

DEPARTMENT: County Counsel

BY: Jeffrey G. Green

PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION:

PUBLIC HEARING to discuss the intention of the Board of Supervisors to consummate the non-monetary transfer of real property located at 10332 Fiske Road, Greeley Hill, California from the Mariposa County Unified School District. The transfer of real property will be in accordance with the terms and conditions in the attached Resolution of Intention adopted by the Board of Supervisors on July 1, 2003.

Further authorize the Chairman to execute the escrow documents when received.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On July 1, 2003 the Board adopted a Resolution of Intention which established a public hearing date of Tuesday, August 5, 2003 to inform the public that the County intends to enter into a non-monetary transfer of real property with the Mariposa County Unified School District for real property located at 10332 Fiske Road in Greeley Hill, California.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

N/A. The Board determined that it is in the public's interest to enter into a non-monetary transfer of the subject real property.

Financial Impact? () Yes () No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? () Yes () No () Partially Funded		
Amount in Budget: \$ _____		List Attachments, number pages consecutively
Additional Funding Needed: \$ _____		Resolution of Intention
Source:		Notice
Internal Transfer _____		Proposed Agreement to Transfer Real Property
Unanticipated Revenue _____ 4/5's vote		
Transfer Between Funds _____ 4/5's vote		
Contingency _____ 4/5's vote		
() General () Other		

CLERK'S USE ONLY:

Res. No.: 03-281 Ord. No. _____
 Vote - Ayes: 3 Noes: _____
 Absent: Balmain, Parker
 Approved
 Minute Order Attached () No Action Necessary

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
 No Opinion
 Comments: _____

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

CAO: RKH

**RESOLUTION OF INTENTION
TO OBTAIN TITLE TO REAL PROPERTY**

Resolution No. 03-250

WHEREAS, the Board of Supervisors has determined that it is in the public interest to obtain title to real property located at 10332 Fiske Road, Greeley Hill, California, APN Number 004-160-007, for the reason that the real property is located ideally in the town area of Greeley Hill to be used as a Community Center, and

WHEREAS, the owners of the property, the Mariposa Unified School District, desire to transfer title of the property to the County.

NOW, THEREFORE, BE IT RESOLVED that the Mariposa County Board of Supervisors hereby gives notice of its intention to accept transfer of real property owned by the Mariposa Unified School District, described above, upon the following terms and conditions:

The non-monetary consideration for the transfer is as follows:

1. County shall maintain the property for primary use as a Community Center.
2. County shall contract with the Greeley Hill Community Club relative to operation of the Community Center and Annex.
3. County shall assume all obligations and liabilities of ownership of the real property.
4. County shall contract with the Mariposa County Unified School District to allow School District the use of the Community Center for scheduled School District functions at no cost to the School District.


BE IT FURTHER RESOLVED that County acknowledges that the buildings known as the Community Center and Annex are owned by the Greeley Hill Community Club and title to the buildings is not transferred to County as a result of this transaction.

BE IT FURTHER RESOLVED that prior to consummation of the transfer, a public hearing shall be scheduled on Tuesday, August 5, 2003 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/transfer, pursuant to Government Code section 6063.

PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 1st day of July 2003, by the following vote:

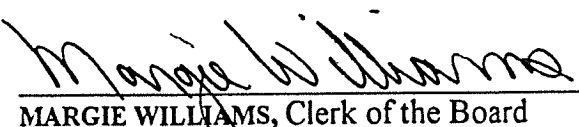
AYES:	STETSON, BALMAIN, BIBBY, PARKER, PICKARD
NOES:	NONE
ABSENT:	NONE
ABSTAINED:	NONE




BOB PICKARD, 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



COUNTY of MARIPOSA

P.O. Box 784, Mariposa, CA 95338 (209) 966-3222


BOB PICKARD, CHAIR
GARRY R. PARKER, VICE-CHAIR
LEE STETSON
DOUG BALMAIN
JANET BIBBY

DISTRICT V
DISTRICT IV
DISTRICT I
DISTRICT II
DISTRICT III



MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: JEFF GREEN, County Counsel
FROM: MARGIE WILLIAMS, Clerk of the Board 
SUBJECT: NON-MONETARY TRANSFER OF REAL PROPERTY FROM THE
MARIPOSA COUNTY UNIFIED SCHOOL DISTRICT
Resolution No. 03-281

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on August 5, 2003

ACTION AND VOTE:

9:21 a.m. Jeff Green, County Counsel;

PUBLIC HEARING to Consider Entering into a Non-Monetary Transfer of Real Property with Mariposa County Unified School District, Located at 10332 Fiske Road, Greeley Hill, Known as the Greeley Hill Community Club

BOARD ACTION: Jeff Green, County Counsel advised that Supervisor Balmain felt there was enough interest for a public hearing for this matter, even though one was not required. Supervisor Bibby asked if the Agreement was in draft form, based on the text on pages six and eight, relative to title insurance and costs and fees. Jeff Green, County Counsel stated there is no need for title insurance report and the costs and fees would be shared as is customarily done within the County.

The public portion of the hearing was opened and input was provided by the following:

- Dawn Leitzell, President of the Greeley Hill Community Club advised that there were eight members present and all were in favor of the transfer.

The public portion of the hearing was closed, and the Board commenced with deliberations. (M)Bibby, (S)Stetson, Res. 03-281 was adopted approving the transfer; deleting the portions of the Agreement regarding title insurance report; clarifying that the costs and fees would be shared; and authorizing the Chairman to sign the Agreement /Ayes: Stetson, Bibby, Pickard; Excused: Balmain, Parker.

cc: Ken Hawkins, Auditor
Jim Petropulos, Public Works Director
Dr. Patrick Holland, Mariposa County Unified School District
Greeley Hill Community Club
File