



Board Agenda Item 39

DATE: February 22, 2022

TO: Board of Supervisors

SUBMITTED BY: Robert W. Bash, Director, Internal Services/Chief Information Officer

SUBJECT: Sale of Surplus County Real Property

RECOMMENDED ACTION(S):

- 1. Adopt Resolution making the determination that 1,787 square feet of County-owned real property located at 200 H Street, Fresno, CA is exempt surplus land, is no longer necessary for County or other public purposes, and has an estimated value of less than \$25,000, and approve the sale of the property to John M. Valentino for \$7,148;**
- 2. Authorize the Director of Internal Services/Chief Information Officer, subject to review and approval by County Counsel as to legal form, and the Auditor-Controller/Treasurer-Tax Collector, as to accounting form, to execute a Purchase/Sale Agreement and Grant Deed, as well as any other documents necessary, for the sale/conveyance of the property to John M. Valentino;**
- 3. Adopt Resolution making the determination that additional 1,462 square feet of real property abandoned by the City of Fresno, which may be owned by the County of Fresno, located at 200 H Street, Fresno, CA, is exempt surplus land, is not necessary for County or other public purposes, and has an estimated value of less than \$25,000, and approve the conveyance of the property to John M. Valentino for \$0; and,**
- 4. Authorize the Director of Internal Services/Chief Information Officer, subject to review and approval by County Counsel and the Auditor-Controller/Treasurer-Tax Collector, to execute a Transfer Agreement and Quitclaim Deed, as well as any other documents necessary, subject to review and approval by County Counsel as to legal form, and the Auditor-Controller/Treasurer-Tax Collector, as to accounting form, for the conveyance of an additional 1,462 square feet of property abandoned by the City of Fresno, to John M. Valentino.**

Approval of the recommended actions will sell 1,787 square feet of County-owned property (County Parcel) (shown on Exhibits A-C), and complete the transfer of an additional 1,462 square feet of land abandoned by the City of Fresno (City) (Abandoned Parcel), to the adjoining property owner, John Valentino (the Buyer), place the sale proceeds of \$7,148 in the County General Fund, and add both parcels of real property (collectively, the Parcels) to the tax rolls. If the recommended actions are approved, the Buyer will replace the fence, remove trees, and install new landscaping, and pay for any lot line adjustments, permits, fees, or other related costs due to the purchase and transfer of the Parcels. By effectuating these transfers, the County will be relieved of maintenance requirements and liability for the Parcels. The Parcels are both located in District 3.

ALTERNATIVE ACTION(S):

If your Board chooses not to sell or transfer the Parcels, or to only sell or transfer one of the Parcels, they will remain a part of the Sheriff's Jail Kitchen property. However, the Buyer has already incurred costs associated with the purchase or transfer of the Parcels.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The sale proceeds of \$7,148 will be deposited into the County's General Fund 0001, Subclass 10000, Discretionary Revenues Org 0415, Account 5911. Conveyance of the County Parcel and Abandoned Parcel, would add an estimated \$71 and \$58 per year, respectively, to the County tax rolls, thus generating property tax revenue for the County. Sufficient appropriations and estimated revenues are included in the Discretionary Revenues Org 0415 FY 2021-22 Adopted Budget.

DISCUSSION:

County Parcel

On May 10, 2016, the Board considered and approved a request to sell the County Parcel to the Buyer. Due to the amount of time that has passed since the Board's original approval, and change in circumstances, described below, Internal Services Department staff is presenting the recommended actions for your consideration.

The Buyer originally requested to purchase approximately 1,168 square feet of the Jail Kitchen property. After a survey of the County Parcel was completed, the size was subsequently increased to approximately 1,787 square feet, to better delineate property lines.

The Buyer has offered to pay the County \$7,148 (\$4 per square foot) for the County Parcel. Your Board may accept or reject the offer or propose to sell the County Parcel for a different amount. The County Parcel is estimated at \$7,148.

Abandoned Parcel

The Buyer has requested that the County transfer the Abandoned Parcel, which is an alleyway along the west property line of the Jail Kitchen property. The City abandoned the parcel on September 20, 2017. As a result, approximately 1,462 square feet of land previously owned by the City has been abandoned to the County (as shown on Exhibit D).

City Planning Department staff have represented that they believe that the County is the underlying owner of the Abandoned Parcel. Department staff have reviewed historical recorded property documents and legal descriptions for the County owned property, and the surrounding properties, and have not been able to locate any County recorded legal interests in the Abandoned Parcel. However, to complete the Buyer's transaction, staff recommend that the County execute a quitclaim deed of the Abandoned Parcel, to transfer any interest the County may have in the Abandoned Parcel to the Buyer, with disclaimers that the County expresses no covenants, warranties, or representations in regard to the legal title or condition of the parcel. Because the title to be conveyed is uncertain, and the County will benefit from the maintenance and security costs to be provided at the parcel by the Buyer, Department staff recommends transferring the parcel to the Buyer at no cost.

The Buyer would like to obtain control of the Parcels to improve operational efficiency for his property, better control transient activity in the alley, reduce vandalism, and improve safety in the area. The Buyer would be responsible to replace the fence, remove trees, and install new landscaping, and pay for any lot line adjustments, permits, fees, or other related costs to convey the Parcels. These issues are addressed in Sample Transfer Agreement (Attachment A), which delineate these additional responsibilities of the Buyer.

As shown on Exhibit A, the County has a chain-link fence along the alley with trees in an area along the Jail Kitchen parking lot curb.

The Sheriff has reviewed the request and has no objection to selling/transferring the Parcels.

Government Code Section 25526.5 allows the Board of Supervisors to dispose of real property that is not needed by the County with an estimated value not exceeding \$25,000, by selling, exchanging, quitclaiming, or conveying the real property upon terms and conditions approved by the Board of Supervisors, without complying with otherwise applicable Government Code requirements.

ATTACHMENTS INCLUDED AND/OR ON FILE:

Exhibits A-D

Attachment A - Sample Transfer Agreement

On file with Clerk - Resolution (County Parcel)

On file with Clerk - Resolution (Abandoned Parcel)

On file with Clerk - Sample Sale/Purchase Agreement

On file with Clerk - Sample Grant Deed

On file with Clerk - Sample Quitclaim Deed

CAO ANALYST:

Sonia M. De La Rosa