

DEPARTMENT: Public Works BY: M. Edwards PHONE: 966-5356

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes___ No_X_) Resolution to authorize sale of the County owned "Farnsworth House" at 5091 Bullion St., APN #13-127-13 located behind the Probation Department. Sale will be by public auction at Courthouse steps. Public Works has placed a tentative value of \$3,000 on the house. The house is vacant and no longer required for public use. Since it is more than 50 years old, it is eligible as a historic structure. The house must be moved to accomodate site improvements and off-street parking for the Probation Department, proposed Juvenile Detention building behind the Probation Department and the proposed remodel of the "Lind House" (future County Administrator and County Counsel offices). The Board may also wish to consider the recommendations of the Historical Sites and Records Committee which are:

- 1. Stipulation that the house be relocated to another location within the County;
- 2. Waiver of the Developer's fee to encourage restoration of the building.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
None

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Do not approve sale of the house and advise alternatives for moving the house.

COSTS: (X) Not Applicable
A. Budgeted current FY \$ _____
B. Total anticipated costs \$ _____
C. Required Add'l funding \$ _____
D. Source: _____

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


SOURCE: () 4/5ths Vote Required
A. Internal transfers \$ _____
B. Unanticipated revenues \$ _____
C. Reserve for contingency \$ _____
D. Description: _____
Balance in Reserve for Contingencies, if approved: \$ _____

CLERK'S USE ONLY:
Res. No.: 91-337
Ord. No.: _____
Vote - Ayes: 5 Noes: 0
ah Absent: _____ Abstained: _____
(X) Approved () Denied
() Minute Order Attached
PWD has posted notices of sale per M. Edwards 7-23-91
The foregoing instrument is a correct copy of the original on file in this office.

ADMINISTRATIVE OFFICER'S RECOMMENDATION:
This item on agenda as:
 Recommended
 Not Recommended
 For Policy Determination
 Submitted with Comment
 Returned for Further Action

Date: _____
ATTEST: MARGIE WILLIAMS
Clerk of the Board of Supervisors
County of Mariposa, State of CA
By: _____
Deputy

Comment: _____

A.O. Initials: 

OFFICE OF



JEFFREY G. GREEN
County Counsel
(209) 966-3625

County Courthouse
P. O. Box 189
Mariposa, CA 95338

The County Counsel
MARIPOSA COUNTY

May 6, 1991

MARIPOSA COUNTY

MAY 17 1991

PUBLIC WORKS

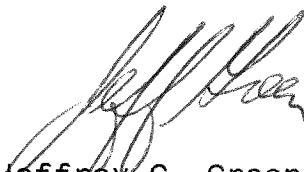
To: Mike Edwards, Assistant Director Public Works
From: Jeffrey G. Green, County Counsel
Re: Sale of the Farnsworth House

Dear Mike:

I have reviewed the California statutes relative to the Board of Supervisors selling the Farnsworth House. Since we are not selling the real estate with the house I would consider this sale of personal property. California Government Code Section 25363 allows the Board to sell at public auction to the highest bidder any property belonging to the County not required for public use. Therefore, I would suggest that you have someone place a tentative value on the structure and then bring that information to the Board of Supervisors requesting authority for the Public Works Department to auction the house to the highest bidder for cash as the house is no longer required for County use. Notice of the sale must be given for at least five days prior to the sale by publication in the County. You have inquired whether or not we can place some conditions upon sale i.e., to restore the house because it may have some historical value. I believe that the County can in fact place those types of conditions upon the sale. The sale, after made, must then be reported to and confirmed by the Board of Supervisors before it becomes final.

Should you have any questions regarding this matter, please feel free to contact me. A copy of Section 25363 is enclosed for your review.

Very truly yours,



Jeffrey G. Green
County Counsel

cb

cc: John W. McCamman, Administrative Officer

§ 25362

COUNTIES—BOARD OF SUPERVISORS
Title 3

conveyance of real property to the county by the United States or any of its agencies.

(Added by Stats.1947, c. 424, p. 1116, § 1.)

Historical Note

Derivation: Pol.C. § 4041.21a, added Stats. 1940, 5th Ex.Sess., c. 6, p. 384, § 1.

§ 25363. Auction sale or lease of unneeded property; requisites; disposition of proceeds; private sale

The board of supervisors may sell or lease at public auction, and convey to the highest bidder, for cash, any property belonging to the county not required for public use. The sale or lease may be made at the courthouse door or at such other place within the county as the board orders by a four-fifths vote. Notice of the sale or lease shall be given for five days prior thereto either by publication in a newspaper published in the county or by posting in three public places in the county. The proceeds shall be paid into the county treasury for the use of the county. If in the unanimous judgment of the board, the property does not exceed in value the sum of five hundred dollars (\$500), or the monthly rental value thereof is less than seventy-five dollars (\$75), or if it is the product of the county farm, it may be sold or leased at private sale without advertising by any member of the board authorized by a majority vote of the board. The sale or lease shall be reported to and confirmed by the board. This section does not apply to the furnishing of goods to special districts.

(Added by Stats.1947, c. 424, p. 1116, § 1. Amended by Stats.1957, c. 1918, p. 3352, § 1.5; Stats.1970, c. 130, p. 359, § 1; Stats.1973, c. 355, p. 775, § 1.)

Historical Note

Derivation: Pol.C. § 4041.21, added Stats. 1929, c. 755, p. 1461, § 22, amended Stats.1931, c. 600, p. 1292, § 3.

Forms

See West's California Code Forms, Government.

Cross References

Publication, generally, see § 6000 et seq.
Sale by auction, see Commercial Code § 2328.

Law Review Commentaries

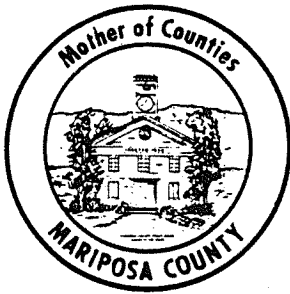
County property sale; comment. (1974) 5 Pacific L.J. 471.

Library References

Counties ⇐108, 110.
C.J.S. Counties § 172.

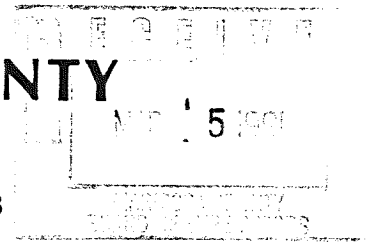
WESTLAW Electronic Research

See WESTLAW Electronic Research Guide following the Preface.



MARIPOSA COUNTY

P.O. Box 784
Mariposa, California 95338



March 22, 1991

Mr. John McCamman
Administrative Officer
P. O. Box 784
Mariposa, CA 95338

MARIPOSA COUNTY

MAR 2 1991

PUBLIC WORKS

Subject: Disposal by County of the
"Farnsworth" residence
(located at proposed library site)

Dear Mr. McCamman:

The Farnsworth residence, while not on the official list of buildings of historical interest, is now eligible to be placed on that list and should be preserved if possible. The building was constructed in 1937 and is a good example of the architecture of the era.

It is the recommendation of the Historical Sites Commission that the building be sold for relocation to another site, preferably, but not necessarily in the town of Mariposa.

We understand that the Mariposa Unified School District will be disposing of three buildings of historical value which are not located in the town of Mariposa. The Commission recommends the Developers Fee be waived by the County covering the relocation of all these publicly owned buildings.

Prospective purchasers of these residences should be apprised of the historical nature of the structures. If the Board waives the Developers Fee, such information should be included in any bid proposal.

The thinking of the Commission relative to the Developers Fee is two fold. First, the relocation is a restoration of an existing facility versus the creation of a new building. Second, is that prospective buyers might be encouraged to relocate these structures of historic value and to preserve their historic character.

Sincerely,

Harry O. Stewart
Harry O. Stewart
Mariposa County Historical
Sites & Records Preservation

HOS/dp

cc: Larry Pollard, Public Works Director
Tony Lashbrook, Planning Director