



County of Sonoma

State of California

Date: September 28, 2021

Item Number: _____
Resolution Number: _____



4/5 Vote Required

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, APPROVING THE SALE OF CERTAIN REAL PROPERTY LOCATED ON TERRACE DRIVE, FORESTVILLE, SONOMA COUNTY, CALIFORNIA (APN: 081-150-050 and 081-150-051,) AS EXEMPT SURPLUS LAND.

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, they are "exempt surplus land" within the meaning of Section 54221(f)(1)(B) of the California Government Code, if they are purchased by a contiguous landowner; and

WHEREAS, the Board of Supervisors, on April 20, 2021, authorized the General Services Department to negotiate the terms and conditions for selling the Properties; and

WHEREAS, Pursuant to the Board of Supervisor's direction, on or about July 28, 2021, the General Services Department entered into a Purchase and Sale Agreement ("Agreement") with Allen Wark, who owns land contiguous to the Properties; and

WHEREAS, the Agreement requires final approval from the Board of Supervisors.

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 are under 5,000 square feet in area; they are not contiguous to land owned by the state or a local

agency for open-space or low- or moderate-income housing purposes; and the County proposes to sell the Properties to a contiguous landowner. The Properties are therefore exempt surplus land under Government Code Section 54221(f)(1)(B).

3. Approval of the Purchase and Sale Agreement. Pursuant to California Government Code Section 25526.5 and Sonoma County Code § 2-153, the Board of Supervisors approves the sale of the Properties to Buyer, Allen Wark, for the total amount of Five-Thousand Five-Hundred Dollars (\$5,500.00), on the terms and conditions set forth in the Agreement.

4. Authorization to Execute Deed. Pursuant to Government Code §§ 25535 and 25539 and Sonoma County Code § 2-153, the President of the Board of Supervisors, or other presiding officer, or the members thereof, are authorized to execute a deed conveying the Property on the terms set forth in the Agreement and on a form prepared by County Counsel.

5. Authorization to Execute Other Documents and Complete Other Steps Reasonably Required to Dispose of the Properties and Finalize the Sale. The Director is hereby authorized, pursuant to Government Code § 25526.5 and Sonoma County Code § 2-150, 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.

6. California Environmental Quality Act ("CEQA"). The project is exempt under Section 15312 of the CEQA Guidelines. 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. Pursuant to the Board action on April 20, 2021 authorizing the execution of a Purchase and Sale Agreement, a Notice of Exemption was posted on _____.

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Supervisors:

Gorin:

Rabbitt:

Coursey:

Gore:

Hopkins:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.