

DEPARTMENT: County Counsel BY: Thomas P. Guarino PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION:

Pass and adopt the attached Resolution declaring the Board of Supervisors' intent to purchase real property located at 11th and Bullion Streets and 10th Street in Mariposa County (APNs 013-125-001 and 013-125-002) for the reason that the real property is located in an area suitable for the location of a new county courthouse and authorize the Chair of the Board to sign the Land Purchase Agreement opening escrow. The purchase price shall be \$450,000 and the terms of the sale are all cash at close of escrow, plus normal buyer costs through escrow in the estimated amount of \$2,337.

A public meeting regarding the intention of the Board of Supervisors to purchase real property will be held on May 8, 2007 at 10:00 a.m. in the Board of Supervisors meeting room for final approval of the purchase.

The Board may also provide staff direction with respect to the use of the Courthouse Construction Funds Memorandum of Understanding (MOU) with the Court.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board has engaged in negotiations with the SPCA over the past few months. The parties have agreed on a purchase price pending completion of required purchase processes and approval of the use Courthouse Construction Funds by the Court. The County and the Court agree that this location is suitable for the site of a future courthouse.

Close of escrow is contingent upon the Court approval of the use of funds and completion of the required process under Government Code Section 25350 and as set forth in the proposed Purchase Agreement. The proposed MOU with the Court for use of the Courthouse Construction Funds is provided for review with this item.

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: \$		Formal Resolution of Intention to Purchase Real Property
Source:		Proposed MOU
Internal Transfer		Draft Purchase Agreement
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.: 02-108 Ord. No. _____
Vote - Ayes: 3 Noes: Horn, Bibby
Absent: _____
Approved
(6) Minute Order Attached () No Action Necessary

COUNTY ADMINISTRATIVE OFFICER:

(X) Requested Action Recommended
() No Opinion
Comments:

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

CAO: RJS

**RESOLUTION OF INTENTION
TO PURCHASE REAL PROPERTY**

07-108

WHEREAS, Government Code section 25350 requires the Board of Supervisors to provide notice of the intention of the Board of Supervisors 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 11th and Bullion Streets and 10th Street, Mariposa, California, APN numbers 013-125-001 and 013-125-002, for the reason that the real property is located in an area suited for the future location of a new county courthouse, and

WHEREAS, the owners of the property, the Society for Prevention of Cruelty to Animals (SPCA), desire to sell the property to the County, and

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 SPCA, described above, upon the following terms and conditions:

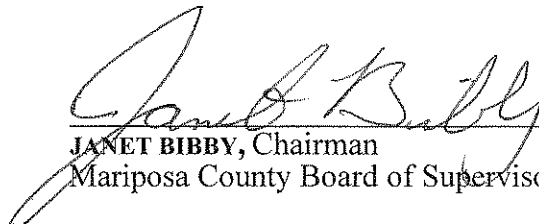
The purchase price shall be \$450,000, and the terms of the sale are all cash at close of escrow, plus normal buyer costs through escrow.

BE IT FURTHER RESOLVED that a public meeting shall be scheduled on Tuesday, May 8, 2007 at 10:00 a.m. in the Board of Supervisors' meeting room for the Board to consummate the purchase.

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 meets to consummate the purchase, pursuant to Government Code section 6063.

PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 27th day of March 2007, by the following vote:

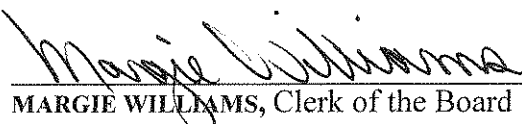
AYES:	TURPIN, FRITZ, PICKARD
NOES:	ABORN, BIBBY
ABSENT:	NONE
ABSTAINED:	NONE



JANET BIBBY, Chairman
Mariposa County Board of Supervisors

ATTEST:

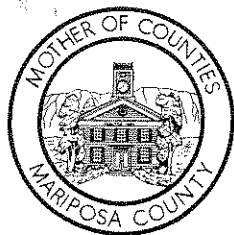
APPROVED AS TO FORM:



MARGIE WILLIAMS, Clerk of the Board



THOMAS P. GUARINO, County Counsel



COUNTY OF MARIPOSA

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

JANET BIBBY, CHAIR
LYLE TURPIN, VICE CHAIR
BRAD ABORN
DIANNE A. FRITZ
BOB PICKARD

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V



MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: THOMAS P. GUARINO, County Counsel
FROM: MARGIE WILLIAMS, Clerk of the Board *MW*
SUBJECT: Adopt a Resolution Declaring the Board of Supervisors' Intention to Purchase Real Property Located at 11th and Bullion Streets and 10th Street in Mariposa County

RESOLUTION 07-108

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on March 27, 2007

ACTION AND VOTE:

Thomas P. Guarino, County Counsel;

Adopt a Resolution Declaring the Board of Supervisors' Intention to Purchase Real Property Located at 11th and Bullion Streets and 10th Street in Mariposa County

BOARD ACTION: Discussion was held with Thomas P. Guarino relative to the request.

Input from the public was provided by the following:

Paul Chapman stated he feels that a lot of money has already been spent in the negotiation process and there are a lot of "what ifs" and he does not feel that we need this property for a Courthouse.

Discussion was held. Supervisor Bibby expressed concern with neighborhood protection issues and what can be built on the property and consideration of the best location for a Courthouse; and she expressed concern with the language in the formal resolution that this property is suited for a Courthouse. Supervisor Aborn stated he agrees with the need to maintain a Courthouse operation in the historic Courthouse. Supervisor Bibby expressed concern with there being no guarantee of what type of architecture will be used for the structure; with future expansion space; and with being able to provide secure parking for the Court personnel; with having adequate parking in the area for jurors; and she expressed concern with this type of use in a residential area. (M)Pickard, (S)Fritz, Res. 07-108 was adopted declaring the Board of Supervisors' intention to purchase real property located at 11th and Bullion Streets and 10th Street in Mariposa County utilizing Courthouse Construction Funds; authorizing the Chair to sign the Land Purchase Agreement; and scheduling a public meeting regarding the intention to purchase the property on May 8, 2007 at 10:00 a.m. for final approval of the purchase/Ayes: Turpin, Fritz, Pickard; Noes: Aborn, Bibby.

Cc: File

THE AWARD WINNING

Mariposa Gazette

P.O. Box 38
Mariposa, CA 95338
(209) 966-2500

INVOICE

BILL TO:

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

INVOICE #
DATE: 00006051
PAGE: 5/4/07

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT

1

DATE	DESCRIPTION	AMOUNT								
4/19-26/07 5/3/07	Publication of Resolution No. 07-1084-1020	\$676.20								
MAY 22 2007										
503-1302-772-0601-676.20 <i>[Signature]</i>										
Invoice Only--No Statement Will Follow--We Appreciate Your Business!		<table border="1"> <tr><td>Sales Tax:</td><td>\$0.00</td></tr> <tr><td>Total Amount:</td><td>\$676.20</td></tr> <tr><td>Amount Applied:</td><td>\$0.00</td></tr> <tr><td>Balance Due:</td><td>\$676.20</td></tr> </table>	Sales Tax:	\$0.00	Total Amount:	\$676.20	Amount Applied:	\$0.00	Balance Due:	\$676.20
Sales Tax:	\$0.00									
Total Amount:	\$676.20									
Amount Applied:	\$0.00									
Balance Due:	\$676.20									

TERMS: Net 10

Certificate of Publication

C.C.P. 2015.5

This place is for filing stamp

Attach copy of notice

STATE OF CALIFORNIA)
COUNTY OF MARIPOSA) ss.

I, the undersigned, state:

I am the publisher and principal clerk of the Gazette and Miner, an established weekly newspaper...

Handwritten dates: 4/19-26/07, 5/3/07

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

Handwritten signature of R.D. Tucker

Signature (R.D. Tucker, Publisher)

Date 5/4 2007

PUBLIC MEETING NOTICE INTENTION TO PURCHASE REAL PROPERTY

The public is hereby notified that the Mariposa County Board of Supervisors, on Tuesday, May 8, 2007 at 10:00 a.m. in the Board Chambers...

MARIPOSA COUNTY RESOLUTION NO. 07-108

RESOLUTION OF INTENTION TO PURCHASE REAL PROPERTY

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WHEREAS, the Board of Supervisors has determined that it is in the public interest to purchase real property located at 11th and Bullion Streets and 10th Street, Mariposa, California, APN numbers 013-125-001 and 013-125-002...

WHEREAS, the owners of the property, the Society for Prevention of Cruelty to Animals (SPCA), desire to sell the property to the County, and 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 SPCA, described above, upon the following terms and conditions:

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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 meets to consummate the purchase, pursuant to Government Code section 6063.

PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 27th day of March 2007, by the following vote:

AYES: TURPIN, FRITZ, PICKARD
NOES: ABORN, BIBBY
ABSENT: NONE
ABSTAINED: NONE

JANET BIBBY, Chair
Board of Supervisors

ATTEST:
MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM:
THOMAS P. GUARINO, County Counsel

4/19-26/07 5/3/07:3