



Legislation Text

File #: 2021-0941, **Version:** 1

To: Sonoma County Board of Supervisors

Department or Agency Name(s): General Services

Staff Name and Phone Number: Caroline Judy, General Services: 707-565-8058

Vote Requirement: Majority

Supervisorial District(s): Fifth

Title:

Final Approval of Sale of Certain County Owned Parcels in Forestville as Exempt Surplus Land

Recommended Action:

- A) Approve the sale for \$5,500 to Buyer Allen Wark for certain real property located at Terrace Drive, Forestville, Sonoma County, California (APN: 081-150-050 and 081-150-051) declared as exempt surplus land per Board Resolution 21-0162 pursuant to Government Code GC 54221(f)(1)(B).
- B) Authorize the Director of General Services to complete all steps or documents reasonably required to effect said sale.
- C) Adopt a resolution approving budget adjustments to the General Services Real Estate Divisions FY 21-22 Budget in the amount of \$5,500, using the proceeds from the sale of the exempt surplus land.

(Fifth District)

Executive Summary:

Purpose. The Department of General Services requests Board approval for the sale of certain real property for \$5,500 to Buyer Allen Wark, located at Terrace Drive, Forestville, Sonoma County, California (APN: 081-150-050 and 081-150-051), and declared as "exempt surplus land" per Board Resolution 21-0162 on April 20, 2021 pursuant to Government Code § 54221(f)(1)(B) of the Surplus Land Act. Disposing of the property will enable the County to generate revenue both from the sale of surplus land and from future property tax proceeds, and eliminate liability as to the property and recurring vegetation management responsibility and costs.

Discussion:

The General Services Department has entered into a Purchase and Sale Agreement to sell certain real property located on Terrace Drive, Forestville, Sonoma County, California (APN: 081-150-050 and 081-150-051), declared as "exempt surplus land" per Board Resolution 21-0162 on April 20, 2021 pursuant to Gov't Code GC 54221(f)(1)(B). The property is not currently used nor do any plans exist to use the parcels for governmental or other public purposes. Under the Surplus Land Act, the County must consider sale of parcels for which there is no governmental or other public use. The County is required to annually review the property portfolio and identify properties that could be sold if there is no identified governmental use. The properties in Forestville were identified through the annual review process in 2018, but competing work in the General Services Real Estate division did not allow sufficient resources to progress the surplus process.

In December 2020, General Services hired the appraisal firm Ward Levy to conduct a formal appraisal of five parcels on Terrace Drive in Forestville. The Appraisal described each parcel as being of limited value due to,

among other factors, moderate to steep sloping topography. Given these slopes, the small individual lot sizes, and the need to develop on-site septic systems, that would require cost-intensive engineering, the appraisal report concluded that “in all likelihood the lots would not be developable individually, with the highest and best use of each of the individual subject parcels as vacant land to augment the privacy and lot size of an adjacent owner's property.”

On April 20, 2021, the Board approved a General Services’ request to sell two of the parcels that qualify as “exempt surplus land” under the Surplus Land Act because they are each under 5,000 square feet, provided they are sold to a contiguous landowner, subject to final Board approval of sale. The Board also approved Board Resolution 21-0162 declaring the Board’s intent to sell the property.

On April 20, 2021, General Services initiated communication with the California Department of Housing & Community Development (HCD) as required by State code to seek HCA agreement with the Board Resolution declaring that that the properties qualify at “exempt surplus land”.

On May 27, 2021, HCD notified General Services that it agrees with the Board Resolution that the properties qualify as “exempt surplus land” under Government Code § 54221(f)(1)(B).

On May 28, 2021, General Services notified Allen Wark, owner of property contiguous to the County’s “exempt surplus land” of the land’s availability for sale.

On August 8, 2021, a Purchase and Sale Agreement was executed between the County and the Buyer, Allen Wark, that includes the following terms:

Grantor:	County of Sonoma County
Grantee:	Allen Wark
Property Being Transferred:	11177 Terrace Drive (APN 081-150-050) and 11265 Terrace Drive (APN 081-150-051)
Purchase Price:	\$5,500 for both parcels
Deposit:	\$1,000
No Contingencies for Grantee:	Grantee’s performance under this Agreement is not subject to any contingency for inspections, finance or appraisal of the property
County Disclosures:	County is exempt from certain disclosure requirements for the sale of this property. County has made written disclosures required by law, including providing a Natural Hazards Disclosure Report, and Buyer has acknowledged receipt of those disclosures.
Board Approval Required:	Agreement is subject to and conditioned on final approval by a vote of the County Board of Supervisors at a public meeting

Closing Period: Within ten (10) days from final approval by the County Board of Supervisors

Deed: Quit Claim Deed for each parcel

Escrow Holder: First American Title, 627 College Avenue, Santa Rosa, CA 95404

On August 6, 2021, the County's chosen Escrow Holder, First American Title Company, received a \$1,000 Deposit from Buyer, Alan Wark, triggering the opening escrow.

Project Costs and Construction Schedule. None. County intends to sell the subject properties "as is".

Procedural Authority.

Government Code Sections 25526.5, 25535 25539, and 54221(f)(1)(B) et seq., and County Code 2-150 et seq.

Prior Board Actions:

4/20/21: Resolution Declaring Property as Exempt and Authorizing General Services to Complete All Documents and Steps Required for Sale, Subject to Final Board Approval

FISCAL SUMMARY

Expenditures	FY 21-22 Adopted	FY22-23 Projected	FY 23-24 Projected
Budgeted Expenses			
Additional Appropriation Requested	\$5,500		
Total Expenditures	\$5,500		
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other	\$5,500		
Total Sources	\$5,500		

Narrative Explanation of Fiscal Impacts:

The recommended actions include authorizing the Director of General Services to perform under the Purchase and Sale Agreement and close the transaction by conveying to buyer the title for certain exempt surplus property located at 11177 Terrace Drive (APN 081-150-050) and 11265 Terrace Drive (APN 081-150-051) to Allen Wark for the amount of \$5,500, and adopting a budget resolution to approve budget adjustments to the General Services FY 21-21 Budget in the amount of \$5,500.

Staffing Impacts: None			
Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

None

Attachments:

Attachment 1 - Purchase and Sale Agreement

Attachment 2 - Budget Resolution

Attachment 3 - Resolution

Related Items "On File" with the Clerk of the Board:

None