

## RESOLUTION NO. 25-

### **RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS DECLARING PURSUANT TO GOVERNMENT CODE SECTION 54221 THAT REAL PROPERTY OWNED BY THE COUNTY LOCATED AT 14470 HIGHWAY 128, BOONVILLE, CALIFORNIA IS EXEMPT SURPLUS LAND**

WHEREAS, the County of Mendocino (the "County") is the owner in fee simple of a Veterans Memorial Building on approximately 1.60 acres of real property known as Assessor Parcel Number 029-150-17, and located at 14470 Highway 128, Boonville, California, and depicted in Exhibit A ("Property"); and

WHEREAS, the Property has a General Plan designation of Public Services (PS) and a Zoning designation of Public Facilities (PF); and

WHEREAS, the Property is primarily improved with a 3,500 square foot Veterans Memorial Building, which is prioritized for and actively used by the American Legion Post #385; and

WHEREAS, American Legion Post #385 is a qualified veteran's services organization as defined in Military and Veterans Code sec. 1260 as follows: (c) "Veterans association" or "veterans service organization" means any association or organization which is composed solely of persons who served honorably in time of war or in time of peace in a campaign or expedition for service in which a medal has been authorized by the government of the United States, as members of the Armed Forces of the United States, or who as citizens of the United States served honorably in time of war as members of the armed forces of any nation whose government was allied with the United States during that war, and which is organized for patriotic, fraternal, and benevolent objects.; and

WHEREAS, the County must reduce its physical footprint of real estate owned, and the American Legion Post #385 desires to own this Property to continue to operate the Property as a Veterans Memorial Hall, subject to Military and Veterans Code; and

WHEREAS, Military and Veterans Code Section 1266(a) states: "Whenever a city, county, or city and county has provided, maintained, or provided and maintained any building, memorial hall, meeting place, memorial park, or recreation center for the use or benefit of one or more veterans associations, veterans service organizations, or nonprofit veteran service agencies pursuant to Section 1262 or Section 37461 of the Government Code, the provision of that facility and its acceptance by the veterans associations, veterans service organizations, or nonprofit veteran service agencies constitutes a dedication of that property to a public purpose, and the city, county, or city and county may not revoke the dedication, so long as the veterans associations, veterans service organizations, or nonprofit veteran service agencies have not violated the terms and conditions of the dedication, unless the city, county, or city and county dedicates substitute facilities or unless the veterans associations, veterans service organizations, or nonprofit veteran service agencies have either consented to the proposed city, county, or city and county action or have abandoned use of the facilities;" and

WHEREAS, the Surplus Land Act, Government Code Sections 54220 *et seq.* (as amended, the "Act"), applies when a local agency disposes of "surplus land," as that term is defined in Government Code section 54221; and

WHEREAS, Government Code section 54221(f)(1)(J) exempts certain surplus land from its requirements, including property that is subject to valid legal restrictions, which in this case is the dedication requirement set forth in Military and Veterans Code Section 1266 (a), which states that historic use of a Property as a Veterans Memorial Hall constitutes a dedication of the Property for that public use; and

WHEREAS, County entered into a binding Memorandum of Understanding dated October 7, 2015 with American Legion Post #385 to document the longstanding use and ongoing right to continue the use of the Property as a Veterans Memorial Hall; and

WHEREAS, to the best of the County's knowledge, none of the characteristics listed under Government Code section 54221(f)(2) apply to the property.

NOW, THEREFORE, BE IT RESOLVED that the Mendocino County Board of Supervisors hereby directs staff to complete actions necessary to align boundaries of the Property with their established uses, and execute easements related to existing leach lines, vehicular access, and use of an existing water well; and

BE IT FURTHER RESOLVED that the Board finds and declares that the Property as modified by these actions is "exempt surplus land" as defined by the Act, because the Property is owned in fee simple by the County, fits within the definition of "exempt surplus land" as set forth in the Act; and

BE IT FURTHER RESOLVED that the Board hereby authorizes the CEO or their designee to take all necessary actions to fully comply with the Act and carry out the Board's direction as set forth herein. Any future disposition of the Property shall be subject to approval of the Board at a subsequent meeting.

The foregoing Resolution introduced by Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, and carried this \_\_\_\_\_ day of \_\_\_\_\_, 2025, by the following vote:

AYES:  
NOES:  
ABSENT:

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: DARCIE ANTLE  
Clerk of the Board

\_\_\_\_\_  
JOHN HASCHAK, Chair  
Mendocino County Board of Supervisors

\_\_\_\_\_  
Deputy

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

APPROVED AS TO FORM:  
CHARLOTTE E. SCOTT  
County Counsel

BY: DARCIE ANTLE  
Clerk of the Board

\_\_\_\_\_  
Deputy



**ADDRESS:** 14170 Highway 128

**APN:** 029-150-17

**GEN PLAN:** PublicServices(PS)

**ZONING:** Public Facilities (PF)

**USE:** Boonville Veteran's Hall

**SIZE:** 1.6± Acres

Exhibit A

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND  
DO NOT USE THIS MAP TO DETERMINE LEGAL PROPER BOUNDARIES