✓ Returned for Further Action

Comment: ____________________________

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A.O. Initials: C

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Action Form Revised 5/92
TO: JEFF GREEN, COUNTY COUNSEL
FROM: MARGIE WILLIAMS, CLERK OF THE BOARD
RE: CONSUMMATION OF REAL PROPERTY DESCRIBED AS PARCEL 3 AS THE SITE FOR THE NEW ADULT DETENTION FACILITY

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on June 15, 1993

ACTION AND VOTE:

9:20 a.m. Continued PUBLIC HEARING for Consummation of Real Property Described as Parcel 3 as the Site for the New Adult Detention Facility From William and Cathleen Freeman upon Certain Terms and Conditions (County Counsel) (Continued from 4/13/93)

BOARD ACTION: Jeff Green/County Counsel, Tony Lashbrook/Planning Director, and Gary Estep/Assessor, presented staff report. Input from the public was provided by Connie Perkey. Following deliberations, (M)Baggett, (S)Parker, Res. 93-346 adopted approving purchase of the property contingent upon certification of the final Environmental Impact Report/Ayes: Unanimous. Hearing was continued to August 17, 1993, at 9:15 a.m. for consideration of any subsequent action that may be necessary.

cc: Planning Auditor Public Works File Sheriff
TO: COUNTY COUNSEL
FROM: MARGIE WILLIAMS, CLERK OF THE BOARD
RE: PUBLIC HEARING, FOR CONSUMMATION OF PURCHASE OF REAL PROPERTY DESCRIBED AS PARCEL 3

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on April 13, 1993

ACTION AND VOTE:

PUBLIC HEARING, For Consummation Of Purchase Of Real Property Described As Parcel 3 As The Site For The New Adult Detention Facility From William And Cathleen Freeman Upon Certain Terms And Conditions (County Counsel)

BOARD ACTION: County Counsel requested the hearing be continued for completion of the Environmental Impact Report (EIR) and authorization be given for opening an escrow account. (M)Baggett, (S)Parker, Board authorized opening of an escrow account for purchase of this property so that the paperwork for the project can be completed timely, contingent upon the Board making the final decision to purchase said property upon certification of the EIR/Ayes: Baggett, Balmain, Erickson, Parker; Noes: Taber. Hearing was continued to June 15, 1993, at 9:15 a.m. Ann Mendershausen, Resource Conservation District Director, asked about providing input on the EIR.
MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: JEFF GREEN, COUNTY COUNSEL
FROM: MARGIE WILLIAMS, CLERK OF THE BOARD
RE: SCHEDULING PUBLIC HEARING FOR PURCHASE OF FREEMAN PARCEL/JAIL SITE

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on March 16, 1993

ACTION AND VOTE:

Resolution Establishing a Hearing Date of April 13, 1993 at 9:15 a.m. for the Purchase as the Site for the New Adult Detention Facility from William and Cathleen Freeman upon Certain Terms and Conditions (County Counsel)

BOARD ACTION: (M)Baggett, (S)Parker, Res. 93-160 adopted/Ayes: Unanimous.

cc: Sheriff
Planning

MARIPOSA GAZETTE
PLEASE PUBLISH:  3/25/93; 4/1/93; and 4/8/93

NOTICE

The Mariposa County Board of Supervisors intends to purchase real property described as Parcel 3, as shown on that Parcel Map for William A. and Cathleen A. Freeman recorded January 21, 1987, in Book 22 of Parcel Maps at Page 22, Mariposa County Records, situated in Projected Section 15, T.5 S., R.18 E., M.D.B.&M., Rancho Las Mariposas, County of Mariposa, State of California, for $250,000 cash, from the sellers: William and Cathleen Freeman.

Time has been scheduled on the Board of Supervisors' agenda of April 13, 1993 at 9:15 a.m. for consummation of the purchase. (This notice is being given pursuant to Government Code Section 25350.)

Margie Williams
Clerk of the Board
EXHIBIT "A"


PARCEL 3, as shown on the above said Parcel Map for William A. and Cathleen A. Freeman.

A portion of PARCEL 2, as shown on the above said Parcel Map for William A. and Cathleen A. Freeman, being more particularly described as follows:

BEGINNING at the most northerly corner of said Parcel 2; thence along the easterly line of said Parcel 2, south 43° 25' 00" east, 259.74 feet; thence leaving said easterly line of Parcel 2 and along the easterly line of a "Drainage and Open Space Easement" as shown on said Parcel Map for William A. and Cathleen A. Freeman, south 46° 47' 58" west, 43.98 feet; thence continuing along said easterly line, south 47° 01' 37" east, 100.00 feet; thence south 16° 30' 13" east, 6.25 feet to the southerly line of a "60' wide non-exclusive public road easement & P.U.E." as shown on said Parcel Map for William A. and Cathleen A. Freeman; thence leaving the easterly line of said "Drainage and Open Space Easement", and along the southerly line of said "60' wide non-exclusive public road easement & P.U.E.", south 57° 22' 34" west, 48.84 feet; thence continuing along said southerly line, through a tangent curve to the left, concave to the southeast, with a radius of 120.00 feet, through a central angle of 17° 24' 45", an arc distance of 36.47 feet, to the westerly line of above said Parcel 2; thence leaving the southerly line of said "60' wide non-exclusive public road easement & P.U.E.", and along the westerly line of said Parcel 2, north 10° 49' 39" west, 4.78 feet; thence continuing along said westerly line, north 28° 55' 17" west, 180.00 feet; thence north 51° 48' 55" west, 187.75 feet to the northerly line of said Parcel 2; thence along said northerly line, north 51° 47' 47" east, 105.00 feet to the Point of Beginning, containing 0.70 acres more or less.

SUBJECT TO any easements of record, or legally acquired.

Description prepared by:

[Signature]
Charles M. Pratt, L.S.4891