

1 RESOLUTION TO DECLARE CERTAIN COUNTY  
2 REAL PROPERTY AS SURPLUS PROPERTY AND TO DECLARE THE INTENTION TO  
3 AUTHORIZE CONVEYANCE TO THE ADJOINING OWNER

4 WHEREAS, pursuant to Government Code Section 25526.5, the Board of Supervisors  
5 may convey its interest in real property no longer required for County use in the manner and  
6 upon the terms and conditions approved by this Board provided that the estimated value of  
7 said interest in real property does not exceed twenty-five thousand dollars (\$25,000); and

8 WHEREAS, the County acquired certain real property identified by Lake County  
9 Assessor's Parcel Number 009-002-430-000 in the manner described in Document No. 99-  
10 022813, recorded in the Office of the Lake County Assessor-Recorder on December 30, 1999;; and

11 WHEREAS, the property described in the attached Exhibit "A" (hereafter, the  
12 "Surplus Property") is relatively small and land-locked, incapable of independent development, has  
13 a higher and better use as part of the adjoining property, and if sold to other than the  
14 adjoining owner, would cause an undue or unfair hardship to such adjoining  
15 owner in the normal development or operation of their property; and

16 WHEREAS, said Surplus Property proposed for conveyance is located adjacent to that real  
17 property commonly described as the Konocti Harbor Resort located at 8727 Soda Bay Road in  
18 Kelseyville, California; and

19 WHEREAS, the County has tentatively agreed to convey the Surplus Property to the owner of  
20 said adjoining owner; and

21 WHEREAS, County staff has estimated the value of the Surplus Property at a nominal  
22 amount not exceeding one thousand dollars (\$1,000). Non-monetary consideration to be  
23 received from the adjoining owner, in lieu of cash, includes the assumption of maintenance and  
24 liability for property and the elimination of risk associated with the County's continued ownership; and

25 WHEREAS, the proposed conveyance has been reviewed by County staff and it has been  
26 determined that the described real property rights are not required for County use; and

27 WHEREAS, this Resolution expresses the intention of the Board of Supervisors to convey said  
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1 Surplus Property to the above-described adjoining landowner, but this Board acknowledges and agrees  
2 that no formal action may take place unless and until the County Community Development Director  
3 considers the proposed conveyance and reports to the Lake County Planning Commission that said  
4 disposal of the Surplus Property is in conformity with the General Plan; and

5 WHEREAS, this Board further acknowledges and agrees that no formal action may take place  
6 unless and until the Community Development Director has considered the proposed conveyance and  
7 determined that the proposal has no potential for significant environmental effect; and

8 WHEREAS, it is in the public interest that the hereinafter described portions of said  
9 County real property be disposed by conveyance as proposed.

10 NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Board of  
11 Supervisors of the County of Lake, State of California, finds, declares and determines as follows:

- 12 1. That the recitals set forth above are true and correct.
- 13 2. That this Board finds, from all of the evidence submitted, that the interests in real  
14 property more particularly described and depicted in Exhibit "A" attached hereto and made a  
15 part hereof, are unnecessary for present or prospective County use and are hereby declared to be  
16 County surplus real property.
- 17 3. That this Board finds that, conditioned upon the outcome of the actions of the Community  
18 Development Director enumerated hereinbelow, it is the intention of this Board to convey said Surplus  
19 Property to the adjoining landowner identified above.
- 20 4. That prior to formal consideration of such a conveyance, this Board directs the Community  
21 Development Director to determine whether this conveyance of what is essentially an uneconomic  
22 property remnant is in conformity with the General Plan and to present that determination to the Planning  
23 Commission as soon as possible.
- 24 5. That the Community Development Director further determine whether the proposed conveyance of  
25 the Surplus Property is subject to CEQA, and if so, the level of environmental review necessary.

26 THIS RESOLUTION WAS PASSED AND ADOPTED by the Board of Supervisors of the  
27 County of Lake, State of California, at a regular meeting thereof on \_\_\_\_\_, 2018, by the

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1 following vote:

2 AYES:

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4 NOES:

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6 ABSENT OR NOT VOTING:

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CHAIR, Board of Supervisors

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10 ATTEST: CAROL J. HUCHINGSON  
11 Clerk of the  
12 Board of Supervisors

APPROVED AS TO FORM:

ANITA L. GRANT  
County Counsel

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14 By: \_\_\_\_\_

By:  \_\_\_\_\_

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