

**MARIPOSA COUNTY
BOARD OF SUPERVISORS**

**AGENDA
ACTION FORM**

**DATE: 2/12/02
AGENDA ITEM NO.: #11**

DEPARTMENT: County Counsel

BY: Jeffrey G. Green

PHONE: 966-3222

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

Adopt the attached Resolution which establishes a public hearing date of Tuesday, March 19, 2002 to inform the public that the County intends to purchase unimproved real property. The subject property, located at 4th Street and Highway 140, Mariposa, California, will be used as a Park for the reason that the real property is located ideally in the town area of Mariposa. The owners, the Lloyd and Jeanne Milburn Trust, have agreed to sell the property in the amount of \$200,000.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

At their meeting of April 17, 2001, the Board directed staff to proceed with commencement of the purchase of the Milburn property. In January of 2002 Counter Offer #3 was signed by both parties.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

N/A. The Board has determined that it is in the public's interest to purchase the subject property.

COSTS: () Not Applicable	
A. Budgeted current FY	\$ _____
B. Total anticipated costs	\$ _____
C. Required additional funding	\$ _____
D. Internal transfers	\$ _____
SOURCE: () 4/5ths Vote Required	
A. Unanticipated revenues	\$ _____
B. Reserve for contingencies	\$ _____
C. Source description:	_____
Balance in Reserve for Contingencies, if approved: \$	_____

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

CLERK'S USE ONLY:
 Res. No.: 02-51 Ord. No. _____
 Vote - Ayes: _____ Noes: _____
 Absent: _____ Abstained: _____
 Approved _____ () Denied _____
 () Minute Order Attached () No Action Necessary

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

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

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

Comment: _____

A.O. Initials: JG

RESOLUTION NO. 02-51
**RESOLUTION OF INTENTION
TO PURCHASE REAL PROPERTY**

WHEREAS, Government Code section 25350 requires the Board of Supervisors to notice and hold a public hearing of the intention of the Board of Supervisors to purchase real property in excess of \$25,000, and

WHEREAS, the Board of Supervisors has determined that it is in the public interest to purchase unimproved real property located at 4th Street and Highway 140, Mariposa, California, APN numbers 013-186-003 and 013-186-005, for the reason that the real property is located ideally in the town area of Mariposa to be used as a Park, and

WHEREAS, the owners of the property, the Lloyd and Jeanne Milburn Trust (Milburn Trust), 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 Milburn Trust, described above, upon the following terms and conditions:


The purchase price shall be \$200,000, and the terms of the sale are all cash at close of escrow, plus normal buyer costs through escrow.

BE IT FURTHER RESOLVED that prior to consummation of the purchase, a public hearing shall be scheduled on Tuesday, March 19, 2002 at 9:15 a.m. in the Board of Supervisors' meeting room.

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 12th day of February 2002, by the following vote:

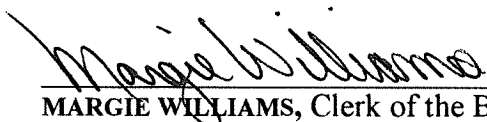
AYES: Parker, Stewart, Pickard, Balmain
NOES: None
ABSENT: Reilly
ABSTAINED: None



ROBERT C. STEWART, Chairman
Mariposa County Board of Supervisors

ATTEST:

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:**



MARGIE WILLIAMS, Clerk of the Board



JEFFREY G. GREEN, County Counsel