

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

<p>(1) DEPARTMENT Central Services</p>	<p>(2) MEETING DATE 1/12/2016</p>	<p>(3) CONTACT/PHONE Marvin A. Rose, Interim Central Services Director Shauna Dragomir, County Real Property Manager (805) 781-5206</p>	
<p>(4) SUBJECT Request to: 1) approve a resolution authorizing the surplus and sale of County-owned real property in an unincorporated area of San Luis Obispo County adjacent to the southwestern Atascadero city limit; and 2) authorize a corresponding budget adjustment in the amount of \$9,400 for Fund Center 305 - Parks and Recreation. District 5.</p>			
<p>(5) RECOMMENDED ACTION It is recommended that the Board:</p> <ol style="list-style-type: none"> 1. Adopt the Resolution of Intention to Surplus and Sell and Authorizing Execution of Quitclaim Deeds for Sale of Surplus County Owned Property in the Unincorporated Area of San Luis Obispo County. 2. Approve a Real Property Purchase Agreement to sell the property for the total amount of \$9,400.00. 3. Approve three (3) Quitclaim Deeds transferring title of the property to Eagle Ranch, LLC. 4. Authorize the Clerk of the Board to record said Quitclaim Deeds. 5. Authorize the County Real Property Manager to take all such further actions as may be necessary to complete the sale to Eagle Ranch, LLC. 6. Authorize a corresponding budget adjustment in the amount of \$9,400.00 for FC 305-Parks and Recreation, by 4/5 vote. 			
<p>(6) FUNDING SOURCE(S) Sale revenue to Parks' Facilities Planning Reserve</p>	<p>(7) CURRENT YEAR FINANCIAL IMPACT \$9,400.00 sales revenue</p>	<p>(8) ANNUAL FINANCIAL IMPACT \$0.00</p>	<p>(9) BUDGETED? No</p>
<p>(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ____) <input type="checkbox"/> Board Business (Time Est. ____)</p>			
<p>(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A</p>			
<p>(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A</p>		<p>(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: 1516060 <input checked="" type="checkbox"/> 4/5 Vote Required <input type="checkbox"/> N/A</p>	
<p>(14) LOCATION MAP Attached</p>	<p>(15) BUSINESS IMPACT STATEMENT? No</p>	<p>(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date: _____</p>	
<p>(17) ADMINISTRATIVE OFFICE REVIEW David E. Grim</p>			
<p>(18) SUPERVISOR DISTRICT(S) District 5</p>			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Central Services / Marvin A. Rose, Interim Central Services Director
Shauna Dragomir, County Real Property Manager
(805) 781-5206

DATE: 1/12/2016

SUBJECT: Request to: 1) approve a resolution authorizing the surplus and sale of County-owned real property in an unincorporated area of San Luis Obispo County adjacent to the southwestern Atascadero city limit; and 2) authorize a corresponding budget adjustment in the amount of \$9,400 for Fund Center 305 - Parks and Recreation. District 5.

RECOMMENDATION

It is recommended that the Board:

1. Adopt the Resolution of Intention to Surplus and Sell and Authorizing Execution of Quitclaim Deeds for Sale of Surplus County Owned Property in the Unincorporated Area of San Luis Obispo County.
2. Approve a Real Property Purchase Agreement to sell the property for the total amount of \$9,400.00.
3. Approve three (3) Quitclaim Deeds transferring title of the property to Eagle Ranch, LLC.
4. Authorize the Clerk of the Board to record said Quitclaim Deeds.
5. Authorize the County Real Property Manger to take all such further actions as may be necessary to complete the sale to Eagle Ranch, LLC.
6. Authorize a corresponding budget adjustment in the amount of \$9,400.00 for FC 305-Parks and Recreation, by 4/5 vote.

DISCUSSION

On March 4, 1910, the County of San Luis Obispo ("County") purchased three (3) vacant agricultural parcels from Chris Jespersen at the price of \$900.00 via quitclaim deed, for the purpose of Park Reservation. The parcels total approximately 0.77 acres, known as Assessor's Parcel Number (APN) 051-491-002 (approx. 22,651 sq. ft.), APN 051-521-003 (approx. 8,276 sq. ft.), and APN 051-521-002 (approx. 2,613 sq. ft.), (together, "County Property"). The County Property is located in an unincorporated area of San Luis Obispo County adjacent to the southwestern Atascadero city limits, and is surrounded by private ownership. See Attachment 1 for relevant Maps.

The County's Parks and Recreation Element does not recognize the County Property parcels and does not call out a future recreational use or purpose for the property. The County Department of Parks and Recreation does not foresee using the County Property parcels because: 1) their small sizes do not allow for any significant recreational opportunities; 2) they are landlocked with no available public access; 3) they are within the proposed Eagle Ranch Specific Plan and are surrounded by private ownership; and 4) the Eagle Ranch Specific Plan, if approved by the City of Atascadero, includes a new 10-acre park and public trails.

The Eagle Ranch Specific Plan proposes the annexation to the City of Atascadero of approximately 3,450 acres of undeveloped land located adjacent to the City's southwestern boundary. The majority of the site is part of the historic Atascadero Colony and contains approximately 452 undeveloped Colony lots and a network of unbuilt Colony roads (E.G. Lewis 1914 Atascadero Colony Map). The Eagle Ranch Specific Plan proposes reconfiguring these existing lots and roadways, and will identify a variety of land uses including housing, commercial uses, parks, trails, open space, and tourist-serving facilities.

As part of the Eagle Ranch Specific Plan, the City of Atascadero requested the developer (Eagle Ranch, LLC) to extinguish all of the existing colony lots concurrently with recordation of the new final map. The County Property is part of the 1914 colony lots; two (2) of which are in Park and Creekway Reservations (APNs: 051-491-002 and 051-521-003) and one (1) of which is a very small, legal parcel created through a historical deed in 1947 (APN 051-521-002). The surplus of the County Property is intended for sale to Eagle Ranch, LLC, a California Limited Liability Company ("Eagle Ranch, LLC"), the owner of the adjacent surrounding property for incorporation into the larger Eagle Ranch subdivision.

On June 9, 2015, Eagle Ranch, LLC paid \$300.00 to the County of San Luis Obispo, as an application fee to process a surplus property sale transaction in accordance with the Board approved 2015-16 Fee Schedule for Central Services. On October 26, 2015, Eagle Ranch, LLC paid \$700.00 to the County of San Luis Obispo, as the surplus sale balance to complete the processing of the sale. The total \$1,000.00 surplus and sale fee paid by Eagle Ranch, LLC is in addition to the sales price of the County Property and any required recordation fees.

Government Code Section 25526 provides that County-owned real property may be sold in accordance with the provisions of said code section after the adoption of a resolution by two-thirds vote of the members of the Board of Supervisors declaring the Board's intention to surplus and sell said property. Government Code Section 25526.5 provides that when the Board declares its intention to surplus and sell real property, and the property's estimated value does not exceed Twenty-Five Thousand Dollars (\$25,000.00), the County may quitclaim the real property as a sole source sale without a public auction.

On July 15, 2015, appraisal reports were prepared for the three (3) parcels which comprise the County Property. The appraisal reports were prepared by Alan G. McElwain of McElwain Real Estate Appraisal, a local real estate appraiser approved by the County Real Property Manager. The appraisal reports estimated the Market Value of the County Property to be as follows:

APN:	LEGAL DESCRIPTION:	MARKET VALUE:
051-491-002	Park Reservation B, Block 61, Atascadero Colony, Book 3AC of Maps, Page 87	\$3,400.00
051-521-003	Portion of Park Reservation A, Block 62, Atascadero Colony, Book 3AC of Maps, Page 89	\$3,000.00
051-521-002	Portion of Lot 34, Block 62, Atascadero Colony, Book 3AC of Maps, Page 89	<u>\$3,000.00</u>
Total Market Value:		\$9,400.00

In accordance with Government Code Section 25526.5, Central Services recommends a sale of the County Property to Eagle Ranch, LLC, at a total sales price of Nine Thousand Four Hundred Dollars (\$9,400.00) cash, subject to the terms and conditions set forth in the Real Property Purchase Agreement (Attachment 2).

OTHER AGENCY INVOLVEMENT

The County and the City of Atascadero entered into a Memorandum of Agreement ("MOA") (Attachment 3) on June 24, 2003. The MOA identifies the City of Atascadero as the lead agency having jurisdiction over preparation of the Eagle Ranch Specific Plan and associated CEQA review.

On October 8, 2015, the County Department of Planning and Building determined that the surplus and sale of County Property is in conformity with the County's General Plan and said General Plan Conformity Report DTM2015-00001 was approved by the County Planning Commission on October 22, 2015. The County Planning and Building issued a Categorical Exemption citing Section 15312, Class 12, and said determination was filed on October 27, 2015 and certified as Environmental Determination 15-088.

Central Services has given notice to other governmental agencies of the availability of the County Property pursuant to Government Code Section 54220 et. Seq., and no agencies expressed an interest in the County Property. The County

Parks and Recreation Department supports the surplus of the County Property and supports the sale to Eagle Ranch, LLC.

County Counsel has reviewed and approved the Resolution, Real Property Purchase Agreement, and Quitclaim Deeds (Attachments 5, 6 and 7) for form and legal effect.

FINANCIAL CONSIDERATIONS

FC 305 Parks and Recreation will be increased in the amount of \$9,400.00 as a result of the sale.

RESULTS

Approval of the Resolution (Attachment 4) will allow the Board to sell the County Property to Eagle Ranch, LLC. The sale will allow \$9,400.00 in sale proceeds to increase FC 305 Parks and Recreation, to help plan and fund other County park facilities and programs to better serve the residents of San Luis Obispo County. This action will help the County to achieve a Community-wide Result of a Livable Community by promoting County parks locations and programs.

ATTACHMENTS

1. Relevant Maps
2. Real Property Purchase Agreement
3. Memorandum of Agreement
4. Resolution of Intention to Surplus and Sell and Authorizing Sale
5. Quitclaim Deed for APN 051-491-002
6. Quitclaim Deed for APN 051-521-002
7. Quitclaim Deed for APN 051-521-003