

FORM APPROVED COUNTY COUNSEL  
 BY: GREGORY P. PRIAMOS  
 DATE: 6/13/16

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

164



**FROM:** Economic Development Agency

**SUBMITTAL DATE:**  
 June 29, 2016

**SUBJECT:** Resolution No. 2016-131, Declaration of Surplus Real Property and Notice of Intention to Sell Real Property Located in the City of Banning, County of Riverside, State of California, Set Public Hearing, District 5, [\$0]

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

1. Adopt Resolution No. 2016-131 Declaration of Surplus Real Property and Notice of Intention to Sell Real Property Located in City of Banning, County of Riverside, State of California, Assessor's Parcel Number 543-140-018;
2. Invite bids from prospective buyers to acquire the subject property and set a Public Hearing date of August 23, 2016, for review and consideration of written and oral bids; and
3. Authorize and direct the Clerk of the Board to give notice pursuant to Sections 25528 and 6063 of the Government Code.

**BACKGROUND:**

**Summary**

(Commences on Page 2)

*Robert Field*

Robert Field  
 Assistant County Executive Officer/EDA

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

**SOURCE OF FUNDS:** N/A

**Budget Adjustment:** No

**For Fiscal Year:** 2016/17

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

APPROVE

BY: *Rohini Dasika*  
 Rohini Dasika

**County Executive Office Signature**

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Jeffries, seconded by Supervisor Ashley and duly carried, IT WAS ORDERED that the above matter is approved as recommended, and is set for public hearing on Tuesday, August 23, 2016, at 9:00 a.m. or as soon as possible thereafter.

Ayes: Jeffries, Washington, Benoit and Ashley  
 Nays: None  
 Absent: Tavaglione  
 Date: July 12, 2016  
 xc: EDA, COB

Kecia Harper-Ihem  
 Clerk of the Board

By: *[Signature]*  
 Deputy

**Prev. Agn. Ref.:**

**District:** 5

**Agenda Number:**

- A-30
- Positions Added
- 4/5 Vote
- Change Order

3-13

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

Economic Development Agency

**FORM 11:** Resolution No. 2016-131, Declaration of Surplus Real Property and Notice of Intention to Sell Real Property Located in the City of Banning, County of Riverside, State of California, Set Public Hearing, District 5, [\$0]

**DATE:** June 29, 2016

**PAGE:** 2 of 2

## **BACKGROUND:**

### **Summary**

The subject property owned by the County consists of 0.30 acres or 13,068 square feet of improved land, and contains a 1,458 square feet single family residence having four bedrooms, two bathrooms and a two-car garage. It is located at 484 Wesley Street in Banning, Riverside County, and is identified as Assessor's Parcel Number 543-140-018 (Property). The property was originally purchased in conjunction with the recently completed 582 bed Smith Correctional Expansion Project. The property along with a number of other acquired properties, were purchased to create a buffer area between the project and the community.

The Property has been reviewed and determined to be no longer needed for County use or purposes and it is recommended that the Property be sold in accordance with Government Code Sections 25520 et seq. as required by law. The terms and conditions of the sale are contained within Resolution No. 2016-131 and the bid forms. In order to initiate this process, staff recommends adoption of Resolution No. 2016-131 to provide the statutory notice of the Board of Supervisor's intention to sell the Property. Also, this action will facilitate the sale by inviting bids from prospective buyers, and to set a date for the public bidding process to occur. The minimum bid shall be set at \$140,000, which is the appraised value of the property as determined by an MAI appraiser.

In accordance with Government Code 54222, other public agencies and all County departments were notified regarding the offer to sell to public agencies first. While several inquired, no agencies or departments indicated sincere interest during the requisite sixty day period.

Resolution No. 2016-131 and the Bid Form Documents have been approved as to form by County Counsel.

### **Impact on Citizens and Businesses**

The sale proceeds from this disposition can be used for the demolition of two other adjacent County owned residential structures deemed beyond repair. The sale will also eliminate the County's on-going maintenance and risk obligations and return the property to private use and tax rolls. These actions will help to finalize the buffer area and serve to clean up the current condition of this community.

## **SUPPLEMENTAL:**

### **Additional Fiscal Information**

No net County costs will be incurred and no budget adjustment is necessary.

Attachments:

Resolution No. 2016-131 with Exhibit A

Aerial Image

FORM APPROVED COUNTY COUNSEL  
BY: R. TODD FRAHM  
DATE: 6/8/16

1 Board of Supervisors

County of Riverside

2 **Resolution Number 2016-131**

3 **Declaration of Surplus Property and Notice of Intention to Set Public Hearing**  
4 **for the Sale of Real Property Located in the City of Banning, County of Riverside,**  
5 **State of California**  
6 **(Assessor's Parcel Number 543-140-018)**

7  
8 **WHEREAS**, pursuant to California Government Code Sections 25526, a county shall,  
9 prior to ordering the sale of any real property interest it owns, by a two-thirds vote of the Board  
10 of Supervisors of the County of Riverside, State of California, in regular session, adopt a  
11 resolution declaring its intention to sell the real property determined to be surplus and no longer  
12 needed for a county's use and purposes provided not less than three weeks thereafter; and,

13 **WHEREAS**, the County of Riverside ("County") owns certain real property consisting of  
14 0.30 acres or 13,068 square feet of improved land. The subject property contains a 1,458  
15 square feet single family residence having four bedrooms, two bathrooms and a two-car  
16 garage. It is located at 484 Wesley Street in Banning, Riverside County, and is identified as  
17 Assessor's Parcel Number 543-140-018, (the "Property") more particularly legally described in  
18 Exhibit "A", attached hereto and by this reference incorporated herein; and,

19 **WHEREAS**, the Property has been assessed and determined to be no longer needed  
20 for County use or purposes and it is recommended that the Property be sold in accordance  
21 with Government Code Sections 25520 et seq. as required by law; and

22 **WHEREAS**, the County has sent out notices of its desire to sell and offer to other public  
23 agencies pursuant to Government Code Section 54222; whereby no public agencies indicated  
24 sincere interest during the requisite sixty (60) day period; and,

25 **WHEREAS**, the County now desires to declare the Property as surplus and to initiate  
26 the sale of the Property, now, therefore,

27 **BE IT RESOLVED, DETERMINED, AND ORDERED** by the Board of Supervisors of  
28 the County of Riverside ("Board"), in regular session assembled in the meeting room of the

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1 Board, located at 4080 Lemon Street, Riverside, California, on July 12, 2016, at 9:00 am or  
2 soon thereafter, by a vote of not less than two-thirds of all members concurring, that the  
3 Property is no longer needed for County use or purposes and is hereby declared as surplus  
4 real property.

5 **BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED and NOTICE IS**  
6 **HEREBY GIVEN** that this Board declares its intention to sell the Property pursuant to the  
7 provisions of the Government Code Sections 25520, et. seq., upon the following terms and  
8 conditions:

9 1. The nature of the fee simple interest in real property to be sold is approximately  
10 0.30 acres of vacant land, described on Exhibit "A", identified as Assessor's Parcel Numbers  
11 543-140-018, located at 484 E. Wesley Street, Banning, County of Riverside, State of  
12 California.

13 2. The sale will be held on August 23, 2016, in the meeting room of the Board of  
14 Supervisors, County Administrative Center, 4080 Lemon Street, Riverside, California 92502-  
15 1359, at 9:00 a.m., or as soon thereafter as the agenda of the Board permits, ("Sale Date")  
16 where sealed bids and oral bids shall be received and considered.

17 3. Sealed written bids will be received by the Clerk of the Board at any time up to  
18 9:00 a.m. on said Sale Date at the Clerk of the Board's office on the 1st floor of the County  
19 Administrative Center. Bids shall be submitted on the County's bid form and bids shall be  
20 plainly marked on the outside "Proposal to Purchase Real Property in Banning, 9:00 a.m.,  
21 August, 23, 2016". The County's bid form may be obtained from the Economic Development  
22 Agency Real Estate Division, located at 3403 10<sup>th</sup> Street, 4<sup>th</sup> Floor, Riverside, California 92501,  
23 along with the instructions to bidders. The bid form contains the terms and conditions for the  
24 sale of the Property. Prospective bidders may inspect the bid form at no charge.

25 4. All sealed bids shall be for not less than One Hundred and Forty Thousand  
26 Dollars (\$140,000) and shall be accompanied or preceded by a deposit of not less than three  
27 percent (3%) of the bid amount ("Deposit"), in cash, cashier's check, or certified check as  
28 security that the successful bidder will complete the terms and conditions of the sale. Bids

1 shall be made only upon serialized bid forms to be obtained solely from the Deputy Director of  
2 the Real Estate Division of the Economic Development Agency.

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

5 6. After the sealed bids have been opened and read, a call for oral bids will be  
6 made until the highest bid has been made and the bidding is closed. Oral bids must be  
7 accompanied by a deposit as required for written bid proposal, unless deposit was previously  
8 made. The first oral bid shall exceed the highest written proposal by not less than five percent  
9 (5%) and any additional oral bids thereafter shall be in incremental amounts not less than five  
10 percent (5%). Unless a deposit has been previously made with a sealed written bid, oral  
11 bidders must, prior to the time of the bidders first oral bid, submit a Deposit in the amount  
12 required by Paragraph 4 of this Resolution in order to be considered.

13 7. If the Board accepts an oral bid, the successful bidder shall submit their highest  
14 oral bid in writing on the County's bid form and submit said form, along with any appropriate  
15 additional funds so that the deposit will be equal to three percent (3%) of the accepted bid, to  
16 the Deputy Director of the Real Estate Division of the Economic Development Agency no later  
17 than 4:00 p.m. of the date of the accepted oral bid to remain the successful oral bidder for the  
18 purchase of the Property.


19 8. Final acceptance of the successful bid by the Board may be made on the Sale  
20 Date or any adjourned session of the same meeting held within ten (10) days next following.

21 9. The right to reject any and all bids, both written and oral, and to withdraw the  
22 property from sale is reserved. If the successful bidder fails to purchase the Property, the  
23 County reserves the right to take such measures as it deems appropriate to sell the Property.  
24 The County may, but shall have no obligation to, accept the next highest bid, or successive  
25 highest bid. In the event that the County desires to accept the next highest bid or successive  
26 highest bid upon the first successful bidder failing to purchase the Property, the authorization of  
27 the sale shall be submitted to the Board for approval on a future date.

28

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


3           **IT IS FURTHER RESOLVED, DETERMINED AND ORDERED** that the Clerk of the  
4 Board is directed to cause the notice of this intention to sell the Property and the time and  
5 place of holding the public bidding sale to be given, pursuant to Government Code Section  
6 25528, by posting copies of this Resolution signed by the Chairman of the Board of  
7 Supervisors in three (3) public places in the County of Riverside, not less than fifteen days  
8 before the Sale Date, and by publishing the notice pursuant to Government Code Section 6063  
9 at least three (3) weeks before the Sale Date.

10  
11   
12 John J. Benoit  
Chairman

13 ROLL CALL:

14 Ayes:                   Jeffries, Washington, Benoit and Ashley  
15 Nays:                   None  
16 Absent:                Tavaglione

17           The foregoing is certified to be a true copy of a resolution duly  
18 adopted by said Board of Supervisors on the date therein set forth.

19           KECIA HARPER-IHEM, Clerk of said Board  
20 By   
21 Deputy

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Exhibit A

Legal Description of Property

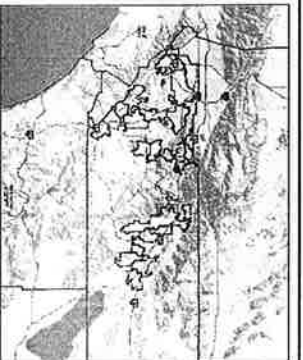
All that certain real property situated in the County of Riverside, State of California, described as follows:

The Northerly 140 feet of the Easterly 95 feet of the West ½ of Lot 83 Banning Colony Lands, in the City of Banning, County of Riverside, State of California, as shown by map on file in Book 3, Page 149 of Maps, in the Office of the County Recorder of said County.

Assessor's Parcel No: 543-140-018



**Resolution Number 2016-131 NOI**  
484 Wesley Street, Banning, CA 92220



Legend

**IMPORTANT\*** Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

**Notes**

APN: 543-140-018



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