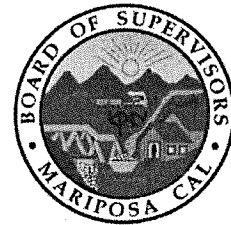


MARIPOSA COUNTY

Public Works • (209) 966-5356



RESOLUTION - ACTION REQUESTED 2014-354

MEETING: July 15, 2014

TO: The Board of Supervisors

FROM: Peter Rei, Public Works Director

RE: Approve an Agreement for Purchase and Sale of Real Property

RECOMMENDATION AND JUSTIFICATION:

Approve an Agreement for the Purchase and Sale of Real Property (APN 012-120-044) Between Mariposa County (Buyer) and Dr. Robert Northway and Ms. Suzan Banchemo (Sellers) in the Amount of \$27,833 and Authorize the Board of Supervisors Chair to Sign the Agreement.

Dr. Northway and Ms. Suzan Banchemo are the owners of the unassigned parcel consisting of 154.92 acres identified at Assessor's Parcel Number 012-120-044. The County desires to purchase 7.6 +/- acres of the parcel for the purpose of installing monitoring wells to monitor groundwater quality down gradient of the Mariposa Landfill as required by the State of California Regional Water Quality Control Board.

The County will open an escrow account within fourteen (14) days after the effective date of the Agreement. The County will pay for all costs associated with the sale including survey, preparing, executing and acknowledging the Grant Deed, all transfer taxes, drawing fees, any required recording fees and charges, all title insurance premiums and escrow fee. Dr. Northway and Ms. Banchemo will pay all costs and expenses of clearing title and removal of liens.

Both parties will participate and cooperate in all aspects of the preparation, submittal and completion of a Lot Line Adjustment (LLA). The LLA application will be prepared by the Public Works Department and submitted to the Planning Department. All costs for the preparation of the LLA documents will be paid by the County.

A portion of the purchase price will be used to pre-pay the property taxes for the year in which the LLA is completed. Property taxes for the 2014 calendar year are estimated to be \$502.42.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On March 21, 2014, a Notice of Violation was issued for continued non-compliance of the Evaluation Monitoring Specifications from the Central Valley Regional Water Quality Control Board.

Public Works has been trying for some time to acquire property adjacent to the landfill from Dr. Northway and Ms. Suzan Banchero to install additional ground-water monitoring wells.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not approve. The County will continue to be out of compliance with the Central Valley Regional Water Quality Control Board and face possible fines in the future.

FINANCIAL IMPACT:

The purchase of this property has been included in the fiscal year 2014-2015 requested budget within the Solid Waste and Recycling Fund #601.

ATTACHMENTS:

Northway-Banchero Agreement (PDF)

CAO RECOMMENDATION

Requested Action Recommended


Rick Benson, County Administrator/Office

RESULT: ADOPTED [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier