

MARIPOSA COUNTY
BOARD OF SUPERVISORS

AGENDA
ACTION FORM

DATE: 11/14/95
AGENDA ITEM NO.:

1-2-96 1-16-96
(cont'd 12-1295)
\$4

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

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

Pass and adopt the attached Resolution which establishes a public hearing date of Tuesday, December 12, 1995 to inform the public that the Board intends to purchase real property. The subject property is located within the site of the proposed Government Center. The owner has agreed to sell the property in the amount of \$150,000, an amount that the appraisal indicates is fair market value.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On May 16, 1995, the Board directed staff to pursue obtaining an appraisal of the Bondshu property. On September 26, 1995 during 1995/96 budget deliberations, the Board reserved a sum of over \$150,000 for the purchase of the Bondshu property.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

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

COSTS: (X) Not Applicable

A. Budgeted current FY \$ 150,000

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.

CLERK'S USE ONLY:

Res. No.: 95-500 1/2 Res. 96-4 1/6 Res 96-16

Vote - Ayes: _____ Noes: _____

Absent: _____ Abstained: _____

Approved: _____ () Denied

Minute Order Attached 1/6 () 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

Comment: _____

A.O. Initials: 

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 BOARD OF SUPERVISORS

MINUTE ORDER

TO: JEFF GREEN, County Counsel
FROM: MARGIE WILLIAMS, Clerk of the Board 
SUBJECT: PURCHASE OF BONDSHU PROPERTY

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on January 16, 1996

ACTION AND VOTE:

9:15 a.m. Jeffrey G. Green, County Counsel;
CONTINUED PUBLIC HEARING Resolution Approving Purchase of Real
Property from Robert E. Bondshu Which is Located Within the
Government Center Site (Continued from 1/2/96)
BOARD ACTION: Jeff Green advised of his discussions with Bob
Bondshu concerning the purchase, and he advised that Mr. Bondshu
does not have a problem with the County taking possession of the
premises if his mother becomes incapacitated and unable to return
to the residence. Bob Bondshu stated he felt he was agreeing to
a sales price of \$155,800 versus \$150,000, and advised that the
residence has three bathrooms versus the two cited in the
appraisal; and he discussed this matter with the appraiser and
was told that it would adjust the value by five percent. Jeff
Green advised that the misunderstanding in the price was between
the cost approach and the overall appraisal value. Board
continued with deliberations and discussed responsibility for
maintenance, funding sources for the purchase, inspections of the
residence, and purchase price. (M)Parker, (S)Stewart, Res. 96-16
adopted agreeing to purchase said property in the amount of
\$155,800 with full inspections to be done prior to close of
escrow, and with said purchase contingent on satisfactory
inspection results/Ayes: Balmain, Stewart, Parker; Noes: Taber;
Abstained: Reilly. (Additional action regarding this matter was
taken later this date.) Hearing was closed.

Following discussion with Jeff Green/County Counsel, (M)Parker, (S)Stewart, Board provided additional direction with regards to the purchase of the Bondshu property by authorizing Chairman to sign the escrow documents and authorizing County Counsel to request Auditor to draw warrant for said purchase, providing all conditions previously discussed are met. County Counsel advised that he will bring the matter back to the Board if all conditions are not met. Ayes: Reilly, Stewart, Parker; Noes: Balmain, Taber.

cc: Gary Estep, Assessor
Ken Hawkins, Auditor
Mike Edwards, Public Works Director
File

MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: JEFF GREEN, County Counsel
FROM: MARGIE WILLIAMS, Clerk of the Board *MW*
SUBJECT: PURCHASE OF BONDSHU PROPERTY

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,
ADOPTED THIS Order on January 2, 1996

ACTION AND VOTE:

9:30 a.m. Jeffrey G. Green, County Counsel;
CONTINUED PUBLIC HEARING Resolution Establishing a Hearing Date
for the Purchase of Real Property from Robert E. Bondshu Which is
Located Within the Government Center Site (Continued from
12/12/95)

BOARD ACTION: Hearing was opened and the public portion was
reopened. Chairman called for input from the public. Mary Good
asked if Mrs. Bondshu would be allowed to reside on said property
if she lives to be 117 years of age. Jeff Green, County Counsel,
responded that under the proposed terms of sale, she could
continue to reside in the residence. Public portion of the
hearing was closed and Board commenced with deliberations. Jeff
Green responded to questions from the Board relative to the
proposed sale price and appraisal estimates and life tenancy.
(M)Taber, (S)Parker, Res. 96-4 adopted offering \$150,000 for the
property. Following further discussion relative to the life
tenancy issue, motion was amended agreeable with maker and
second, to include clarification relative to the life tenancy
issue - in the event Mrs. Bondshu is no longer able to reside in
the residence, the County will be able to occupy the premises;
and direction was given for the Auditor to draw warrant for the
purchase if Mr. Bondshu agrees with the terms of this offer/Ayes:
Unanimous. Hearing was continued to January 16, 1996, at 9:15
a.m. for County Counsel to bring back an update on the status of
the offer to purchase, or counter offer, if applicable.

cc: Gary Estep, Assessor
Ken Hawkins, Auditor
Mike Edwards, Public Works Director
File

MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: JEFF GREEN, COUNTY COUNSEL
FROM: MARGIE WILLIAMS, Clerk of the Board *MW*
SUBJECT: PURCHASE OF BONDSHU PROPERTY

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,
ADOPTED THIS Order on December 12, 1995

ACTION AND VOTE:

9:17 a.m. Jeff Green, County Counsel;
PUBLIC HEARING Regarding Resolution Approving Purchase of Real
Property from Robert E. Bondshu Which is Located Within the
Government Center Site
BOARD ACTION: Jeff Green/County Counsel, presented staff report
and advised that the appraisal by Mr. Yaley was \$150,000, with a
cost approach value of \$155,800. He further advised that Mr.
Bondshu is willing to accept the appraised value by cost approach
as a selling price, and recommended that the Board take input
today and continue the hearing to January 2, 1996, for action so
that the public would be aware of the increase in purchase cost.
Public portion of the hearing was opened and input was provided
by the following: Mary Good stated that it does not seem right
to her to have to wait for someone to die before the County can
take possession (proposed sale allows Mrs. Bondshu to reside in
the residence until the time of her death). Bob Bondshu
responded to question from the Board relative to the possession
issue. Jeff Green responded to question from the Board relative
to termite inspection. Hearing was continued to January 2, 1996,
at 9:30 a.m.

cc: Gary Estep, Assessor
Ken Hawkins, Auditor
Mike Edwards, Public Works Director
File

**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 real property located at 4978 10th Street, Mariposa, California, APN 013-116-003, for the reason that the real property is located within the County square wherein the Hall of Records, County Administration, and County Planning and Building Departments are located, and

WHEREAS, the owner of the property, Robert E. Bondshu, desires to sell the property to the County, and

WHEREAS, during budget deliberations, the Board of Supervisors reserved a sum in excess of \$150,000 in order to purchase the property if terms could be arranged with the seller;

NOW, THEREFORE, BE IT RESOLVED that the Mariposa County Board of Supervisors hereby gives notice of its intention to purchase real property owned by Robert E. Bondshu, commonly known as 4978 10th Street, APN 013-116-003, upon the following terms and conditions:

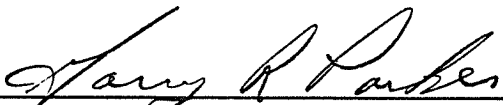
1. The purchase price shall be \$150,000 cash;
2. Mr. Bondshu's mother, who is presently 93 years old, shall continue to reside in the residence until the time of her death;
3. Within 90 days of the date of Mrs. Bondshu's death, the County will have physical possession of the property;
4. During the time Mrs. Bondshu resides on the property after the consummation of the sale, Robert E. Bondshu shall be responsible for paying all taxes, utilities, and maintenance and repairs of the property.

BE IT FURTHER RESOLVED that prior to the consummation of the purchase, a public hearing shall be scheduled on Tuesday, December 12, 1995 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 14th day of November 1995, by the following vote:

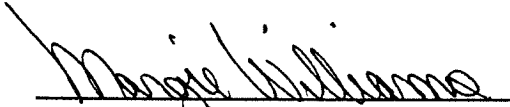
AYES:	REILLY, BALMAIN, STEWART, PARKER
NOES:	NONE
ABSENT:	TABER
ABSTAINED:	NONE




GARRY PARKER, 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