

RESOLUTION NO. 2020 - ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, CALIFORNIA, DECLARING CERTAIN REAL PROPERTY IDENTIFIED AS ASSESSOR'S PARCEL NUMBER 219-180-38-00 AS SURPLUS PROPERTY NO LONGER NECESSARY FOR THE CITY'S USE, AUTHORIZING THE ISSUANCE OF ANY APPLICABLE NOTICES OF AVAILABILITY OF SUCH PROPERTY PURSUANT TO THE SURPLUS LANDS ACT PRIOR TO INITIATION OF DISPOSITION EFFORTS WITH RESPECT TO THE SAME, AUTHORIZING THE SUBSEQUENT INITIATION OF NEGOTIATIONS FOR THE SALE OF SUCH PROPERTY CONSISTENT WITH THE SURPLUS LANDS ACT, AND FURTHER AUTHORIZING THE CITY MANAGER TO SELL SUCH PROPERTY

WHEREAS, the City of San Marcos ("City") owns in fee a parcel located at the intersection of Bent Avenue and Grand Avenue within the City's jurisdictional boundaries, which real property is identified as Assessor's Parcel Number 219-180-38-00 ("Property"), which parcel is unimproved; and

WHEREAS, in October 2019 the California Legislature passed, and the Governor signed, AB 1486, which modified the Surplus Lands Act ("SLA") to create new mandates relating to the disposition of real property on public agencies, including charter cities, operable as of January 1, 2020; and

WHEREAS, the Property is currently vacant and is currently not serving a City use or function; and

WHEREAS, the City desires to fulfill applicable requirements which would allow negotiations for the sale of the Property because such sale(s) would, if brought to successful conclusion, will be appropriated and budgeted per fiscal policy; and

WHEREAS, the City also desires to authorize the issuance of any applicable notices of availability of such property prior to initiation of disposition efforts with respect to the same pursuant to the SLA prior to initiation of disposition efforts with respect to the same, to authorize the subsequent initiation of negotiations for the sale of such property consistent with the SLA, and further to authorize the City Manager to sell such property at least at its appraised value.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN MARCOS, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The foregoing recitals are true and correct and are hereby

incorporated into this Resolution by this reference.

Section 2. That certain unimproved real property belonging to the City identified as APN 219-180-38-00, located at the intersection of Bent Avenue and Grand Avenue, is surplus and not necessary for the City's use.

Section 3. The City Manager, in conjunction with the City Attorney, is hereby authorized to issue any applicable notices of availability of the real property identified in Section 2, above. The City Manager and City Attorney are further authorized to initiate negotiations regarding the sale of said real property consistent with the SLA, to execute such documents and take such actions as are needed to sell the Property, and to sell such property provided that such sale is at or above its appraised value.

Section 4. If notifications pursuant to the SLA do not timely result in a negotiated transaction for the sale of the Property to an entity or individual to whom such notice of availability is directed, the City Manager is authorized with the assistance of the City Attorney to execute such documents and take such actions as are needed to sell the Property to another interested party, provided the sale is at or above appraised value.

PASSED, APPROVED AND ADOPTED at a regular meeting of the the City Council of the City of San Marcos held on the 23rd day of March, 2021, by the following roll call vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

APPROVED:

Rebecca D. Jones, Mayor

ATTEST:

Phillip Scollick, City Clerk