

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

Board of Supervisors

County of Riverside

Resolution Number 2016-131

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

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

WHEREAS, the County of Riverside ("County") owns certain real property consisting of 0.30 acres or 13,068 square feet of improved land. The subject property 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, (the "Property") more particularly legally described in Exhibit "A", attached hereto and by this reference incorporated herein; and,

WHEREAS, the Property has been assessed 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; and

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

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

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

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 9:30 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 9:30 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, 9:30 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 10th Street, 4th 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.

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.

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Exhibit A

Legal Description of Property

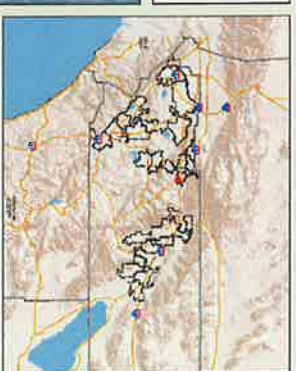
All that certain real property situated in the County of Riverside, State of California, described as follows:

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.

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Notes

APN: 543-140-018