



City of Biggs

Agenda Item Staff Report For the Regular City Council Meeting: March 11, 2014

TO: Honorable Mayor and Members of the City Council
FROM: City Administrator
SUBJECT: Purchase of Tax Defaulted Property

Council is asked to consider authorizing the purchase of three tax defaulted parcels.

Background:

The three parcels are in a property tax default status. Under provisions of State law the County is obligated to sell the property to cover outstanding taxes. The three parcels make up a very favorable site for the City of Biggs Waste Water land disposal project.

AP NUMBER	FIRST YEAR DEFAULTED	DEFAULT NUMBER
022-140-009-000	2006-2007	DEF070000578
002-140-010-000	2006-2007	DEF070000579
002-140-011-000	2006-2007	DEF070000580

Recommendation:

Approve resolution 2014-03 authorizing the Mayor to enter into a purchase agreement with the County of Butte to purchase parcel numbers 022-140-009-000, 022-140-010-000, 022-140-011-000, and to authorize the Mayor, City Administrator and City staff to execute any related agreements and to take all actions necessary to acquire the properties.

Mark Sorensen, City Administrator

Mark Sorensen

From: Akins, Susan <SAkins@buttecounty.net>
Sent: Friday, January 31, 2014 2:33 PM
To: Mark Sorensen
Cc: Peterson, Susan
Subject: Following up: Potential WWTP Tax Defaulted Properties

Hi Mark,

Here is a ballpark breakdown of costs for the three tax defaulted properties we discussed previously:

022-140-009-000 (publishing, etc.)...	Current taxes (approx. \$6,030.78), plus \$84,050.92 (assuming March purchase) and costs
022-140-010-000 (publishing, etc.)...	Current taxes (approx. \$6,527.38), plus \$105,503.98 (assuming March purchase) and costs
022-140-011-000 (publishing, etc.)...	Current taxes (approx. \$3,242.75), plus \$53,458.61 (assuming March purchase) and costs

The payoff numbers for a Chapter 8 sale change from month to month and it's difficult to pinpoint an exact dollar figure, but this will give you an idea of what is owed. Please let me know if you have any questions or need additional information.

Thanks much and happy Friday,
Susie

Susan Akins
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RESOLUTION NO. 2014-03

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF BIGGS TO EXECUTE AN AGREEMENT WITH THE COUNTY OF BUTTE
TO ACQUIRE TAX-DEFAULTED PROPERTY AND TO ACCEPT SAID PROPERTY**

WHEREAS, the City of Biggs has been notified by the County of Butte that certain property, described in Exhibit "A" hereto (Property) was deemed "Subject to Power to Sell" for default of property taxes and is scheduled to be sold at public auction; and,

WHEREAS, Division 1, Part 6, Chapter 8 of the Revenue and Taxation Code permits the City to acquire such Property, prior to a public auction, for an amount equal to the defaulted property taxes; and,

WHEREAS, the City has considered acquiring the Property pursuant to an Agreement to Purchase Tax Defaulted Property (Agreement, attached) with the County of Butte and has reviewed and evaluated the proposed acquisition; and,

WHEREAS, the City agrees to use the Property for the following public purpose and specified intent: construction and operation of a municipal facility which will store and dispose of treated wastewater effluent necessary to comply with state and federal discharge requirements and for public health and safety; and,

WHEREAS, the City has determined that the acquisition of the Property is in the best interest of the City of Biggs and its residents;

NOW, THEREFORE, the City Council of the City of Biggs resolves as follows:

Section 1. The City finds and determines, based upon substantial evidence provided in the record before it, that the acquisition of the Property will support the City's efforts to construct and operate a municipal facility which will store and dispose of treated wastewater effluent necessary to comply with state and federal discharge requirements and for public health and safety.

Section 2. Pursuant to the provisions of the Revenue and Taxation Code, the City shall enter the Agreement with the County of Butte in order to complete the acquisition of the Property for said purposes.

Section 3. The City Administrator, Mayor and staff are hereby designated to take all action necessary to acquire the Property and execute the Agreement and any related documents.

Section 4. The City hereby accepts said Property upon completion of the above.

Section 5. This resolution shall take effect immediately upon its adoption by the City Council.

I HEREBY CERTIFY that the foregoing **RESOLUTION** was duly introduced, passed and adopted at a regular meeting of the City Council of the City of Biggs, held on the 11th day of March, 2014 by the following vote:

AYES: Council Members: _____

NOES: Council Members: _____

ABSENT: Council Members: _____

ABSTAIN: Council Members: _____

ATTEST:

Roben Dewsnup, CITY CLERK

Roger Frith, MAYOR

EXHIBIT "A"

Legal Description 022-140-009-000 (Parcel I)

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF BIGGS, COUNTY OF BUTTE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

LOT 4, AS SHOWN ON THAT CERTAIN MAP ENTITLED, "MAP OF THE W.T. BOULWARE ESTATE, BIGGS, BUTTE COUNTY, CALIFORNIA", WHICH MAP WAS RECORDED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA, ON APRIL 22, 1912, IN BOOK 7 OF MAPS AT PAGE 78.

Legal Description 022-140-010-000 (Parcel II)

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF BIGGS, COUNTY OF BUTTE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

LOTS 5 AND 6, AS SHOWN ON THAT CERTAIN MAP ENTITLED, "MAP OF THE W.T. BOULWARE ESTATE, BIGGS, BUTTE COUNTY, CALIFORNIA", WHICH MAP WAS RECORDED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA, ON APRIL 22, 1912, IN BOOK 7 OF MAPS AT PAGE 78.

Legal Description 022-140-011-000 (Parcel III)

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF BIGGS, COUNTY OF BUTTE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

LOT 7, AS SHOWN ON THAT CERTAIN MAP ENTITLED, "MAP OF THE W.T. BOULWARE ESTATE, BIGGS, BUTTE COUNTY, CALIFORNIA", WHICH MAP WAS RECORDED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA, ON APRIL 22, 1912, IN BOOK 7 OF MAPS AT PAGE 78.