

## RESOLUTION NO. 23-137

### **RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS DECLARING REAL PROPERTY KNOWN AS THE MARIPOSA SWIMMING HOLE (APN 107-280-45) AS NON-EXEMPT SURPLUS LAND, DIRECTING STAFF TO PREPARE AND SUBMIT A NOTICE OF AVAILABILITY, AND AUTHORIZING THE PURCHASING AGENT OR DESIGNEE TO COMPLY WITH THE SURPLUS LAND ACT**

WHEREAS, the County of Mendocino (the "County") owns a .38 acre parcel known as Assessor's Parcel Number (APN) 107-280-45 ("Property"), more particularly described in Exhibit A, and known as the Mariposa Swimming Hole; and

WHEREAS, the Property is located along Tomki Road and is bordered by private ownership on all sides with a narrow footpath that leads to a stream-fed body of water. The Property includes the body of water, and the immediate land surrounding it covered with brush and trees; and

WHEREAS, the County has determined that the Property is no longer necessary for County purposes and declares the Property as surplus land pursuant to Government Code Section 54220 et seq. ("Surplus Land Act"); and

WHEREAS, it is the County's intention to sell said property, provided, however, that any such sale could only occur following the abandonment of the Property pursuant to the County Park Abandonment Act; and

WHEREAS, the Surplus Land Act requires that prior to the disposal of any surplus land where an exemption does not apply, the County must issue a Notice of Availability ("NOA") to, among others, affordable housing developers, and thereafter, if any entity submits a qualified Notice of Interest within sixty (60) days of issuance of the NOA, the local agency must negotiate in good faith for at least ninety (90) days with any such submitting entities pursuing any alternative disposition.

NOW, THEREFORE, BE IT RESOLVED that the Mendocino County Board of Supervisors:

1. Declares the Property generally described as Assessor's Parcel Number 107-280-45 as surplus land as defined by the Surplus Land Act as it is no longer necessary for County purposes; and
2. Directs staff to prepare and submit a Notice of Availability in accordance with the requirements of the Surplus Land Act; and
3. Authorizes the Purchasing Agent or designee to take all necessary actions to fully comply with the Surplus Land Act and carry out the Board of Supervisors direction as set forth herein, provided, however, that any sale of the Property may only occur following the abandonment of the Property pursuant to the County Park Abandonment Act.

The foregoing Resolution introduced by Supervisor Williams, seconded by Supervisor Haschak and carried this 25<sup>th</sup> day of July, 2023, by the following vote:

AYES: Supervisors McGourty, Mulheren, Haschak, Gjerde, and Williams  
NOES: None  
ABSENT: None

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

ATTEST: DARCIE ANTLE  
Clerk of the Board

  
\_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
CHRISTIAN M. CURTIS  
County Counsel

  
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\_\_\_\_\_  
GLENN MCGOURTY, Chair  
Mendocino County Board of Supervisors

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

BY: DARCIE ANTLE  
Clerk of the Board

  
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Deputy

## EXHIBIT A

### Legal Description

Facility: Mariposa Swimming Hole

Facility No.: 207

Parcel Number: 107-280-45

All that real property situate in Section 17, Township 17 North, Range 12 West, Mount Diablo Meridian, County of Mendocino, State of California, described as follows:

Beginning at the NW corner of lot 33, Mountain River Ranch Subdivision as shown on the map filed in Case 2, Drawer 18, Page 8, Official Records, Mendocino County, California; Thence along the North line of said Lot 33, S. 83° 42' 10" E. 131.93 feet to a ½" iron pin; thence leaving said N. line, N. 8° 40' 57" W., 120.81 feet to a ½" iron pin; thence N. 82° 22' 53" W., 113.47 feet to a point on the East line of Tomki Road; thence along said East line, S. 0° 12' 04" W., 120.00 feet to the point of beginning.

Subject to an easement for power lines and electric transmission facilities as granted to the Pacific Gas and Electric Co.

Upon condition that the said premises are kept open to the public for the purposes of free swimming, free wading, and related free recreational uses, in a clean, safe and sanitary manner and in compliance with all laws and governmental regulations applicable thereto, and that all reasonable precautions are taken to ensure that no firearms or open fires are permitted on said premises.