THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS ACTION AGENDA SUMMARY

| DEPT: Chief Executive Office | BOARD AGENDA # *B-14 |
|--|--|
| Urgent Routine | AGENDA DATE June 30, 2015 |
| CEO Concurs with Recommendation YES NO (Information Attached) | 4/5 Vote Required YES NO |
| SUBJECT: | |
| Approval to Amend the Agreement and Escrow Instructions Honor Farm Property at 8224 West Grayson Road, East of Actions | |
| STAFF RECOMMENDATIONS: | |
| Authorize the Project Manager to Negotiate and Execute Agreement and Escrow Instructions between Stanislaus the former Honor Farm property located at 8224 West Grant Property Inc. | County and Camp Taylor, Incorporated, for |
| Authorize the Project Manager to take the necessary action property conditioned on approval of the Conditional Use Commission | • |
| FISCAL IMPACT: | |
| The Stanislaus County Board of Supervisors approved the property on July 29, 2014. At that time, the Board of \$723,000 based on the property and improvements appraise estimated 21.60 acres, plus \$75,000 for improvements. maintenance activities and regulatory approval for the Purchase | d of Supervisors set a minimum asking price ised "as is" value of \$30,000 per acre for an Sale of the property required several |
| | (Continued on Page 2) |
| BOARD ACTION AS FOLLOWS: | No . 2015-307 |
| On motion of Supervisor Chiesa , Seco and approved by the following vote, Ayes: Supervisors: O'Brien, Chiesa, De Martini, and Chairman With Noes: Supervisors: None Excused or Absent: Supervisors: Monteith | ntow |
| Abstaining: Supervisor: None 1) X Approved as recommended | |
| 2) Denied | |
| 3) Approved as amended | |
| 4) Other: | |
| MOTION: | |

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

FISCAL IMPACT: (Continued)

The preparations included clean-up, decommissioning and closure of the Wastewater Treatment Facility; demolition and removal of three deteriorated structures on the property; and adjustment of the lot lines defining the former Honor Farm improvements from Stanislaus County's Laird Regional Park.

A Request for Offers for purchase of the property was issued on August 8, 2014. One offer was received by the County's Purchasing Agent from Camp Taylor, Inc. by the due date meeting the minimum price set by the Board of Supervisors. On September 30, 2014, the Board of Supervisors accepted the Offer and approved execution of an Agreement for the Purchase and Sale of the property.

During the due diligence investigation by Camp Taylor, it was determined by County staff that the water well serving the former Honor Farm property would need to be included in the final sale to the Buyer. At this time, the Project Manager is requesting approval to execute Amendment No. 1 to the Purchase and Sale Agreement to increase the total property area to be sold from the original estimate of 21.60 acres to 22.04 acres. Approval of the Amendment will increase the total value of the property transaction by \$13,200 from \$723,000 to \$736,200 A corresponding increase in the ten percent Earnest Money Deposit of \$1,320 will be required as a condition of this Amendment to the Purchase and Sale Agreement.

In addition to the preparations for the property sale, Stanislaus County has continued to maintain the former Honor Farm, including utilities, security, and maintenance of the utility systems, weed abatement, and other minor costs. Since the Board of Supervisors accepted the Offer, there has been one incidence of theft and vandalism at the site and at the adjacent Laird Regional Park which led to a property insurance claim being filed with the County's Insurer. Following filing of the County's claim, staff contracted for security services to provide a full-time security presence in order to protect the County's asset through the sale of the property. As previously approved, security services are being funded by proceeds from the Honor Farm Replacement Facility interest bearing special revenue fund.

DISCUSSION:

In August 2013, the Stanislaus County Sheriff's Office vacated the former Honor Farm at 8224 West Grayson Road with the opening of the Unit Two jail facility at the Public Safety Center. On April 1, 2014, the Board of Supervisors authorized County staff to initiate an Engineering Study of the former Honor Farm property to consider the condition of the property, requirements for closure of the wastewater treatment facility and preparations for safe transition of the improvements for another use. The Board of Supervisors accepted the Engineering Report, conducted by Black Water Consulting Engineers, Inc., on June 17, 2014.

Offer for Sale

On July 29, 2014, the Board of Supervisors declared the property to be surplus, directed staff to issue a Request for Offers for sale of the property in "as is" condition, and set a minimum sale price of \$723,000. On August 27, 2014, one offer was received from Camp Taylor, Inc. meeting the requirements of the Request For Offers.

On September 30, 2014, the Board of Supervisors accepted the Offer to Purchase the former Honor Farm property by Camp Taylor, Inc., and entered into a Conditional Purchase and Sale Agreement. The final sale is subject to:

- Adjustment of the property line encompassing the former Honor Farm to reflect the actual separation of Stanislaus County's Laird Regional Park and the former Honor Farm improvements and access. The Board of Supervisors subsequently authorized the abandonment of unused public rights-of-way formerly traversing the former Honor Farm and Laird Regional Park properties;
- Decommissioning and closure of the Wastewater Treatment Facility (WWTF);
- Demolition and removal of the Barracks 4 building, Guard Shack and Paint Booth as recommended in the Engineering Study; and
- Approval of a Conditional Use Permit application to be submitted to the Stanislaus County Planning Department by Camp Taylor, Inc. for the proposed use of the property.

Preparations for Sale

The Board of Supervisors executed a contract with Synagro-WWT, Inc., for the Wastewater Treatment Facility Biosolids Removal Maintenance Project on September 30, 2014, and the Project Manager initiated a request to decommission and close the WWTF with the Central Valley Regional Water Quality Control Board. By January 2015, the WWTF infrastructure was capped and removed, over four thousand tons of accumulated biosolids were removed, the former ponds were thoroughly tested to confirm that only clean soil remains and the former ponds were graded to prevent rainwater runoff from the site.

In January 2015, the Project Manager issued an Invitation to Bid for the Demolition and Removal of Barracks 4, the Guard Shack and Paint Booth. A successful bid was accepted from Double B Demolition, Inc., for \$49,880 and the Project Manager executed a contract. The buildings were demolished and removed in May 2015.

Camp Taylor, Inc., a local non-profit organization dedicated to serve children with heart disease initiated it's planning for application of a Conditional Use Permit. As part of the

due diligence efforts, site visits were conducted with representatives of the Stanislaus County Chief Executive Office, Planning and Community Development Department, Public Works Department, Environmental Resources, Agriculture Commissioner and Department of Parks and Recreation. A planning meeting was conducted with the Environmental Review Committee to consider Camp Taylor's plans for future use of the site as a camp for children and their families. During the initial review effort, it was determined that the water well serving the former Honor Farm property, located within Stanislaus County's Laird Regional Park property, would be required to be under the former Honor Farm's buyer's ownership to avoid the creation of a new County-operated public water system.

Adjustment of Lot Line and Overall Property Value

The Project Manager filed an application for a Lot Line Adjustment with the County Planning and Community Development Department to include revisions to the parcels as follows:

- The merger of two former Honor Farm parcels (Assessor's Parcel Numbers 017-060-002 and 017-060-013); and the adjustment of the property line with Laird Regional Park (APN 016-026-010.)
- The creation of three parcels: Parcel 1 being the newly merged Honor Farm property of 21.98 acres; Parcel 2, the remainder of Laird Regional Park at 89.41 Acres; and Parcel 3 comprising the former Honor Farm water well located within Laird Regional Park of 0.06 acres.

The Lot Line Adjustment modified the originally estimate of 21.60 acres to include the water well property and the final merger and alignment of the former Honor Farm site. Revised Parcels 1 and 3, a total 22.04 acres, is the subject of the Purchase and Sale Agreement. The subject parcels are illustrated in Exhibit A.

The original sale price of the property was established as \$723,000. This value was set using the most recent property appraisal value of \$30,000 per acre plus \$75,000 for the improvements to remain on the property, as provided in Exhibit B. The property line adjustment and the inclusion of the water well parcel (Parcels 1 and 3) increase the total amount of land by 0.44 acres, resulting in an adjusted total value of \$736,200.

The Amended Purchase and Sale Agreement also contains a provision whereby Camp Taylor, Inc. will offer Stanislaus County the opportunity to re-purchase the water well parcel (Parcel 3) at fair market value if Camp Taylor abandons or ceases to use the current water well or sells the former Honor Farm parcel.

As a condition of the acceptance of the Offer to Purchase the property, Camp Taylor, Inc., provided an Earnest Money Deposit of ten percent (10.0%) of the sale price of \$723,000, or \$72,300, subject to the terms of escrow.

The result of the lot line adjustment increased the total value of the property by \$13,200. The amended Purchase and Sale Agreement requires that Camp Taylor, Inc. provide an additional \$1,320 deposit of earnest money.



Exhibit B
Original and Adjusted Property Value

| | | Original Value | Adjusted Value | Difference |
|--------------------|-------|--------------------|--------------------|-------------|
| Property Acreage A | | 21.60 Acres | 22.04 Acres | 0.44 Acres |
| Value per Acre | В | \$30,000.00 / Acre | \$30,000.00 / Acre | |
| Land Value | AxB=C | \$648,000.00 | \$661,200.00 | |
| Improvements | D | \$75,000.00 | \$75,000.00 | |
| Total Value C+D=E | | \$723,000.00 | \$736,200.00 | \$13,200.00 |

Other Provisions of the Amended Purchase and Sale Agreement

The Amended Purchase and Sale Agreement will revise the deadline for Camp Taylor's filing of an application for a Conditional Use Permit to May 1, 2015. This amendment reflects the complexity of the planning required to adequately address the property's proposed new use as a camp for children living with serious heart health issues. Camp Taylor's application for the Conditional Use Permit was filed with the County Planning Department in April 2015 and is scheduled to be considered by the County Planning Commission in early July 2015.

The amended Agreement will also clarify the requirement for easements for both Stanislaus County and Camp Taylor to across either property after the sale is completed. Specifically:

- Fire, maintenance and emergency access by Stanislaus County across the former Honor Farm property to Laird Park; and
- Utility and access easements across Stanislaus County's Laird Park to the water well (between Parcels 1 and 3) for maintenance and transmission of water for the former Honor Farm property.

Steps to Finalization of Property Sale

Camp Taylor, Inc.'s application for a Conditional Use Permit is currently being reviewed by County Planning staff, and is tentatively scheduled for consideration and approval by the County Planning Commission on July 2, 2015. If approved by the Planning Commission, and subject to Camp Taylor's deposit of the additional \$1,320.00 in earnest money, Camp Taylor will have achieved its obligations for finalization of the purchase.

Stanislaus County staff have completed all obligations of the County for finalization of the sale of the property per the Amended Purchase and Sale Agreement and Escrow Instructions, subject to approval of the Conditional Use Permit application by Camp Taylor, Inc.

Stanislaus County will have a continuing obligation to monitor and test groundwater quality at the former Wastewater Treatment Facility, and potentially to comply with any additional requirements of the Central Valley Regional Water Quality Control Board for its decommissioning and closure, subject to the Waste Discharge Requirements order in effect for the plant. Once approved for closure, Stanislaus County will be required to demolish three groundwater monitoring wells surrounding the former WWTF. The Water Quality Control Board could require additional soil testing, grading or monitoring; however, the County's consulting engineer and contracted Wastewater Treatment Plant

Operator have interpreted the earlier soil test results to confirm that the site is free from contamination.

Stanislaus County is also awaiting final settlement of an insurance claim for damages caused by theft at the former Honor Farm.

The Project Manager also recommends authority to transition and recognize this real estate transaction, conditioned upon the approval of the Conditional Use Permit by the Stanislaus County Planning Commission. If approved, this transformation will result in a former jail facility becoming a camp facility owned by a non-profit corporation that services children who have serious heart disease and their families.

The Board of Supervisors Capital Facilities Committee (Supervisors O'Brien and Monteith) have been briefed on these recommended actions.

STAFFING IMPACTS:

The Chief Executive Office Capital Projects team and the County's General Services Agency have continued the required close out activities and maintenance of the property pending the final sale.

POLICY ISSUES:

This effort supports the Board of Supervisors priorities of a Health Community and a Safe Community.

CONTACT:

Patricia Hill Thomas, Chief Operations Officer. Telephone: (209) 525-6333.

Stanislaus, County Recorder Lee Lundrigan Co Recorder Office

DOC- 2015-0076709-00

Acct 402-Counter Customers Friday, SEP 25, 2015 14:52:49

Ttl Pd \$0.00 Rcpt # 0003721105

JMS/R2/1-8

RECORDING REQUESTED BY:

Chicago Title Company

Escrow Order No.: FSST-5111400110

When Recorded Mail Document To:

Patricia Hill Thomas The County of Stanislaus 1010 Tenth Street, Suite 6800 Modesto, CA 95354

APN: 016-026-010, 017-060-002

and 017-060-013

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

Recording Fee Exempt pursuant to Government Code Section 27383.

The undersigned grantor(s) declare(s)

| This transfer is exempt from the documentary transfer tax. | | | | | | |
|--|--|--|--|--|--|--|
| The documentary transfer tax is \$ and is computed on: | | | | | | |
| ☐ the full value of the interest or property conveyed. | | | | | | |
| ☐ the full value less the liens or encumbrances remaining thereon at the time of sale. | | | | | | |

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, The County of Stanislaus, a body politic and corporate and a political subdivision of the State of California

hereby GRANT(S) to The County of Stanislaus, a body politic and corporate and a political subdivision of the State of California

the following described real property in the County of Stanislaus, State of California:

SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF

THIS GRANT DEED IS BEING EXECUTED AND RECORDED IN COMPLIANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 66412(D) AND TO COMPLETE THAT CERTAIN LOT LINE ADJUSTMENT APPROVED BY THE COUNTY OF STANISLAUS PURSUANT TO THAT CERTAIN APPLICATION NO. PLN2015-0038 FOR WHICH A NOTICE OF LOT LINE ADJUSTMENT WAS RECORDED ON JUNE 23, 2015 AS INSTRUMENT NO. 2015-0048587, STANISLAUS COUNTY RECORDS.

Dated: September 17, 2015

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

The County of Stanislaus, a body politic and corporate and a political subdivision of the State of California

Patricia Hill Thomas, Chief Operations Officer

MAIL TAX STATEMENTS AS DIRECTED ABOVE

Grant Deed SCA0000129.doc / Updated: 04.29.15

Printed: 09,15,15 @ 04:29 PM CA-CT-FSST-02180.054511-FSST-51114001

GRANT DEED

(continued)

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 | cA | | | | |
|---|--|--|---|---|---|
| County of | SAH | FRANCIS | C0 | | |
| On SEP | 7, 18, | 2015 | before me, | Denny S. Wu, Notary Public | , Notary Public, |
| | * <u>-</u> | | • | (here insert name and title of the officer) | |
| personally appe | eared | PATRICIA | HILL | THOMAS | |
| within instrume and that by his acted, executed | nt and ack her /the ir s d the instru | knowledged to r signature(s) on iment. | ne that he /s the instrum | ence to be the person(s) whose name(s) is/are the/they executed the same in his/her/their authorent the person(s), or the entity upon behalf of where the State of California that the foregoing particles. | rized capacity(ies), hich the person(s |
| WITNESS my | hand and o | official seal. | | | |
| Signature | | | | (Seal) DENNY S. WU Commission # 2113 Notary Public - Califor San Mateo County | ornia 💈 |

San Mateo County
My Comm. Expires Jun 29, 2019

EXHIBIT "B" AFTER LOT LINE ADJUSTMENT

PARCEL 1:

A parcel of land situate in Section 30, Township 4 South, Range 8 East, and Section 25, Township 4 South, Range 7 East, Mount Diablo Meridian, Stanislaus County, State of California, more particularly described as follows:

COMMENCING at the common corner of Sections 19 and 30, Township 4 South, Range 8 East, and Sections 24 and 25, Township 4 South, Range 7 East, Mount Diablo Meridian: thence along the common line between said Sections 25 and 30 South 00°39'40" West 757.25 feet to a point on the intersection with the centerline of Grayson Road; thence continue South 00°39'40" West 63.17 feet to the Southerly line of Grayson Road that distance 45.00 feet at right angles to the center line of said Road and THE POINT OF BEGINNING: thence along said Southerly line of Grayson Road North 46°06'22" East 591.42 feet to a curve concave to the Southeast having a radius of 1355.00 feet; thence Northeasterly along said curve an arc distance of 191.38 feet having a central angle of 8°05'32" to the Northeast corner of the property as described in Document No. 887 dated January 10, 1966, Stanislaus County Records; thence South 0°37'41" West 1196.37 feet along the East line of said property; thence South 65°52'40" West 408.70 feet along the South line of said property to a point on the United State Meander line; thence along said Meander line South 37°13'08" West a distance of 217.92 feet; thence leaving said Meander line South 16°35'14" East 217.00 feet; thence South 61°41'18" West 149.00 feet; thence North 00°30'42" East 42.95 feet to the Northerly line of San Joaquin River as being bounded by the (unknown) Mean Low Water Mark line; thence along said Northerly line of San Joaquin River the following two (2) approximate courses: 1) South 48°05'48" West 34.00 feet; 2) South 70°17'45" West 321.35 feet: thence leaving said Northerly line of San Joaquin River North 15°14'42" West 570.83 feet; thence North 42°53'34" East 80.72 feet; thence North 56°39'19" East 123.02 feet; thence North 72°45'59" East 78.01 feet; thence North 20°50'36" West 30.58 feet; thence North 72°06'00" East 45.93 feet; thence North 17°22'22" West 69.30 feet; thence North 73°27'28" East 204.48 feet to a non-tangent curve concave to the East having a radial bearing of North 77°57'56" East and a radius of 220.00 feet; thence Northerly along said curve having a central angle of 35°57'17" an arc distance of 138.06 feet to point of reverse curve concave to the Northwest having a radius of 260.00 feet; thence along said curve having a central angle of 24°12'57" an arc distance of 109.89 feet; thence North 00°03'57" West 114.21 feet; thence North 16°48'00" West 19.40 feet; thence South 80°37'47" West 50.09 feet; thence North 39°13'26" West 45.97 feet to the Southerly right of Grayson Road being 55.00 feet southeasterly at right angles of the said road centerline, being on curve concave to the northwest having a radial bearing of North 39°08'31" West and a radius of 1655.00 feet; thence Northeasterly along said curve having a central angle of 04°34'17" an arc distance of 132.05 feet to a point on said common section line between said Sections 25 and 30; thence along last said common section line North 00°39'40" East 14.02 feet to THE POINT OF BEGINNING.

CONTAINING an area of 21.98 acres more or less.

SUBJECT to all easements and/or rights of way of record.

The Basis of Bearing is a course of North 00°39'40" East along the Westerly line of said Section 30, Township 4 South, Range 8 East, Mount Diablo Meridian, Stanislaus County as shown on Stanislaus County Survey No. 1596 dated February 1966.

Kaiser I. Shahbaz

L. S. 8599

6/11/2015



EXHIBIT "B" AFTER LOT LINE ADJUSTMENT

PARCEL 2:

All that portion of Section 25, Township 4 South, Range 7 East, Mount Diablo Meridian, lying south of a line commencing 74 Rods South of the Northeast corner of said Section 25; thence West to the East end of Laird's Slough Bridge; thence Southwest to the center of the Slough, being all of Swamp and Overflowed Land Survey No. 215 and No. 216, lying North of the San Joaquin River and East of the center line of Laird's Slough, and a fraction of land as described in the Grant Deed filed for record in Volume 1716 of Official Records, Page 25, Instrument No. 34685 dated October 24, 1961 lying North of same and South of Road leading to Grayson, all lying Southerly of the Southerly line of said Grayson Road as distance 55.00 feet at right angles from the center line of Grayson Road, Northerly and Easterly of the Northerly line of San Joaquin River as being bounded by the unknown Mean Low Water Mark line, lying Westerly of the following described line:

COMMENCING at the common corner of Sections 19 and 30, Township 4 South, Range 8 East, and Sections 24 and 25, Township 4 South, Range 7 East, Mount Diablo Meridian: thence along the common line between said Sections 25 and 30 South 00°39'40" West 757.25 feet to a point on the intersection with the centerline of Grayson Road: thence continue South 00°39'40" West 63.17 feet to the Southerly line of Grayson Road that distance 45.00 feet at right angles to the center line of said Road; thence continue South 00°39'40" West 14.02 feet to a point on said Southerly Right of Way line that is distant 55.00 feet at right angles to said centerline, said point being on a curve concave to the northwest having a radial bearing of North 43°42'48" West and a radius of 1655.00 feet; thence Southwesterly along said curve having a central angle of 04°34'17" an arc distance of 132.05 feet and THE POINT OF BEGINNING; thence South 39°13'26" East 45.97 feet; thence North 80°37'47" East 50.09 feet; thence South 16°48'00" East 19.40 feet; thence South 0°03'57" East 114.21 feet to a curve concave to the Northwest having a radius of 260.00 feet; thence along said curve having a central angle of 24°12'57" an arc distance of 109.89 feet to a point of reversed curve concave to the East having a radius of 220.00 feet; thence along said curve having a central angle of 35°57'17" an arc distance of 138.06 feet; thence South 73°27'28" West 204.48 feet; thence South 17°22'22" East 69.30 feet: thence South 72°06'00" West 45.93 feet: thence South 20°50'36" East 30.58 feet; thence South 72°45'59" West 78.01 feet; thence South 56°39'19" West 123.02 feet; thence South 42°53'34" West 80.72 feet; thence South 15°14'42" East 570.83 to said Northerly line of San Joaquin River as being bounded by the unknown Mean Low Water Mark line and THE POINT OF TERMINATION.

EXCEPTING therefrom all that portion of Section 25, Township 4 South, Range 7 East, Mount Diablo Meridian, more particularly described as follows:

BEGINNING at a point that bears South 19°34'30" West 1304.03 feet from the Northeast corner of said Section 25; thence North 81°45'33" East 50.00 feet; thence South 08°14'27" East 50.00 feet; thence South 81°45'33" West 50.00 feet; thence North 08°14'27" West 50.00 feet to THE POINT OF BEGINNING.

CONTAINING an area of 89,41 acres more or less.

SUBJECT to all easements and/or rights of way of record.

The Basis of Bearing is a course of North 00°39'40" East along the Westerly line of said Section 30, Township 4 South, Range 8 East, Mount Diablo Meridian, Stanislaus County as shown on Stanislaus County Survey No. 1596 dated February 1966.

Kaiser I. Shahbaz

L. S. 8599

Date

6/11/2015



EXHIBIT "B" AFTER LOT LINE ADJUSTMENT

PARCEL 3:

All that portion of Section 25, Township 4 South, Range 7 East, Mount Diablo Meridian, more particularly described as follows:

BEGINNING at a point that bears South 19°34'30" West 1304.03 feet from the Northeast corner of said Section 25; thence North 81°45'33" East 50.00 feet; thence South 08°14'27" East 50.00 feet; thence South 81°45'33" West 50.00 feet; thence North 08°14'27" West 50.00 feet to **THE POINT OF BEGINNING**.

CONTAINING an area of 0.06 acre more or less.

SUBJECT to all easements and/or rights of way of record.

The Basis of Bearing is a course of North 00°39'40" East along the Westerly line of said Section 30, Township 4 South, Range 8 East, Mount Diablo Meridian, Stanislaus County as shown on Stanislaus County Survey No. 1596 dated February 1966.

LS. 8599 A

Kaiser I. Shahbaz

L. S. 8599

Date

CERTIFICATE OF ACCEPTANCE OF REAL PROPERTY

COUNTY OF STANISLAUS

This is to certify that the interest in real property, described in the Grant Deed dated

September 18, 2015 from The County of Stanislaus, a Political Subdivision, to The County of

Stanislaus, a Political Subdivision, is hereby accepted by the undersigned agent on behalf of the

County of Stanislaus pursuant to authority conferred by Resolution No. 2015-132 of the Board of

Supervisors on March 31, 2015, and the Grantee consents to recordation thereof by its duly

authorized agent.

Patricia Hill Thomas, Chief Operations Officer

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