

Resolution No.

**County of Sonoma
Santa Rosa, CA 95403**

Date: 9/29/2009

Resolution of the Board of Supervisors of the County Of Sonoma, State of California, authorizing the General Services Director, or his Deputy or other designee, to execute a Real Property Sales Agreement, Grant Deed and such other documents as may be necessary to dispose of certain surplus real property located between Dutton Avenue and Roberts Avenue, Santa Rosa, California (portion of Assessor's Parcel No. 125-121-026).

Whereas, the County of Sonoma Regional Parks Department ("County") is the owner of certain real property located between Dutton Avenue and Roberts Avenue in Santa Rosa, California (portion of Assessor's Parcel No. 125-121-026), and more particularly described below ("Property");

Whereas, in June, 2007, using eminent domain, County acquired the remaining abandoned, former Union Pacific Railroad right-of-way (Assessor's Parcel No. 125-121-026), located between Dutton Avenue and Roberts Avenue in Santa Rosa. This portion was needed in order to construct the West County/Joe Rodota Trail into Santa Rosa; and

Whereas, acquisition of the Property included certain excess real property not needed for trail development, which excess is less than 5,000 square feet in size ("Surplus Property"); and

Whereas, a contiguous land owner has expressed interest in purchasing the Surplus Property and so it qualifies as conditionally exempt surplus land pursuant to Government Code Section 54420 et seq.; and

Whereas, the County desires to dispose of said Surplus Property; and

Whereas, Government Code Sections 25526 and 25528 require property greater than \$25,000 in value to be sold at public auction following specified procedures including posting and publication of notice prior to disposition; and

Whereas, a public auction was held on September 23, 2009, and _____, _____ ("Purchaser") was the successful bidder at \$ _____; and

Whereas, the County and Purchaser have reached tentative agreement as to the terms and conditions for the sale of the Surplus Property, as reflected in that certain Real Property Sales Agreement, subject to certain contingencies; and

Whereas, this Board has published a notice of its intention to sell the Surplus

Property, once a week for three (3) successive weeks in compliance with California Government Code Sections 25528 and 6063; and.

Now, Therefore, Be It Resolved, that the Board of Supervisors of the County of Sonoma does hereby find, determine, declare, and order as follows:

1. Verification of Recitals. All of the foregoing recitals are true and correct.

2. Authorization to Sell Subject to Contingencies. This Board hereby authorizes the sale of the Surplus Property to Purchaser for the sum of _____ (U.S. \$ _____), contingent upon satisfaction of all of the terms and conditions set forth in the Real Property Sales Agreement as determined by County Counsel.

3. Authorization to Execute Real Property Sales Agreement. The General Services Director, or his Deputy or other designee, is hereby authorized to execute the Real Property Sales Agreement as well as any other documents reasonable required to effect said sale.

4. Authorization to Execute Other Documents. The Director of the General Services Department is hereby authorized to execute escrow instructions and any other documents reasonable required to effect said sale after receiving the written approval of County Counsel.

5. Directions to County Counsel and Real Estate Manager. County Counsel and the Real Estate Manager are hereby instructed to take such action as may be necessary or appropriate to assist in consummating said sale.

WHEREFORE, this Resolution is passed, approved and adopted this 29th day of September, 2009 by the following vote:

Supervisors:

Brown:	Kerns:	Zane:	Carrillo:	Kelley:
Ayes:	Noes:	Absent:	Abstain:	

So Ordered.