

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

836



*Maria T. Mabey*  
MARIA T. MABEY/ASST. DIRECTOR  
RIVERSIDE COUNTY DMH

**FROM:** Economic Development Agency

**SUBMITTAL DATE:**  
May 13, 2010

**SUBJECT:** Notice of Intention to Sell Real Property located at 156 South Ramona Boulevard, San Jacinto, California, Assessor's Parcel Number 437-021-004

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Adopt Resolution No. 2010-016, Notice of Intention to Sell Real Property located in the San Jacinto Area, declaring the property to be no longer a necessity to the County for any public purpose, inviting bids to acquire the property and setting a Public Hearing date of June 22, 2010 for bid opening and oral bidding;
2. Authorize and direct the Clerk of the Board to give notice pursuant to Section 6063 of the Government Code.

*Robert Field*

Robert Field  
Assistant County Executive Officer/EDA

<b>FINANCIAL DATA</b>	<b>Current F.Y. Total Cost:</b>	\$0	<b>In Current Year Budget:</b>	No
	<b>Current F.Y. Net County Cost:</b>	\$0	<b>Budget Adjustment:</b>	No
	<b>Annual Net County Cost:</b>	\$0	<b>For Fiscal Year:</b>	09/10
<b>SOURCE OF FUNDS:</b> Donation; proceeds to be deposited into the Department of Mental Health account.			<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
			<b>Requires 4/5 Vote</b>	<input checked="" type="checkbox"/>

**C.E.O. RECOMMENDATION:**

APPROVE

BY:

County Executive Office Signature *Jennifer L. Sargent*  
Jennifer L. Sargent

FORM APPROVED COUNTY COUNSEL  
BY: *Synthia M. Gunzel*  
SYNTHIA M. GUNZEL  
DATE: 5-6-10

Departmental Concurrence

Dep't Recomm.:  Consent  Policy

Per Exec. Ofc.:  Consent  Policy

Prev. Agn. Ref.:

District: 3

Agenda Number:

3.18

Economic Development Agency

Notice of Intention to Sell Real Property located at 156 South Ramona Boulevard, San Jacinto, California, Assessor's Parcel Number 437-021-004

May 25, 2010

Page 2

**BACKGROUND:**

The property was acquired in July 1977 by the County of Riverside for use as a Peer Support and Resource Center for consumers of the Riverside County Mental Health Department – mid county region. Pursuant to Government Code, Notice number 54220 was sent to agencies within the County, the Economic Development Agency did not receive any interest.

**FINANCIAL DATA:**

The following summarizes the funding necessary for the sale Assessor's Parcel Number 437-021-004:

Preliminary Title Report:	\$ 250
Appraisal:	\$ 3,700
Administration Costs:	\$ 6,900
Total Estimated Costs:	\$10,850

While the Economic Development Agency (EDA) will cover the cost for the due diligence services (Preliminary Title Report and Appraisal) at the time of this property transaction, it is understood that the Department of Mental Health will reimburse EDA for these costs. The budget adjustment attached (Schedule A) is necessary to allow this transaction. The remaining costs will be paid directly by the Mental Health Department.

All costs associated with the sale of this property are fully funded from the proceeds of the Surplus Property and the Department of Mental Health's budget for FY 2009/10. Thus, no net county cost will be incurred as a result of this transaction.

SERIAL NO. 00008

BID FORMS

FOR

THE SALE OF REAL PROPERTY  
LOCATED IN THE CITY OF SAN JACINTO  
APN 437-021-004  
APPROXIMATELY 7,911 SQUARE FEET  
COUNTY OF RIVERSIDE

Proposal to Purchase Real Property  
9:30 a.m., June 22, 2010

COUNTY OF RIVERSIDE

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BOARD OF SUPERVISORS  
County Administrative Center  
Post Office Box 1359  
4080 Lemon Street  
Riverside, California 92502-1359

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2 RESOLUTION NO. 2010-016  
3 INTENTION TO SELL REAL PROPERTY LOCATED IN THE CITY OF SAN JACINTO  
4 APN 437-021-004  
(Third Supervisorial District)

5 BE IT RESOLVED, DETERMINED, AND ORDERED by the Board of Supervisors of the  
6 County of Riverside, State of California, in regular session assembled on date May 25, 2010, not  
7 less than four-fifths of all members concurring, that the real property in the County of Riverside,  
8 State of California, described in Exhibit "A" attached hereto, is no longer necessary to be retained  
9 by County for public purposes and NOTICE IS HEREBY GIVEN that it is the intention of the Board  
10 to sell said real property pursuant to the provisions of Section 25520, et. seq., of the Government  
11 Code, upon the following terms and conditions:

12 1. The nature of the real property to be sold is an office building containing  
13 approximately one thousand three hundred thirty six (1,336) square feet and land containing  
14 approximately seven thousand nine hundred eleven (7,911) square feet, also known as Assessor's  
15 Parcel Number 437-021-004, and is located at 156 South Ramona Boulevard, in the City of San  
16 Jacinto, County of Riverside, State of California.

17 2. The sale will be held on Tuesday, June 22, 2010, in the meeting room of the  
18 Board of Supervisors, County Administrative Center, 4080 Lemon Street, Riverside, California  
19 92502-1359, at 9:30 a.m., or as soon thereafter as the agenda of the Board permits.

20 3. Sealed bids will be received by the Clerk of the Board at any time up to 9:30  
21 a.m. on said sale date at his office on the 1st floor of the County Administrative Center. Bids shall  
22 be submitted on the County's bid form and bids shall be plainly marked on the outside "Proposal to  
23 Purchase Real Property in the City of San Jacinto, 9:30 a.m., June 22, 2010. The County's bid  
24 form may be obtained from the Real Estate Division, Economic Development Agency, located at  
25 3403 10<sup>th</sup> Street, Suite 500, Riverside, California 92501, along with the instructions to bidders. The  
bid form contains the terms and conditions for the sale of the property. Prospective bidders may  
inspect the bid form at no charge.

4. All sealed bids shall be for not less than One Hundred Two Thousand Five  
Hundred Dollars (\$102,500) and shall be accompanied or preceded by a deposit of not less than  
three percent (3%) of the bid amount, in cash, cashier's check, or certified check as security that  
the successful bidder will complete the terms and conditions of the sale. Bids shall be made only  
upon serialized bid forms to be obtained solely from the Assistant County Executive Officer/EDA  
Economic Development Agency.

5. Balance of the bid amount hereby offered, in excess of the down payment,  
shall be paid in cash within sixty (60) days of the bid acceptance.

6. After the sealed bids have been opened and read, a public auction upon  
oral bids will be held pursuant to Section 25531 et. seq., of the Government Code, until the highest  
bid has been made and the bidding is closed. Oral bids must be accompanied by a deposit as  
required for written bid proposal, unless deposit was previously made. The first oral bid shall  
exceed the highest written proposal by not less than five percent (5%). Unless a deposit has been  
previously made with a sealed bid, oral bidders must, at the time of their first oral bid, deposit the

FORM APPROVED COUNTY COUNSEL  
BY: *Synthia M. Gunzel* 5-16-10  
DATE  
SYNTHIA M. GUNZEL

1 amount required by Paragraph 4 of the resolution in order to be considered.

2 7. After oral bidding has been closed, oral bidders, in order to continue to be  
3 considered for possible purchase of the subject property, shall submit their highest oral bid to  
4 writing on the County's bid form and submit said form, along with the appropriate deposit, to the  
Assistant County Executive Officer/EDA Economic Development Agency not later than 4:00 p.m.  
of the date of the oral bidding.

5 8. Final acceptance of the successful bid by the Board may be made on said  
6 date or any adjourned session of the same meeting held within ten (10) days next following.

7 9. The right to reject any and all bids, both written and oral, and to withdraw the  
property from sale is reserved.

8 10. Deposits of unsuccessful bidders will be returned or refunded after final  
9 acceptance or rejection of all bids, or after withdrawal of the property from sale.

10 11. The assistance of licensed real estate brokers in procuring and submitting  
11 bids on behalf of prospective buyers is hereby invited. In the event any such licensed real estate  
12 broker is found to be the procuring cause of the successful bid, and the successful bidder or  
13 nominee meets all of the terms of the sale and consummates the purchase; then in that event, the  
14 procuring broker shall be entitled to receive a commission amounting to five percent (5%) of the  
15 successful bid amount. It shall be expressly understood that in order for any such broker to qualify  
16 for entitlement to a commission as provided herein, such broker must possess a valid California  
17 Real Estate Broker's License, and such broker's participation must be validated, in writing, by the  
18 bidder in the space provided in the serialized bid forms. In addition, a "Broker's Certification" form,  
19 obtainable from the Assistant County Executive Officer/EDA Economic Development Agency, must  
20 be completed and attached to the bid form at the time of submittal. Other terms and conditions for  
21 payment of Real Estate Broker's commission are set forth in Paragraph "G" of the "Proposal to  
22 Purchase Real Property Located in the City of San Jacinto, June 22, 2010, 9:30 a.m.

23  
24  
25  
IT IS FURTHER RESOLVED that notice of this sale shall be given pursuant to Section  
25528 of the Government Code by posting copies of this resolution signed by the Chairman of the  
Board of Supervisors in three (3) public places in the County of Riverside, at least three (3) weeks  
before final bid date and by publishing notice pursuant to Section 6063 of the Government Code.

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1 INSTRUCTIONS TO BIDDER

2 1. Bids are to be made only on the basis of Resolution No. 2010-016, Intention to Sell  
3 Real Property Located in the City of San Jacinto. A bidder shall not be relieved of his bid nor shall  
4 any change be made in his bid because of mistakes.

5 2. The submittal of a bid shall be deemed evidence that the bidder has carefully  
6 examined the laws relating to County property, inspected the site, examined these instructions and  
7 is fully aware of the responsibilities of the bidder.

8 3. Bids should be plainly marked on the outside of a sealed envelope: "Proposal to  
9 Purchase Real Property Located in the San Jacinto area, 9:30 a.m., June 22, 2010." Assessor's  
10 Parcel Number: 437-021-004.

11 4. Any bids may be withdrawn at any time prior to the hour fixed for the receipt of bids,  
12 provided that a request in writing, executed by the bidder, or his duly authorized representative for  
13 the withdrawal of such bid is submitted to and filed with the Clerk of the Board. The withdrawal of  
14 a bid shall not prejudice the right of a bidder to file a new bid prior to the time and date set for the  
15 receipt of bids.

16 5. The County reserves the right to seek supplementary information from any bidder at  
17 any time. Bidders must be prepared to submit proof of funds in order to complete this transaction  
18 and any other information required.

19 6. The right to reject any and all bids, both written and oral, and to withdraw the  
20 property from sale is reserved, the offer to sell real property is not binding on County or the  
21 successful bidder until final acceptance by the Board of Supervisors.

22 7. Award of this sale, if it is awarded, will be to the "Highest Responsible Bidder,"  
23 whose proposal complies with all requirements prescribed herein. In the selection of the "Highest  
24 Responsible Bidder," the following factors will be taken into consideration:

- 25 (1) The bidder's experience, reputation and business background;
- (2) Ability and willingness to perform;
- (3) Credit standing; and/or
- (4) The highest purchase price offered and the highest down payment offered.

8. If there are any problems or questions about filling out the forms, assistance may be  
obtained at the Economic Development Agency, 3403 10<sup>th</sup> Street, Suite 500, Riverside, California  
92501. Telephone: (951) 955-4820.

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1 PROPOSAL TO PURCHASE REAL PROPERTY  
2 LOCATED IN THE CITY OF SAN JACINTO  
3 June 22, 2010, 9:30 a.m.  
4 APN 437-021-004

5 Date of Submittal \_\_\_\_\_

6 Pursuant to Resolution No. 2010-016, Intention to Sell Real Property Located in the City of  
7 San Jacinto area, the undersigned bidder hereby offers to purchase the real property in the County  
8 of Riverside described in Exhibit "A" of Resolution No. 2010-016, said property consisting of an  
9 office building containing approximately one thousand three hundred thirty six (1,336) square feet  
and land containing approximately seven thousand nine hundred eleven (7,911) square feet and is  
located at 156 South Ramona Boulevard in the City of San Jacinto. The total amount hereby  
offered for the purchase of said property is the minimum sum of One Hundred Two Thousand Five  
Hundred Dollars (\$102,500), to be paid as follows:

10 1. This bid is accompanied by a deposit in cash, cashier's check, or a certified check  
equal to three percent (3%) of the amount of the bid.

11 2. The balance of the purchase price shall be paid in cash, cashier's check or a  
12 certified check to the County of Riverside, Economic Development Agency, 3403 10<sup>th</sup> Street, Suite  
500, Riverside, California 92501.

13 3. An increased deposit is due within fifteen (15) days upon the acceptance of the  
14 successful bid in the amount equal to seven percent (7%).

15 4. This proposal is for the purchase of the real property specified in Resolution No.  
16 2010-016 in accordance with the terms and conditions set forth below and is an irrevocable offer  
for a period of ten (10) days after June 22, 2010.

17 TERMS

18 A. In the event that there are no successful oral bids made through the public auction  
19 and two or more of the acceptable written proposals are for equal purchase price amounts and are  
also the highest written proposals; then, in that event, the successful bid shall be determined as  
follows:

20 (1) The one of such highest written proposals providing for the highest amount of cash  
21 down payment shall be the successful bid.

22 (2) If two or more of such equal highest written proposals are equal in all the above  
23 respects, or are all cash proposals; then, in that event, the one accompanied by the largest deposit  
shall be the successful bid.

24 (3) If two or more of such equal highest written proposals are equal in all the above  
25 respects, or are all cash proposals; then, in that event, the one accompanied by the largest deposit  
shall be the successful bid.



1 (4) If two or more of such equal highest written proposals are equal in all of the above  
2 respects; then, the that event, the one of such highest equal proposals made on the bid from  
3 bearing the lowest serial number shall be the successful bid.

4 B. The full amount of such bid, less any deposit, shall be paid within sixty (60) days of  
5 the date of the acceptance thereof.

6 C. Title insurance shall be required as follows:

7 (1) If the Property is purchased for cash, title insurance shall be at purchaser's  
8 option, and shall be at purchaser's expense.

9 D. Conveyance of title shall be by Grant Deed to the successful bidder or his nominee.  
10 Title shall be subject to covenants, conditions, reservations, restrictions, easements and rights-of-  
11 way of record, if any. No guarantee, either expressed or implied, is made by the County regarding  
12 any permitted land use of the subject property or any possible change in land use zone or the  
13 availability of public utilities services to the property. Lack of success in obtaining any certain land  
14 use permits or utilities services for the property shall not be a basis for the successful bidder to  
15 refuse to complete the purchase.

16 A copy of the current title report covering the real property is on file and available for  
17 inspection in the office of the Assistant County Executive Officer of the Economic Development  
18 Agency.

19 E. The assistance of licensed real estate brokers in procuring and submitting bids on  
20 behalf of prospective purchasers is hereby invited. In the event any such licensed real estate  
21 broker is found to be the procuring cause of the accepted successful bid, and the successful bidder  
22 or nominee meets all of the terms of the sale and consummates the purchase as provided herein;  
23 then, in that event, the procuring broker shall then be entitled to receive a commission amounting to  
24 five percent (5%) of the successful bid amount. It shall be expressly understood that in order for  
25 any such broker to qualify for entitlement to a commission, as provided herein, such broker must  
possess a valid California Real Estate Broker's License, and such broker's participation as the  
submitting broker must be validated in writing by the bidder in spaces provided in the serialized bid  
forms. In addition, a "Broker Certification" form, obtainable from the Assistant County Executive  
Officer of the Economic Development Agency, must be completed and attached to the bid form at  
the time of submission.

A licensed real estate broker shall not be entitled to a commission under the following  
circumstances:

(1) When he submits a bid on his own behalf or on behalf of a sub-agent,  
wherein either is a prospective holder or purchaser of the real property or any interest therein.

(2) When he submits a bid on behalf of any person related to either himself or a  
sub-agent by blood or marriage.

(3) When he submits a bid on behalf of any entity in which either he or a sub-  
agent holds or contemplates holding an ownership interest.

(4) When he submits a bid on behalf of any other person with whom either he or

1 a sub-agent maintains a special relationship.

2 (5) When he submits a bid in any other instance where there is a reasonable  
3 probability that either he or a sub-agent could indirectly acquire an interest in the real property.

4 F. An escrow, to be handled by a separate company, may be requested by the  
5 successful bidder; however, all costs thereof shall be at purchaser's expense.

6 G. All real property transfer taxes and recording fees, if any, shall be paid by the  
7 purchaser.

8 H. All cash and any necessary documents required of purchaser to complete the sale  
9 shall be delivered to County by purchaser within sixty (60) days of the  
10 date that the successful bid is accepted by the Board of Supervisors following the public hearing.

11 I. If, prior to the recordation of the Grant Deed to the successful bidder or his  
12 nominee, the successful bidder fails to make any payment at the time due, or to perform any  
13 covenant or agreement when such performance is required under the terms of this resolution; then  
14 the County may, at its option, declare a cancellation and termination of the sale by written notice to  
15 the successful bidder; and, at the expiration of ten (10) days following the depositing of such notice  
16 by first-class mail, postage prepaid and addressed to the successful bidder at his address  
17 designated at the time his bid was submitted, the sale shall be ended and of no further effect.

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J. In the event the County declares a cancellation and termination of the sale. Pursuant to Paragraph "I", then Seller may retain the deposit submitted, Seller shall retain as liquidated damages for the successful bidders default, it being expressly understood and agreed between Seller and successful bidder that it would be extremely difficult to ascertain that such liquidated amount is a reasonable sum considering all of the circumstances existing as of the agreement date. Therefore, Buyer and Seller hereby agree that a reasonable estimate of the total net detriment that Seller would suffer in the event that the successful bidder defaults is and shall be, an amount equal to the deposit, together with any accrued interest thereon, said amounts shall be the full, agreed and liquidated damages for the breach of this agreement by the successful bidder, all other claims to damages being herein expressly waived by Seller. The payment of such amount as liquidated damages is not intended as a forfeiture or penalty within the meaning of California Civil Code Sections 3275 or 3369, but is intended to constitute liquidated damages to seller pursuant to California Civil Code Section 1671. Nothing contained herein shall be deemed to limit or otherwise affect Buyer's indemnification obligations under this agreement.

Initials of Buyer:

Initials of Seller:

\_\_\_\_\_

\_\_\_\_\_

K. The right to reject all bids, both written and oral, and to withdraw from sale is reserved.

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
(Bidder's Signature)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

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BROKER CERTIFICATION

(Attach to Bid Proposal)

I hereby certify that I am a licensed real estate broker holding an active license in the State of California and that my license, No. \_\_\_\_\_, is currently valid and will not expire until \_\_\_\_\_. Further, I certify that the accompanying bid proposal has been submitted by me on behalf of: \_\_\_\_\_, the bidder(s) executing the same and that neither I nor any sub-agent participating in the submission of this bid under my license is a direct or indirect prospective purchaser or interest holder or has a family or special relationship with the bidder(s), all as defined in Subparagraphs G (1), (2), (3), (4) and (5) of the Proposal to Purchase Real Property Located in San Jacinto Area, June 22, 2010, 9:30 a.m.

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
(Bidder's Signature)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

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INDEMNIFICATION OF LIABILITY  
OF BROKER'S COMMISSION

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TO THE COUNTY OF RIVERSIDE:

The Bidder or Offerer hereby confirms that a Real Estate Broker has not participated in securing this Proposal or Offer

If, at any time a claim for commission due is requested, it shall be the responsibility of the Bidder or Offerer.

Signed: \_\_\_\_\_

Dated: \_\_\_\_\_

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CONFIDENTIAL  
BIDDER'S QUESTIONNAIRE  
INDIVIDUAL

This questionnaire is a part of your bid to purchase the real property described in Resolution No. 2010-016, Intention to Sell Real Property Located in the City of San Jacinto Area. The information contained herein is confidential and must be executed under penalty of perjury. Answer all questions in full. Use the back of each page for additional information, or attach sheets as required.

The County intends to obtain a credit report to further establish your qualifications.

I. PERSONAL INFORMATION:

- A. Full name (print) \_\_\_\_\_
- B. Home address \_\_\_\_\_
- C. Home telephone no. \_\_\_\_\_
- D. Your education \_\_\_\_\_

II BUSINESS INFORMATION: Fill in this information if you are, or ever have been self-employed or presently work in your own business.

- A. Name, address, and telephone no. of business \_\_\_\_\_  
\_\_\_\_\_
- B. What is the nature of the business? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- C. How long in this business? \_\_\_\_\_
- D. Are you an operator owner? If other, what is your function? \_\_\_\_\_  
\_\_\_\_\_
- E. How many people do you employ or supervise? \_\_\_\_\_
- F. Who is your business landlord, and what is his address? \_\_\_\_\_  
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INDIVIDUAL

III. EMPLOYMENT INFORMATION: Fill in if you are now or have within the past ten (10) years been employed by others.

A. Names and addresses of employers and dates of employment:

	DATES EMPLOYED		<u>WAGES</u>
	<u>FROM</u>	<u>TO</u>	
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____

B. Job Descriptions: Describe your employer's business and responsibilities for each job listed above. Use back side of the sheet or attach sheets as required. Include the number and type of employees you supervised, if any, and the name and title of your immediate supervisor.

IV. ADDITIONAL INFORMATION: List any additional information which might further describe your qualifications as related to the bid to purchase the real property.

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