

SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Agenda Number:
Prepared on: March 1, 2006
Department: General Services
Department No.: 063
Agenda Date: March 28, 2006
Placement: Administrative
Estimate Time:
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Bob Nisbet, Director (560-1011)
General Services Department

STAFF CONTACT: Paddy Langlands (568-3096)
Assistant Director, Support Services Division

SUBJECT: Acceptance of Real Property, Declaration As Surplus; Purchase Agreement Addendum
Humboldt County Property (APNs 106-091-016, 106-091-017, 106-091-026 &
106-091-027) Real Estate Services Folio No. 003501

Recommendations: That the Board of Supervisors:

- a) Adopt the Resolution of Acceptance: Interest in Real Property, which Resolution accepts the interest in properties located in the County of Humboldt granted to the County of Santa Barbara by the "Judgment Settling First and Final Account and Report of Executor and Petition for its Settlement, and of Final Distribution," from the Santa Maria Superior Court of California, County of Santa Barbara executed June 16, 1980, and filed as No. SM 28727. The properties which are the subject of the above action are known as Humboldt County Assessor's Parcel Numbers 106-091-016, 106-091-017, 106-091-026 & 106-091-027, which parcels total approximately 136.80 acres (hereinafter the "Property").
- b) Adopt the Resolution Declaring Real Property as Surplus and Directing the Sale of Real Property, which Resolution declares the above referenced Property as surplus to County needs and directs the sale of the Property. The Property is described and shown on "Exhibit A" which is attached to said Resolution.
- c) Approve the original Purchase Agreement Addendum between the County of Santa Barbara and Don and Stacey Schoenhofer for the sale of the County's undivided 12/60, twenty percent (20%) ownership interest in properties in Humboldt County.
- d) Approve a Budget Revision allocating funds totaling approximately \$175,000.00 from the sale of the Property to the General Services/ Support Services Division, Capital Maintenance fund.
- e) Authorize and approve the Director of General Services to execute the Grant Deed (at a later date in escrow) to allow the transfer of County's partial property interest in said Property.

Alignment with Board Strategic Plan:

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106-091-027)
Agenda Date: March 28, 2006
Page: 2 of 3

The recommendation(s) are primarily aligned with actions required by law or by routine business necessity.

Executive Summary and Discussion:

Under the 1965 final distribution of the Estate of Bennett McCahill, the County of Santa Barbara was granted an undivided 12/60, twenty (20%) percentage ownership interest in properties in Humboldt County via the “Judgment Settling First and Final Account and Report of Executor and Petition for its Settlement, and of Final Distribution” from the Santa Maria Superior Court of California, County of Santa Barbara and executed on June 16, 1980 (hereinafter the “Judgment”). General Services, Real Property has no record as to why the previous owner chose to grant this ownership interest to the County. The properties which are the subject of the above action are known as Humboldt County Assessor’s Parcel Numbers 106-091-016, 106-091-017,106-091-026 &106-091-027, which parcels total approximately 136.80 acres. The Board of Supervisors is hereby requested to accept the fractional ownership of the Property granted via the Judgment by adopting the attached Resolution of Acceptance: Interest in Real Property. Due to the fact the Property was conveyed to the County via the Superior Court and the minor nature of the property interest granted to the County, no notice of intent to accept the Property was published, and no CEQA review was performed.

The Property is not currently used by the County or intended for any County use or improvements. No County use of the Property appears feasible. Due to the minor nature of the County’s ownership interest, and the fact the Property is located in Humboldt County, the Property has not been offered to County departments, the County Executive office or outside agencies.

Accepting the Property, declaring it as surplus, and executing the Purchase Agreement Addendum will allow the County to consummate the sale of the Property to Don and Stacey Schoenhofer in the amount of \$875,000.00. Such a sale would relieve the County from future liability associated with the Property. Escrow is scheduled to close on or before April 19, 2006.

Mandates and Service Levels:

No change in programs or service levels.

Fiscal and Facilities Impacts:

The sale of the property interest will generate approximately \$175,000.00, and it is proposed that the revenue will be directed to the Support Services Division of the General Services Department Maintenance fund (Dept 063, Fund 0001, Prog. 1225) and will be used for capital maintenance projects.

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106-091-027)
Agenda Date: March 28, 2006
Page: 3 of 3

Special Instructions:

After Board action, please distribute as follows:

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| 1. | Original Resolution of Acceptance | Clerk of the Board Files |
| 2. | Cert. Copy of Resolution of Acceptance | Office of Real Estate Services, Attn: RC |
| 3. | Original Resolution as Surplus | Clerk of the Board Files |
| 4. | Certified Copy of Resolution as Surplus | Office of Real Estate Services, Attn: RC |
| 5. | Original Purchase Agreement Addendum | Clerk of the Board Files |
| 5. | Duplicate Original Purchase Agreement
Addendum & Minute Order | Office of Real Estate Services, Attn: RC |

NOTE: The certified copy of the original Resolution of Acceptance will be forwarded to the County of Humboldt Clerk-Recorder for recordation. The office of Real Estate Services will deliver the duplicate original Purchase Agreement Addendum to escrow in Humboldt to allow for the consummation of the of the sale of he Property.

Attachments:

Resolution of Acceptance: Interest in Real Property

Resolution Declaring Real Property as Surplus and Directing the Sale of Real Property

Original and duplicate original Purchase Agreement Addendum

Budget Revision

**Board Letter prepared by Ronn Carlentine, SR/WA,
Office of Real Estate Services**