

**MEMORANDUM
DEPARTMENT OF FACILITY SERVICES
COUNTY OF PLACER**

To: **BOARD OF SUPERVISORS** Date: **AUGUST 24, 2010**

From: **JAMES DURFEE / WILL DICKINSON**

Subject: **REQUEST FOR AUTHORIZATION TO ENTER INTO A DECLARATION OF RESTRICTIONS WITH GRANTING AGENCY REGARDING PURCHASE OF REAL PROPERTY**

ACTION REQUESTED / RECOMMENDATION: Staff recommends that your Board adopt the attached Resolution delegating authority to the Director of Facility Services, or his designee, to execute all documents and take all actions necessary to enter into a Declaration of Restrictions with the California State Water Resources Control Board (State Water Board) on the County owned property located at 5150 Highway 65, Sheridan, California, APN: 019-250-006-000.

BACKGROUND: On July 7, 2009, your Board approved the purchase of the property located at 5150 Highway 65, formerly known as the Percival Property. This property was purchased for additional spray irrigation disposal as part of the Sheridan Sprayfields Project. A significant portion (86%) of the total cost of the property acquisition will be reimbursed through a grant administered by the State Water Board, provided the County enters into and records a Declaration of Restrictions against the property. The purpose of the Declaration of Restrictions is to establish a requirement that the County repay the State if the County uses the property for any purpose not authorized in the grant. A copy of the proposed Declaration of Restrictions is on file with the Clerk of the Board.

ENVIRONMENTAL CLEARANCE: An Initial Study/Mitigated Negative Declaration addressing potential impacts of the project was prepared and adopted by the Zoning Administrator on December 20, 2007. No further action is required to enter into a Declaration of Restrictions.

FISCAL IMPACT: The cost of acquiring the property was approximately \$280,500. Authorizing the Director of Facility Services to sign the Declaration of Restrictions will allow the Sheridan Sprayfields Capital Fund Project to recoup approximately \$240,000. The balance will be covered by funds previously approved by your Board.

ATTACHMENT: RESOLUTION
ON FILE WITH CLERK OF THE BOARD: DECLARATION OF RESTRICTIONS

JD:WD:KK:LM

CC: COUNTY EXECUTIVE OFFICE

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Before the Board of Supervisors County of Placer, State of California

In the matter of: A RESOLUTION AUTHORIZING
THE DIRECTOR OF FACILITY SERVICES TO
SIGN AND RECORD A DECLARATION
OF RESTRICTIONS AGAINST 5150 HIGHWAY 65,
SHERIDAN, CALIFORNIA, APN: 019-250-006-000

Resol. _____

The following RESOLUTION was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held _____, by the following vote on roll call:

Ayes:
Noes:
Absent:

Signed and approved by me after its passage.

Chairman, Board of Supervisors

Attest:
Clerk of said Board

WHEREAS, on December 19, 2006, via Resolution 2006-355, the Board of Supervisors granted authority to the Director of Facility Services to sign and file a Small Community Wastewater Grant (SCWG) for the Sheridan Sprayfields Project, and

WHEREAS, pursuant to and as part of that Project, it was contemplated that the County would purchase that particular real property located at 5150 Highway 65, Sheridan, California, APN: 109-250-006-000, as and for additional spray irrigation disposal for the Sheridan wastewater treatment plant, and

WHEREAS, on July 7, 2009, via Resolution 2009-193, the Board of Supervisors delegated authority to the Director of Facility Services to execute all documents and take all actions necessary to complete the acquisition of the subject property, and

WHEREAS, on August 31, 2009, the Grant Deed was recorded transferring ownership of the property to the County of Placer, and

WHEREAS, at the time of purchase it was contemplated that the Department of Facility Services would request reimbursement from the SCWG for said purchase, and

WHEREAS, pursuant to the requirements of the California State Water Resources Control Board which administers the SCWG program, in order to reimburse the authorized percentage of the costs for the purchase of real property, a Declaration of Restrictions must be entered into and recorded against the property.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors, County of Placer, State of California, that the Director of Facility Services, or his designee, is authorized to execute all documents and take all actions necessary to enter into and record a Declaration of Restrictions with the California State Water Resources Control Board against that particular real property identified as 5150 Highway 65, Sheridan, California, APN: 019-250-006-000.

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