



# County of Sonoma

## State of California

Date: April 20, 2021

Item Number: \_\_\_\_\_  
Resolution Number: \_\_\_\_\_

☐ 4/5 Vote Required

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, DECLARING CERTAIN REAL PROPERTY LOCATED ON TERRACE DRIVE, FORESTVILLE, SONOMA COUNTY, CALIFORNIA (APN 081-150-050 AND 081-150-051) AS EXEMPT SURPLUS LAND AND DECLARING INTENTION TO SELL SUCH PROPERTY, AND PROVIDING FOR TERMS AND CONDITIONS UNDER WHICH THE SALE SHALL BE CONDUCTED.**

**Whereas**, the County of Sonoma ("County") is the owner of real property identified as Assessor's Parcels No. 081-150-050 and 081-150-051, located on Terrace Drive, Forestville, Sonoma County, California (the "Properties"); and

**WHEREAS**, the Properties are unimproved, and are neither leased nor used by County; and

**WHEREAS**, the Properties are not required for public use and, due to each being under 5,000 square feet in size, may be properly designated as "exempt surplus land" within the meaning of Section 54221(e) of the California Government Code, if they are purchased by a contiguous landowner; and

**WHEREAS**, County desires to sell the Properties; and

**WHEREAS**, adjacent to the Properties is a private parcel located at 11188 Terrace Drive Ext, Assessor's Parcel No. 081-150-067 ("Private Parcel"), owned by Allen Wark ("Buyer"), who wishes to purchase the Properties.

**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.** Each of the foregoing recitals is true and correct.
- 2. Declaration of Exempt Surplus Land.** The Properties, being under 5,000 square feet in area, are declared to be exempt surplus property and made available for purchase by a contiguous landowner, as authorized by Government Code Section 54221(e).

**3. Authorization to Determine Terms of Sale, Subject to Final Board Approval.** Pursuant to California Government Code Section 25526.5, the Board of Supervisors authorizes the Director of the General Services Department (the "Director") to proceed with efforts to sell the exempt surplus land to a contiguous landowner; provided, however, that the Board of Supervisors must grant final approval of the sale and execute a deed pursuant to Government Code Section 25335 and County Code 2-153.

**4. Authorization to Execute Purchase Agreement.** The Director is hereby authorized to execute a real property purchase agreement, in form approved by County Counsel. Any such agreement shall contain a contingency for final approval of the Board of Supervisors as required by Government Code Section 25535 and County Code 2-153.

**5. Authorization to Execute Other Documents and Complete Other Steps Reasonably Required to Dispose of the Properties.** The Director is hereby authorized to prepare escrow instructions, execute other documents, and take other steps reasonably required to effect said sale, subject to approval in form by County Counsel, and contingent upon final approval by the Board of Supervisors.

**6. Directions to Post Notice.** Prior to a transfer of the Properties, the Direct shall post a notice in accordance with Government Code Section 25526.5.

**7. California Environmental Quality Act ("CEQA").** The sale of property pursuant to the surplus procedures set forth in Government Code section 54220 *et al.* is categorically exempt from CEQA unless the property proposed for sale is located in an "area of statewide, regional, or areawide concern" identified in CEQA Guidelines section 15206(b)(4) or other exception applies. The Properties are not located in a critical environmentally sensitive area of statewide, regional, or areawide concern. Nor do any of the general exceptions enumerated in CEQA Guidelines section 15300.2 apply to the proposed surplus sale. Further, the proposed surplus sale does not commit the County to a particular course of action regarding the development of the Properties. Thus, the disposal of the Properties is exempt under CEQA, including under CEQA Guidelines sections 15061(b)(3) and 15352. The Board hereby directs staff to post a notice of exemption.

**Be It Further Resolved**

Resolution #

Date:

Page 3

**Supervisors:**

Gorin:

Rabbitt:

Coursey:

Hopkins:

Gore:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**