

**AGREEMENT FOR SALE AND PURCHASE OF TAX-DEFAULTED REAL
PROPERTY AND COVENANTS, CONDITIONS AND RESTRICTIONS
AGREEMENT NO. 7099 – THE SAN DIEGO RIVER PARK FOUNDATION
(Non-profit Organization)**

This Agreement by and between the **Board of Supervisors of the County of San Diego** (“SELLER”) and **The San Diego River Park Foundation**, a non-profit corporation organized in accordance with provisions of California law (“PURCHASER”), pursuant to the provisions of Division 1, Part 6, Chapter 8, of the Revenue and Taxation Code, is made as of the Effective Date of Sale for Agreement No. 7099.

The SELLER, subject to the State Controller’s approval, does hereby agree to sell to **The San Diego River Park Foundation**, a non-profit corporation organized in accordance with provisions of California law (“PURCHASER”) that real property described in Exhibit “A” of this Agreement, which was tax defaulted for nonpayment of taxes and is now subject to the San Diego County Treasurer-Tax Collector’s power to sell.

WHEREAS, the PURCHASER is a non-profit corporation organized in accordance with provisions of California law for the purpose of acquiring certain properties for their wildlife, watershed, scenic, recreational and other values to be preserved in perpetuity for the benefit of the public.

WHEREAS, the SELLER is interested in selling tax-defaulted real properties to qualified non-profit organization for the purpose of incorporating the tax-defaulted real properties listed in “Exhibit A” that is located in the unincorporated area of the County of San Diego, commonly known as:

Assessor’s Parcel Numbers: 290-041-21-00.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. That, as provided by California Revenue and Taxation Code § 3800, the cost of giving notice of this Agreement shall be paid by the PURCHASER; and
2. That, the PURCHASER agrees to pay the sum of \$1,300.00 (One Thousand, Three Hundred and 00/100’s dollars) for the real property described in Exhibit “A” within thirty (30) calendar days after the date that this agreement becomes effective. This Agreement shall become Effective at 5:01 p.m. on the 21st day after the first publication of the notice of agreement, pursuant to California Revenue and Taxation Code § 3802, (the “Effective Date”); and
3. That PURCHASER agrees to use the real property described in Exhibit “A” of this Agreement for the public purpose of acquiring certain properties for their wildlife, watershed, scenic, recreational and other values to be preserved in perpetuity for the benefit of the public.

AGREEMENT NO. 7099 – THE SAN DIEGO RIVER PARK FOUNDATION

4. Notices under this Agreement shall be given in accordance with applicable statutory requirements. If there are no statutory requirements in effect, including but not limited to notices, demands, requests, elections, approvals, disapprovals, consents, or other communications given under this Agreement shall be in writing and shall be given by personal delivery, certified mail (return receipt requested), or overnight guaranteed delivery service and addressed as follows:

If to the Purchaser:

Robert Hutsel, President and CEO
The San Diego River Park Foundation
4891 Pacific Highway, Ste 114
San Diego, CA 92110

If to the Seller:

Detra Williams, Manager, Special Functions Division
San Diego County Treasurer-Tax Collector
1600 Pacific Highway, Room 162
San Diego, CA 92101

If all or any portion of any individual parcel described in this Agreement is redeemed prior to the Effective Date of this Sale or the State Controller fails to approve the Agreement, this Agreement shall be null and void as to that individual parcel. This Agreement shall also become null, and void and the right of redemption restored upon the Purchaser's failure to comply with the terms and conditions of this Agreement.

The undersigned hereby agree to the terms and conditions of this Agreement and are duly authorized to sign for said agencies.

This Agreement states the full agreement between the parties and supersedes all prior negotiations and agreements.

APPROVED AS TO FORM AND LEGALITY:
DAVID J. SMITH, ACTING COUNTY COUNSEL

BY: Walter J. de Lorrell III, Chief Deputy

AGREEMENT NO. 7099 – THE SAN DIEGO RIVER PARK FOUNDATION

The undersigned hereby agree to the terms and conditions of this Agreement and are authorized to sign for said agencies.

ATTEST:

A California Non-profit Organization

By: _____
Secretary

THE SAN DIEGO RIVER PARK FOUNDATION

A California Non-profit Organization

By:  _____
President/Vice President

ATTEST:

Board of Supervisors
San Diego County

(seal)

By: _____
Clerk of the Board of Supervisors

By: _____
Chairperson

Pursuant to the provision of Revenue and Taxation Code § 3795, the State Controller approves the foregoing Agreement this _____ day of _____, 20_____.

MALIA M. COHEN
CALIFORNIA STATE CONTROLLER

By: _____
Jaclyn McQueen, Manager
Government Compensation & Property Tax
Standards Section