

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

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

Discussion and recommendation to authorize the acceptance of the old Ghiradelli Store site in Hornitos. The present owners of the property, the Society of California Pioneers, has approved the transfer of title to the County for a \$1.00 fee. A copy of the the Society's letter indicating that an official offer has been made is attached hereto together with a letter from this office discussing the liability issue. A copy of the deed for the subject property is also attached.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On September 16, 1993, the Board concurred with pursuing efforts to obtain the old Ghiradelli Store property. A copy of the Minute Order is attached hereto.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

N/A. The Board has previously concurred with pursuing this matter.

COSTS: () Not Applicable

A. Budgeted current FY \$ _____

B. Total anticipated costs \$ 1.00

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:

- Society of California Pioneers' letter of 8/3/94.
- Counsel's letter of 8/15/94.
- Copy of deed.
- Copy of Minute Order of 9/16/93.

CLERK'S USE ONLY:

Res. No.: 94-370 Ord. No. _____

Vote - Ayes: 5 Noes: _____

Absent: _____ Abstained: _____

Approved () Denied ()

() Minute Order Attached () No Action Necessary

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

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: *ll*



ORGANIZED 1850

THE SOCIETY OF CALIFORNIA PIONEERS

456 McALLISTER STREET • SAN FRANCISCO, CALIFORNIA 94102
TEL 415-861-5278 • FAX 415-861-5250

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August 3, 1994

James F. Evans
Director
Housing and Community Development Agency
5200 Highway 49 North
P.O. Box 39
Mariposa, CA 95338

Dear Mr. Evans:

At the Society's monthly Board meeting on January 25, the Board approved the transfer of title of the Old Ghiradelli Store, Hornitos, California, to the County of Mariposa for a nominal fee of one dollar (\$1.00).

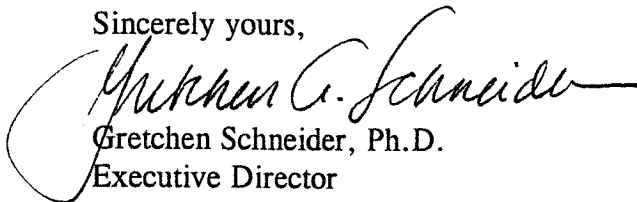
I understand from your letter that this letter will permit the Mariposa County Board of Supervisors to adopt a Resolution authorizing acceptance of the property.

I would like to have a copy of that resolution for our files and will look forward to finalizing any paperwork involved with our Board.

We are moving to another location in San Francisco and, as yet, do not have a new address. We will try to keep the same phone numbers. We should be settled by the end of August.

Do not hesitate to call if I can assist you further.

Sincerely yours,


Gretchen Schneider, Ph.D.
Executive Director



JEFFREY G. GREEN
County Counsel
(209) 966-3222

P. O. Box 189
Mariposa, CA 95338
FAX (209) 966-5147

The County Counsel
MARIPOSA COUNTY

August 15, 1994

To: Board of Supervisors
From: Jeffrey G. Green, County Counsel
Re: Transfer of Title - Old Ghiradelli Store in Hornitos

Dear Board Members:

The Society of California Pioneers, owner of the above-captioned property, has approved the transfer of title to the County for a \$1.00 fee. After reviewing this matter and the potential liability exposure to the County, I don't believe that owning the property would increase the County's liability to any appreciable level, therefore, I don't believe that this is an issue. I would suggest, however, that if the County obtains title to the old Ghiradelli store, temporary fencing should be placed around the property until the Board determines, with recommendations from the Public Works Department and the Historical Sites and Records Preservation Commission, exactly how to use and protect the property for the public benefit.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Jeff Green".

Jeffrey G. Green
County Counsel

710. 477

RECORDING REQUESTED BY
WHEN RECORDED MAIL TO

RECORDED AT THE REQUEST OF Society of California
Mar 26 1963 AT 5 MIN. PAST 9 O'CLOCK P. M. IN
VOL. 83 OF OFFICIAL RECORDS. PAGE 582
MARIPOSA COUNTY RECORDS.
Harvey T. Ghirardelli RECORDER FEE \$ 2.00
Barbara L. Dyer, Dep

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Grant Deed

(CORPORATION)

D. GHIRARDELLI CO., a California corporation,
a corporation organized under the laws of the State of California,
does hereby **Grant** the Society of California Pioneers, a corporation

the real property situated in the **Townsite of Hornitos,** County
of **Mariposa**, State of California, described as follows:

TOWN LOT 82 IN THE TOWNSITE OF HORNITOS, COUNTY OF MARIPOSA, STATE OF CALIFORNIA, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAID MARIPOSA COUNTY.

In Witness Whereof this Corporation has caused its corporate name and seal to be affixed hereto and this instrument to be executed by its duly authorized officers.

Dated: MARCH 8 1963

D. GHIRARDELLI CO.
a California corporation
By: Harvey T. Ghirardelli
HARVEY T. GHIRARDELLI - President
By: Ben W. Reed
BEN W. REED - Secretary

STATE OF CALIFORNIA
CITY & COUNTY OF **SAN FRANCISCO**

On MARCH 8 1963 before me, the undersigned Notary Public
in and for said City and County and State, personally appeared HARVEY T.
GHIRARDELLI known to me to be the President, and
BEN W. REED known to me to be the Secretary of
the corporation that executed the within instrument, and known to me to be the persons who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the same pursuant to its by-laws or a resolution of its board of directors.

(SEAL)

N.S. HENDRICKSON
Notary Public
Type or Print Name of Notary

My Commission Expires: **July**

MINUTE ORDER

TO: SUPERVISOR ERICKSON
FROM: MARGIE WILLIAMS, CLERK OF THE BOARD *MW*
RE: BUDGET HEARING 9/16/93 - GHIRADELLI PROPERTY

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on September 16, 1993

ACTION AND VOTE:

Supervisor Erickson initiated discussion concerning contacts with the Society of California Pioneers over the Ghiradelli property they own in Hornitos, and possibility of its future preservation. Board concurred with pursuing with efforts on this matter.

cc: Planning
Housing and Community Development