

RESOLUTION NO. 2012-08

A RESOLUTION OF THE LEMOORE OVERSIGHT BOARD FOR THE LEMOORE SUCCESSOR AGENCY TO THE LEMOORE REDEVELOPMENT AGENCY APPROVING THE REAL ESTATE PURCHASE CONTRACT AND RECEIPT FOR DEPOSIT BETWEEN THE SUCCESSOR AGENCY TO THE LEMOORE REDEVELOPMENT AGENCY AND THE BENNETT FAMILY TRUST FOR THE DISPOSITION OF APN 024-051-032 AND APN 024-051-033

At a Regular Meeting of the Lemoore Oversight Board for the Successor Agency to the former Lemoore Redevelopment Agency duly called and held on July 26, 2012 at 9:00 a.m. on said day, it was moved by Board Member _____ seconded by Board Member _____, that the following resolution be adopted:

WHEREAS, AB X1 26 (“AB 26”) was passed by the California State Legislature on June 15, 2011, signed by the Governor on June 28, 2011, and on February 1, 2012 redevelopment agencies in the state of California were dissolved; and

WHEREAS, Health and Safety Code Section 34181(a) requires oversight boards to direct successor agencies to dispose of all assets and properties of the former redevelopment agency; and

WHEREAS, the City of Lemoore as Successor Agency to the former Lemoore Redevelopment Agency, received a Letter of Intent dated May 15, 2012 (Exhibit A) from Grubb & Ellis real estate on behalf of their client, Gary & Maxine Bennett Trust (Bennett), to purchase 3.06+/- acres of vacant land – APN 024-051-032 (2.0 acres) and APN 024-051-033 (1.06) in the Lemoore Industrial Park to relocate and expand its current irrigation systems operation to the new site; and

WHEREAS, Section 34177(e) requires that the disposal of such assets and properties are to be done expeditiously and in a manner aimed at maximizing value; and

WHEREAS, the Oversight Board for the Successor Agency to the former Lemoore Redevelopment Agency convened on May 24, 2012 and directed Successor Agency staff to execute said Letter of Intent and negotiate and accept an offer for the purchase of said stated parcels for an amount not less than \$125,000; and

WHEREAS, the Successor Agency to the former Lemoore Redevelopment Agency executed said Letter of Intent on May 24, 2012; and

WHEREAS, the Successor Agency to the former Lemoore Redevelopment Agency negotiated a Real Estate Purchase Contract and Receipt for Deposit (Contract) with Bennett for the purchase of the above stated parcels; and

WHEREAS, while the negotiations were taking place, AB 1484 was passed by the California State Legislature and signed into law by the Governor on June 27, 2012 modifying the provisions of AB 26; and

WHEREAS, pursuant to AB 1484, Sections 34177(e) and 34181(a) are suspended and successor agencies are forbidden to dispose of any property until they perform certain requirements and receive a Finding of Completion for those requirements; and

WHEREAS, pursuant to AB 1484, successor agencies are further required to prepare a Long-Range Property Management Plan, submit it to the California Department of Finance and receive approval for such Plan before properties can be disposed; and

WHEREAS, due to the circumstances of having already accepted Bennett's offer to purchase said parcels and being in the midst of finalizing the negotiations of a purchase contract, staff representing the Successor Agency to the former Lemoore Redevelopment Agency believes a case can be made to seek a one-time approval from the California Department of Finance for the disposition of said parcels; and

WHEREAS, Health and Safety Code Section 34180 requires the actions of the Successor Agency shall first be approved by the Oversight Board; and

WHEREAS, Health and Safety Code Section 34181(f) requires that actions to dispose of assets and properties of a former redevelopment agency shall be approved by resolution of its oversight board at a public meeting after at least 10 days' notice to the public of the specific proposed actions and that such notice was posted for the required 10 days beginning on July 17, 2012.

NOW, THEREFORE, BE IT RESOLVED that the Lemoore Oversight Board for the Lemoore Successor Agency to the former Lemoore Redevelopment Agency hereby approves the Real Estate Purchase Contract and Receipt for Deposit for the sale of APN 024-051-032 and APN 024-051-033 to Gary and Maxine Bennett Trust for an amount not less than \$125,000 (minus one-half escrow fees).

BE IT FURTHER RESOLVED that the City Manager of the City of Lemoore acting as the Successor Agency to the former Lemoore Redevelopment Agency is authorized to execute said Contract.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its adoption.

BE IT FURTHER RESOLVED that said Contract, this Resolution, and all supporting materials will be forwarded to the California Department of Finance and will not become operative until such time that the Department of Finance approves the disposition of the above stated parcels.

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PASSED, APPROVED, AND ADOPTED by the Oversight Board for the Successor Agency to the former Lemoore Redevelopment Agency at a regular meeting this 26th day of July 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

John Plourde, Chairperson

ATTEST:

Mary Jane French, Board Clerk

CERTIFICATE

STATE OF CALIFORNIA)
COUNTY OF KINGS) ss.
CITY OF LEMOORE)

I, MARY JANE FRENCH, Board Clerk of the Oversight Board for the Lemoore Successor Agency to the former Lemoore Redevelopment Agency, do hereby certify the forgoing Resolution of the Lemoore Oversight Board for the Lemoore Successor Agency to the former Lemoore Redevelopment Agency was duly passed and adopted at a Regular Meeting of the Oversight Board held on July 26, 2012.

DATED: July 27, 2012

Mary Jane French, Board Clerk