

DEPARTMENT: County Counsel BY: Jeffrey G. Green PHONE: 966-3222

Lake Don Pedro County Service Area 1M

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes ___ No X)

Approve the attached Resolution declaring the Board's intention to lease real property located in the Lake Don Pedro 1M area. The property has been used by Stephen and Brenda Schmidt for grazing purposes since May 1, 1996. The Schmidts requested termination of the Lease Agreement on March 19, 1998; the Agreement will officially terminate on May 18, 1998 (60-day termination clause). It is the Board's intention to re-publicize the solicitation of bids wherein the property will be leased to the highest bidder at a public meeting to be held on June 9, 1998. Sealed proposals will be accepted until noon on Friday, June 5, 1998.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

Resolution No. 96-74 was adopted accepting the proposal from Stephen and Brenda Schmidt on February 27, 1996 and a Lease Agreement was entered into with the Schmidts from May 1, 1996 to April 30, 1999. The Schmidts requested that their Agreement be terminated. On April 7, 1998, the Board allowed the cancellation and gave direction to advertise for the re-leasing of the property.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

N/A. The Board has previously directed staff to go forward with re-publicizing their intention to lease the subject property.

COSTS: (X) 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:

Resolution. _____

Original Res. can be found in LDP Res. 98-1

CLERK'S USE ONLY: 25 98-195

Res. No.: LDP Res 98-1 Ord. No. _____

Vote - Ayes: 5 Noes: _____

Absent: _____ Abstained: _____

() Approved () Denied

() Minute Order Attached () No Action Necessary

ADMINISTRATIVE OFFICER
This item on agenda as:

Recommended

Not Recommended

For Policy Determination

Submitted with Comment

Returned for Further Action

Comment: _____

A.O. Initials: JG

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

MARIPOSA COUNTY RESOLUTION NO. 98-195
COUNTY SERVICE AREA 1M (LAKE DON PEDRO) RESOLUTION NO. 98-1

RESOLUTION OF INTENTION TO LEASE REAL PROPERTY

WHEREAS, the County of Mariposa is the owner of certain real property described as Parcel 1 in Area 1M of Lake Don Pedro, and

WHEREAS, the property is vacant, and

WHEREAS, the property is useful for cattle grazing, and

WHEREAS, the County has leased the property in the past for cattle grazing;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Mariposa County hereby declares its intention to lease the above-described real property for the purpose of grazing rights.

BE IT FURTHER RESOLVED that the County shall lease the property to the highest bidder at a public meeting of the Board of Supervisors to be held on June 9, 1998 at the County Courthouse in Mariposa County, at which time sealed proposals to lease the property will be received and considered.

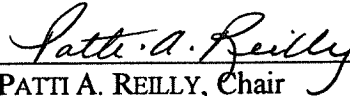
BE IT FURTHER RESOLVED that the minimum lease price for the term of three (3) years shall be the sum of EIGHT HUNDRED SIXTY-ONE DOLLARS (\$861.00) per year.

BE IT FURTHER RESOLVED that any party interested in bidding on the lease of the above property shall provide a sealed proposal to the Board of Supervisors to be received no later than noon on June 5, 1998 for opening at the regular Board of Supervisors meeting on June 9, 1998.

BE IT FURTHER RESOLVED that a notice of the adoption of this Resolution shall be posted in three public places in the County not less than fifteen (15) days before the day of the meeting wherein sealed bids will be opened and, further, a notice, together with a copy of this Resolution, shall be published in a newspaper of general circulation in the County at least twice prior to the meeting wherein the proposals will be opened.

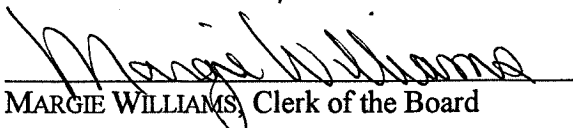
PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 19th day of May 1998, by the following vote:

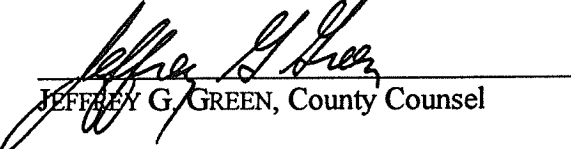
AYES:	REILLY, BALMAIN, STEWART, PARKER, PICKARD
NOES:	NONE
ABSENT:	NONE
ABSTAINED:	NONE


PATTI A. REILLY, Chair
Board of Supervisors

ATTEST:

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:


MARGIE WILLIAMS, Clerk of the Board


JEFFREY G. GREEN, County Counsel