

Attachment E

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*Before the Board of Supervisors in and for the
County of Monterey, State of California*

Resolution No. 20- _____

Adopt a Resolution to:)
a. Re-declare identified remnant lanes in the unincorporated areas of Hatton Fields and Carmel Woods located near the City of Carmel as surplus real property and no longer needed for County or public purposes;)
b. Direct the Department of Public Works, Facilities & Parks to publish a Notice of Intention to Sell Surplus Property for the identified remnant lanes in the unincorporated areas of Hatton Fields and Carmel Woods per Government Code section 25526;)
c. Find that all remnant lane sales are categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15312 Surplus Government Property Sales;)
d. Delegate to the Contracts/Purchasing Officer the authority to execute final Offers and Agreements to Purchase Real Property, Quitclaim Deeds, and other necessary transfer documents to complete present and future surplus remnant lane sales not exceeding \$25,000 for a period of five (5) years, pursuant to Government Code section 25526.5; and)
e. Direct the Housing and Community Development Department to issue a certificate of compliance for a legal lot line adjustment within thirty (30) days of a completed remnant lane sale to expedite the legal lot line adjustment process as an incentive for neighboring property owners to purchase a remnant lane.)

Having considered all the written and documentary evidence, the administrative record, the staff report, and other evidence presented, the Monterey County Board of Supervisors hereby finds and decides as follows:

RECITALS

WHEREAS, property owners in the Carmel Woods and Hatton Fields subdivisions have expressed interest in acquiring available remnant lane sections (surplus land) located adjacent to their properties;

WHEREAS, it is to the County's advantage to sell surplus lands to reduce annual maintenance requirements and other costs associated with unneeded, surplus land;

WHEREAS, it is appropriate for the Board of Supervisors to re-declare the identified remnant lanes in the unincorporated areas of Hatton Fields and Carmel Woods located near the City of Carmel as surplus real property and no longer needed for County or public purposes;

WHEREAS, Government Code Section 25526.5 authorizes the Board of Supervisors to sell land with a value not exceeding \$25,000 declared surplus property and no longer necessary for County or public purposes in the manner and upon the terms and conditions it determines without complying with other sections of the Government Code;

WHEREAS, to comply with Government Code section 25525, direction for publishing a Notice of Intention to Sell Surplus Property for the identified remnant lanes in the unincorporated areas of Hatton Fields and Carmel Woods prior to any sales in an adjudicated newspaper of general circulation has been provided;

WHEREAS, due to changes in the real estate market and to comply with California Constitution Article 16, section 6, which prohibits the County from making a "gift" of anything to a private group or person, the Department of Public Works, Facilities & Parks (PWFP) engaged a certified appraiser to establish a current appraisal price for the surplus lands;

WHEREAS, the proposed sale process will provide adjacent property owners the right-of-first-refusal to acquire neighboring remnant lane sections, none of which are stand-alone developable parcels, as they likely have the highest utility and use for them;

WHEREAS, the identified surplus remnant lane sections will be sold "as is" for no less than a minimum value based on a price per square foot determined by perceived usefulness and utility and the actual square footage verified by a licensed surveyor, engaged and paid for by prospective Buyers, prior to any sale;

WHEREAS, Buyers will assume all associated costs to complete the sale, including, but not limited to, survey costs, closing costs, lot line adjustment fees, and deed recordation costs;

WHEREAS, as an incentive for neighboring property owners to purchase surplus lands, the Housing and Community Development Department will expedite the legal lot line adjustment process, to the extent possible, and issue a certificate of compliance for a legal lot line adjustment within thirty (30) days of a completed sale;

WHEREAS, PWFP-Real Property will coordinate the transaction process, and the Contracts/Purchasing Officer, as authorized by the Board, will execute present and future final Offers and Agreements to Purchase Real Property, Quitclaim Deeds, and other necessary transfer documents to complete subject surplus land sales not exceeding \$25,000 for a period of five (5) years;

WHEREAS, net sale proceeds will provide a one-time revenue increase to PWFP General Fund, Budget Unit 8176, when a sale is finalized;

WHEREAS, the sale of surplus land is exempt from California Environmental Quality Act pursuant to CEQA Guidelines section 15312 pertaining to surplus government property sales; and

WHEREAS, this action supports the Board of Supervisors' Strategic Initiatives for Economic Development and Infrastructure as the addition of surplus remnant lane sections to adjacent homeowners' properties adds value to the properties through increased lot size and potentially creates an opportunity to expand existing homes, which in turn, increases the property tax base, and conveyance of a remnant lane section to neighboring homeowners encourages consistent development within the area while lowering the County's ongoing annual maintenance.

DECISION

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Supervisors does hereby adopt a resolution to:

- a. Re-declare identified remnant lanes in the unincorporated areas of Hatton Fields and Carmel Woods located near the City of Carmel as surplus real property and no longer needed for County or public purposes;
- b. Direct the Department of Public Works, Facilities & Parks to publish a Notice of Intention to Sell the identified remnant lanes in the unincorporated areas of Hatton Fields and Carmel Woods as surplus property per Government Code section 25526;
- c. Find that all remnant lane sales are categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15312 Surplus Government Property Sales;
- d. Delegate to the Contracts/Purchasing Officer the authority to execute final Offers and Agreements to Purchase Real Property, Quitclaim Deeds, and other necessary transfer documents to complete present and future surplus remnant lane sales not exceeding \$25,000 for a period of five (5) years, pursuant to Government Code section 25526.5; and
- e. Direct the Housing and Community Development Department to issue a certificate of compliance for a legal lot line adjustment within thirty (30) days of a completed remnant lane sale to expedite the legal lot line adjustment process as an incentive for neighboring property owners to purchase a remnant lane.

PASSED AND ADOPTED this 8th day of December 2020, by roll call vote:

AYES: Supervisors
NOES:
ABSENT:
(Government Code 54943)

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original resolution of said Board of Supervisors duly made and entered in the minutes thereof Minute Book ___ for the meeting on December 8, 2020.

Dated: December , 2020
File ID: RES 20-
Agenda Item:

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
Deputy

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