

COUNTY OF HUMBOLDT

For the meeting of: 10/2/2018



File #: 18-1262

C-24

To: Board of Supervisors

From: Public Works

SUBJECT:

Resolution of Acceptance of Proposal for Purchase, 2956 D Street, Eureka, APN 010-183-007

RECOMMENDATION(S):

That the Board of Supervisors adopt Resolution No. _____, accepting the proposal for purchase of real property; authorize and direct the Chair of the Board to execute and deliver a Grant Deed (Attachment 3) conveying the real property to Alvin D. Smither and Michelle A. Smither, husband and wife as community property; authorize the Director of Public Works to sign all escrow documents, excluding the Grant Deed; and authorize Public Works to open escrow with any local escrow company to be chosen by the proposer.

SOURCE OF FUNDING:

General Fund

DISCUSSION:

Assessor Parcel Number 010-183-007, located at 2956 D Street in Eureka, was purchased by the county in February of 1991. The property was declared surplus by your Board on May 9, 2017. A resolution of Intention to Sell the surplus real property was adopted on August 21, 2018 and staff published said Resolution pursuant to Government Code §6063. Pursuant to Government Code §§25530 to 25531, all proposals received were opened on September 25, 2018, and oral proposals were called for by the Board. The Board accepted the sole proposal as submitted by Trueman E. Vroman, an unmarried man, for One Hundred Forty One Thousand, One Hundred Twenty Nine Dollars and Nineteen Cents (\$141, 129.19). Mr. Vroman's proposal was accepted based upon his proposal meeting or exceeding the asking price of One Hundred Thirty-Five Thousand Dollars (\$135,000). A copy of the proposal is attached.

Public Works staff requests that your Board adopt the attached Resolution of Acceptance and authorize Public Works to accept the 10 percent deposit from the proposer, open escrow and sign all necessary escrow documents with the exclusion of the grant deed. Upon remainder of the purchase monies deposited into escrow, staff is requesting authorization for the Chair of the Board to execute the grant deed to finalize the sale. Attachment 3 is a draft of the grant deed.

FINANCIAL IMPACT:

Costs for county staff, asbestos testing, American with Disabilities Act (ADA) barrier removal and publication amounting to approximately Seventeen Thousand Seven Hundred and Twenty Three Dollars (\$17,723) and will be reimbursed to 1100-162-705080 Building Maintenance at close of escrow. The balance of the proceeds from the sale of the surplus real property shall be distributed to 1100-888-705080 Building Maintenance.

This item conforms to the Board of Supervisors' Core Role of providing for and maintaining infrastructure and streamlining the inventory of county properties through repurposing or sale.

OTHER AGENCY INVOLVEMENT:

None

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your Board could determine that the property should be returned to inventory after opening sealed bids and calling for oral bids. This is not recommended, as the building is need of extensive repairs, some that will need to be completed before the next winter season on order to avoid further damage to the interior. It has been determined by Public Works staff that the county has no further use of the

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property.

ATTACHMENTS:

No.1 Copy of published Resolution of Intention to Sell Surplus Property

No.2 Draft Resolution of Acceptance

No.3 Draft of Grant Deed.

PREVIOUS ACTION/REFERRAL:

Board Order No.: C12, C27, J1

Meeting of: 5/09/2017, 8/21/2018, 9/25/18

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified copy of portion of proceedings, Meeting of August 21, 2018

RESOLUTION NO. 18-84

**RESOLUTION DECLARING INTENTION TO SELL REAL PROPERTY AND SPECIFYING
TIME, PLACE, TERMS AND CONDITIONS OF SALE, EUREKA AREA, APN 010-183-007,
2956 D STREET, EUREKA**

WHEREAS, the hereinafter described real property in Exhibit A, Assessor Parcel Number (APN) 010-183-007 and identified as 2956 D Street, Eureka, California, is owned by the County of Humboldt; and

WHEREAS, on May 9, 2017, the Board of Supervisors of the County of Humboldt declared said property is surplus real property; and

WHEREAS, the Board of Supervisors of the County of Humboldt deems it advisable to sell said property.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Board of Supervisors of the County of Humboldt, pursuant to the provisions of Section 25520 et seq. of the Government Code of the State of California, intends to sell all of the title and interest of the County of Humboldt in and to the real property described in Exhibit A, attached hereto and made a part hereof by this reference, which is located in the City of Eureka, County of Humboldt, State of California.
2. An open house will be held at 2956 D Street on September 11, 2018, at 11:00 a.m.
3. That sealed proposals for the purchase of said real property, as is, will be received and considered in a public meeting of the Board of Supervisors for the County of Humboldt at its regular place of meeting, the Supervisor's Chamber, Humboldt County Courthouse, Eureka, California, on the 25th day of September, 2018 at 9:00 a.m., which date is not less than fifteen (15) days from the date of this resolution. At said time and place, all sealed proposals shall be opened, examined, and declared by said Board. Before accepting any written proposal, said Board shall call for oral bids on said real property; and, if upon calling for oral bids, any responsible person offers to purchase said real property upon the terms and conditions specified in the within resolution for a price exceeding by at least five percent (5%) of the highest written proposal for said real property which is made by a responsible person, then the oral bid which is the highest shall be finally accepted.
4. That the minimum price for which said real property will be sold is the sum of One Hundred Thirty-five Thousand Dollars (\$135,000.00).
5. That the terms of the sale of said real property shall be ten percent (10%) cash at the time of the acceptance of the bid of the successful bidder. The balance, payable in cash, is due within forty-five (45) days of acceptance, at which time a grant deed will be delivered to said property. Said ten percent (10%) payment shall be for the purpose of securing the completion of the transaction by the successful bidder and is non-refundable.

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified copy of portion of proceedings, Meeting of August 21, 2018

RESOLUTION NO. 18-84

6. That the successful bidder will be responsible for the cost of the title Insurance policy, state transfer tax, if applicable, and the escrow fees;

7. That said Board of Supervisors reserves the right to reject any or all bids.

8. That the County of Humboldt makes no warranties express or implied concerning the condition, future use or the right to build on said property. Said real property is being sold in an "As-Is" condition. A limited asbestos and paint screening survey of the property was conducted and minor abatement service was conducted in response to the screening survey. The survey and documentation of the abatement service is on file with Department of Public Works and any interested potential bidders may view the file by contacting Real Property staff of the Department of Public Works, 1106 Second Street, Eureka, CA during county business hours, or by calling 707-268-2667.

9 That the successful bidder is advised to have all professional inspections that they deem advisable, at their own expense, prior to submission of bid in regards to any current or future uses that may exist or be planned for the subject property. Access to said property or additional information may be arranged by contacting Real Property staff of the Department of Public Works, 1106 Second Street, Eureka, CA during county business hours, or by calling 707-268-2667.

10. That notice of the adoption of this resolution and of the time and place of holding the meeting at which said proposal will be received shall be given by posting said copies of this resolution, signed by the Chair of the Board of Supervisors, in the following three (3) public places in said County not less than fifteen (15) days before the date of said meeting:

One at the Humboldt County Department of Public Works,
1106 Second Street, Eureka, CA

One at the Clerk of the Board of Supervisors of Humboldt County,
825 Fifth Street, Eureka, CA

One at the Humboldt County Department of Planning and Building,
3015 H Street, Eureka

And by publication of this resolution, signed as aforesaid, pursuant to Section 6063 of the Government Code in the Times Standard, which said newspaper is printed and published in the County of Humboldt

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified copy of portion of proceedings, Meeting of August 21, 2018

RESOLUTION NO. 18-84

Dated: August 21, 2018



Ryan Sundberg, Chair
Humboldt County Board of Supervisors

Adopted on motion by Supervisor Bass, seconded by Supervisor Wilson, and the following vote:

AYES: Supervisors Bohn, Fennell, Bass, Wilson, Sundberg
NAYS: Supervisors --
ABSENT: Supervisors --
ABSTAIN: Supervisors --

STATE OF CALIFORNIA)
County of Humboldt)

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be an original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California.


IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

The within instrument is a full, true and correct copy of the original on file in this office.

ATTEST:

KATHY HAYES
Clerk of the Board of Supervisors
of the County of Humboldt
State of California

By 
Ryan Sharp, Deputy



By Ryan Sharp
Deputy Clerk of the Board of Supervisors of the
County of Humboldt, State of California

EXHIBIT A

PROPERTY DESCRIPTION

2956 D STREET, EUREKA, CA
ASSESSOR'S PARCEL NUMBER 010-183-007

EXHIBIT A- LOCATION



CITY OF EUREKA

10-18



2956 D STREET, EUREKA, CA
ASSESSOR'S PARCEL NUMBER 010-183-007

EXHIBIT B- DESCRIPTION

Parcel number 010-183-007, located at 2956 D Street in Eureka, was purchased by the county in February of 1991. The property has been used in the past as a children's shelter by the Department of Health and Human Services (DHHS). DHHS has discontinued their use and determined that they have no need for future use of the premises. On May 9, 2017 the Humboldt County Board of Supervisors declared the property to be surplus.

The improvements on the property are in poor condition and have a great deal of deferred maintenance. The house was constructed approximately 66 years ago and is in need of extensive updating and repairs, including, but not limited to: roofing, painting of the interior and exterior, repair of interior walls, flooring, kitchen and bathrooms that have sustained water damage.

Legal Description:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF EUREKA, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

The East half of Lots 6 and 7 of the Summit Tract, according to the map thereof on file in the Office of the County Recorder of said county in Book 8 of Maps, page 33

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified copy of portion of proceedings, Meeting of October 2, 2018

RESOLUTION NO. 18-101

RESOLUTION ACCEPTING PROPOSAL FOR PURCHASE OF REAL PROPERTY, APN 010-183-007, 2956 D STREET, EUREKA

WHEREAS, this Board has heretofore called for proposals for the purchase of the following described real property in Exhibit A, Assessor Parcel Number (APN) 010-183-007 and identified as 2956 D Street, Eureka, California and has given notice of its intent to sell said real property as required by law; and

WHEREAS, this Board has accepted proposals for the purchase of said real property upon the terms and conditions set forth in its resolution declaring its intent to sell such property; and

WHEREAS, the proposal of September 25, 2018 from Trueman E. Vroman, in the amount of one hundred forty-one thousand one hundred twenty-nine dollars and nineteen cents (\$141,129.19) is the highest responsible proposal received by the Board for the purchase of said real property.

WHEREAS, Trueman E. Vroman request the Board to convey the real property to Alvin D. Smither and Michelle A. Smither, husband and wife as community property.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The proposal of September 25, 2018, in the amount of one hundred forty-one thousand, one hundred twenty-nine dollars and nineteen cents (\$141,129.19) is hereby accepted, subject to the terms and conditions contained in Resolution No. 18-84, heretofore adopted by this Board, for the purchase of the real property, which is located in the City of Eureka, County of Humboldt, State of California, and more particularly described in Exhibit A attached hereto and incorporated hereby reference.
2. The Chairperson of this Board is authorized and directed to execute and deliver a grant deed conveying the real property described above to Alvin D. Smither and Michelle A. Smither, husband and wife as community property, upon compliance by Trueman E. Vroman with all of the terms and conditions of said Resolution No. 18-84.
3. The Public Works Director is authorized to sign any escrow documents required to close escrow.

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified copy of portion of proceedings, Meeting of October 2, 2018

RESOLUTION NO. 18-101

Dated: October 2, 2018



Ryan Sundberg, Chair
Humboldt County Board of Supervisors

Adopted on motion by Supervisor Fennell, seconded by Supervisor Bass, and the following vote:

AYES: Supervisors Bohn, Fennell, Bass, Sundberg
NAYS: Supervisors --
ABSENT: Supervisors Wilson
ABSTAIN: Supervisors --

STATE OF CALIFORNIA)
County of Humboldt)

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be an original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.



By Ryan Sharp
Deputy Clerk of the Board of Supervisors of the
County of Humboldt, State of California

EXHIBIT A- DESCRIPTION

Parcel number 010-183-007, located at 2956 D Street in Eureka, was purchased by the county in February of 1991. The property has been used in the past as a children's shelter by the Department of Health and Human Services (DHHS). DHHS has discontinued their use and determined that they have no need for future use of the premises. On May 9, 2017 the Humboldt County Board of Supervisors declared the property to be surplus.

The improvements on the property are in poor condition and have a great deal of deferred maintenance. The house was constructed approximately 66 years ago and is in need of extensive updating and repairs, including, but not limited to: roofing, painting of the interior and exterior, repair of interior walls, flooring, kitchen and bathrooms that have sustained water damage.

Legal Description:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF EUREKA, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

The East half of Lots 6 and 7 of the Summit Tract, according to the map thereof on file in the Office of the County Recorder of said county in Book 8 of Maps, page 33

RECORDING REQUESTED BY
Humboldt Land Title, a division of
Fidelity National Title Company of
California
WHEN RECORDED RETURN TO
AND MAIL TAX STATEMENTS TO:

Name **Alvin D. Smither and
Michelle A. Smither**
Address **5069 Cummings Road
Eureka, CA 95503**

Order No. 00162079-003-AU

GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S)

City of Eureka

Parcel No. 010-183-007

Documentary Transfer Tax is \$ 155.65

- computed on full value of interest or property conveyed, or
 full value less value of liens or encumbrances remaining at
the time of sale

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COUNTY OF HUMBOLDT, a Political Subdivision of the State of California

hereby GRANT(s) to

ALVIN F. SMITHER AND MICHELLE A. SMITHER, husband and wife as community property


the following real property in the City of **Eureka**

County of **Humboldt**, State of **California**:

See Exhibit A attached hereto and made a part hereof.

Dated: 10/2/18

**County of Humboldt, a Political Subdivision of
the State of California**


By: Ryan Sundberg
Name/Title: Chair

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Humboldt

On October 2, 2018 before me, Brooke Eberhardt a Notary Public,
personally appeared Ryan Sundberg

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature



My commission expires:

April 27, 2022



Exhibit A

DESCRIPTION

That real property situate in the County of Humboldt, City of Eureka, State of California, described as follows:

The East Half of Lots 6 and 7 of the Summit Tract according to the Map thereof on file in the Office of the County Recorder of said County in Book 8 of Maps, Page 33.

APN: 010-183-007-000

TRUEMAN E. VROMAN

2950 E STREET, SUITE C
EUREKA, CALIFORNIA 95501-4334
(707) 443-8476

September 25, 2018

Humboldt County Board of Supervisors
825 Fifth Street
Eureka, CA 95501

Attention: Clerk of the Board

SUBJECT: Sealed Bid Proposal
2956 D Street, Eureka, CA 95501
APN 010-183-007

This is to transmit my cash purchase proposal for the above subject parcel pursuant to Board Resolution No. 18-84 which terms are incorporated herein by reference.

Trueman E. Vroman, or designee, bids the sum of one hundred forty-one thousand, one hundred twenty-nine and nineteen one-hundredths Dollars. (\$141,129.19)

Enclosed please find my Cashiers Check in the amount of \$15,000.00 as my bid deposit with the balance of purchase funds and closing costs to be paid in cash prior to close of escrow.

This offer is subject only to the Seller possessing insurable title. Title Insurance will be purchased at buyers expense in escrow.

Very truly yours,



Trueman E. Vroman

TV