

Resolution No. 24-126
Meeting Date: October 22, 2024 (16)

**A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SAN DIEGO
CONCERNING THE PROPOSED CHAPTER VIII AGREEMENT
SALE NO. 7094 OF TAX-DEFAULTED PROPERTY
TO THE COUNTY OF SAN DIEGO, DEPARTMENT OF PARKS & RECREATION**

WHEREAS, there is presented to the Board of Supervisors (“Board”) a letter from the San Diego County Treasurer-Tax Collector (“Treasurer-Tax Collector”) recommending that the Board approve and authorize the Chairperson to execute a proposed Chapter VIII Agreement No. 7094 between the County of San Diego Board of Supervisors and THE COUNTY OF SAN DIEGO, DEPARTMENT OF PARKS & RECREATION, for the purchase of certain tax-defaulted properties as listed in Exhibit “A”, attached hereto and made a part of said proposed Agreement;

WHEREAS this Agreement is subject to approval by the State Controller of the State of California; and,

WHEREAS, said properties have become subject to the Treasurer-Tax Collector’s power to sell by notice, as recorded in San Diego County.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Agreement is hereby approved.

IT IS FURTHER RESOLVED that the form of the Agreement for Sale is hereby approved, and the Chairperson of the Board of Supervisors is authorized to execute this Agreement for and on behalf of the Board of Supervisors of the County of San Diego, including any modifications to the Agreement, including but not limited to removal of parcels subject to the Agreement.

IT IS FURTHER RESOLVED that the Director of the Department of Parks and Recreation is authorized to execute this Agreement for and on behalf of the County of San Diego, Department of Parks and Recreation.

APPROVED AS TO FORM AND LEGALITY:
CLAUDIA G. SILVA, COUNTY COUNSEL

BY: Walter J. de Lorrell III, Chief Deputy

TO THE ASSESSOR, AUDITOR, AND TREASURER OF THE COUNTY OF SAN DIEGO, AND TO THE CONTROLLER OF THE STATE OF CALIFORNIA
Exhibit "A"

Under the Direction of the Board of Supervisors, by Resolution No. _____, Dated _____, and Authorization of the State Controller Dated _____. The property listed below was purchased by **County of San Diego Department of Parks & Recreation**, pursuant to the provisions of Division 1, Part 6, Chapter 8, of the Revenue and Taxation Code.

AGREEMENT NO.: 7094 EFFECTIVE DATE: ITEM # -TRA/PARCEL LEGAL DESCRIPTION LAST ASSESSEE(S)	TRA DEFAULT APN DEFAULT DATE DEFAULT YEAR NOTICE OF PTS NOTICE DATE	SALES PRICE	ADV COST	REC FEE	STATE FEE	COUNTY FEE	NOTICE FEE	PERSONAL CONTACT FEE	REDEMPTION AMOUNT As of _____	CURRENT TAXES As of _____	TEETER FUNDS	EXCESS PROCEEDS CLAIM FEES	EXCESS PROCEEDS	DEED ISSUED TO DATE OF DEED DOCUMENT NO. (If not sold, give reason)
0243/ 83075/ 579-021-04-00 LOT 10 IN BLOCK 97 OF EAST SAN DIEGO VILLA HEIGHTS, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1317, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, FEBRUARY 21, 1911. LAST ASSESSEE(S): AMERICAN CANCER SOCIETY, POWELL DOLORES, POWELL GEORGE JR	83075 579-021-04-00 6/29/2018 2017-2018 2023-0319565 11/16/2023	\$2,000.00	\$0.00	\$0.00	\$0.00	\$378.00	\$236.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
0245/ 83075/ 579-034-25-00 LOT 3 IN BLOCK 58 OF EAST SAN DIEGO VILLA HEIGHTS, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1317, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, FEBRUARY 21, 1911. TOGETHER WITH ALL ADJACENT ALLEY WHICH ARE NOW VACATED AND CLOSED TO PUBLIC USE, BY RESOLUTIONS RECORDED JUNE 29,	83075 579-034-25-00 6/29/2018 2017-2018 2023-0319566 11/16/2023	\$7,700.00	\$0.00	\$0.00	\$0.00	\$378.00	\$236.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	

AGREEMENT NO.: 7094 EFFECTIVE DATE: ITEM # -TRA/PARCEL LEGAL DESCRIPTION LAST ASSESSEE(S)	TRA DEFAULT APN DEFAULT DATE DEFAULT YEAR NOTICE OF PTS NOTICE DATE	SALES PRICE	ADV COST	REC FEE	STATE FEE	COUNTY FEE	NOTICE FEE	PERSONAL CONTACT FEE	REDEMPTION AMOUNT As of _____	CURRENT TAXES As of _____	TEETER FUNDS	EXCESS PROCEEDS CLAIM FEES	EXCESS PROCEEDS	DEED ISSUED TO DATE OF DEED DOCUMENT NO. (If not sold, give reason)
1964 AS FILE NO. 116278, ALL OF OFFICIAL RECORDS. LAST ASSESSEE(S): ANZA BUTTERFIELD ROAD 34 LLC														
0246/ 83075/ 579-035-16-00 LOTS 3 AND 22 IN BLOCK 57 OF EAST SAN DIEGO VILLA HEIGHTS, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1317, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, FEBRUARY 21, 1911. TOGETHER WITH ALL ADJACENT ALLEY WHICH ARE NOW VACATED AND CLOSED TO PUBLIC USE, BY RESOLUTIONS RECORDED JUNE 29, 1964 AS FILE NO. 116278, ALL OF OFFICIAL RECORDS. LAST ASSESSEE(S): ANZA BUTTERFIELD ROAD 34 LLC	83075 579-035-16-00 6/29/2018 2017-2018 2023-0319567 11/16/2023	\$8,800.00	\$0.00	\$0.00	\$0.00	\$378.00	\$236.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
TOTAL		\$18,500.00	\$0.00	\$0.00	\$0.00	\$1,134.00	\$708.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	

**AGREEMENT FOR SALE AND PURCHASE OF TAX-DEFAULTED REAL
PROPERTY AND COVENANTS, CONDITIONS AND RESTRICTIONS
AGREEMENT NO. 7094 COUNTY OF SAN DIEGO,
DEPARTMENT OF PARKS AND RECREATION
(Public Agency)**

This Agreement by and between the Board of Supervisors of the County of San Diego ("SELLER"), and the County of San Diego, Department of Parks and Recreation, a public agency ("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 7094.

WHEREAS, the SELLER, subject to the State Controller's approval, does hereby agree to sell to the County of San Diego, Department of Parks and Recreation, a public agency PURCHASER, those real properties described in the attached Exhibit "A" of this Agreement, which were tax-defaulted for nonpayment of taxes and are now subject to the San Diego County Treasurer-Tax Collector's power to sell.

WHEREAS, the PURCHASER is a public agency existing for the purpose of conserving open space and enhancing the quality of life in San Diego by providing opportunities for high level parks and recreation experiences and preserving regionally significant natural and cultural resources.

WHEREAS, the SELLER is interested in selling tax-defaulted real properties located in the County of San Diego, commonly known as:

Assessor's Parcel Numbers: 579-021-04-00, 579-034-25-00 and 579-035-16-00.

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 \$18,500.00 (Eighteen Thousand, Five Hundred and 00/100's dollars) for the real properties 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"). Upon payment of said sum to the Treasurer-Tax Collector, the Treasurer-Tax Collector shall execute and deliver a Tax Deed conveying title to said properties to PURCHASER; and
3. That PURCHASER agrees to use the real properties described in Exhibit "A" of this Agreement for the public purpose of open space conservation; and
4. That, if PURCHASER is a taxing agency as defined in Revenue and Taxation Code § 121 or any other agency that receives its revenue share under the provisions of division 1, Part 8 Chapter 3 of the Revenue and Taxation Code, it will not share in the distribution of the payment required by the Agreement as defined by § 3791 and § 3720 of the Revenue and Taxation Code; and

AGREEMENT NO. 7094 – COUNTY OF SAN DIEGO, PARKS AND RECREATION

5. Notices under this Agreement shall be given in accordance with applicable statutory requirements. If there are no statutory requirements in effect, any communications to a party, 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:

**Eira Whitty, Land Use/Environmental Planner
County of San Diego, Department of Parks and Recreation
5500 Overland Avenue, Suite 410
San Diego, CA 92123**

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 any portion of any of the parcels described in Exhibit "A" is redeemed prior to the Effective Date 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:
CLAUDIA G. SILVA, COUNTY COUNSEL**

BY: Walter J. de Lorrell III, Chief Deputy

AGREEMENT NO. 7094 – COUNTY OF SAN DIEGO, PARKS AND RECREATION

Pursuant to the provisions of § 3775 of the Revenue and Taxation Code, the governing body of the County of San Diego hereby agrees to the sale price as provided in this Agreement.

ATTEST:

County of San Diego,
Department of Parks and Recreation

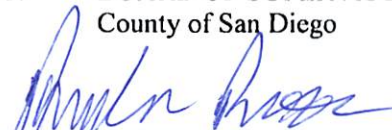
(Purchaser)

By: 
(Purchaser) Director

(seal)

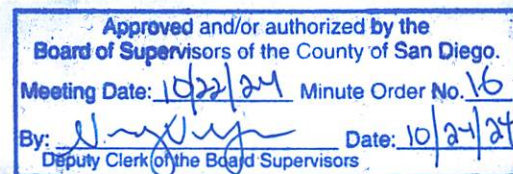


ATTEST: BOARD OF SUPERVISORS
County of San Diego

By: 
Clerk of the Board of Supervisors

By: 
Chairperson

(seal)



Pursuant to the provisions of § 3775 of the Revenue and Taxation Code, the State Controller agrees to the selling price hereinbefore set forth and, pursuant to the provisions of § 3795, approves the foregoing Agreement this _____ day of _____, 20____.

MALIA M. COHEN
CALIFORNIA STATE CONTROLLER

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

ON MOTION of Supervisor Montgomery Steppe, seconded by Supervisor Desmond, the above Resolution was passed and adopted by the Board of Supervisors, County of San Diego, State of California, on this 22nd day of October 2024, by the following vote:

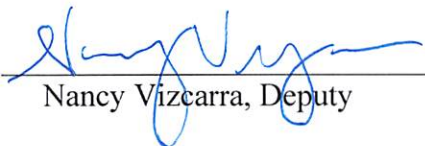
AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

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STATE OF CALIFORNIA)
County of San Diego) ^{SS}

I hereby certify that the foregoing is a full, true and correct copy of the Original Resolution entered in the Minutes of the Board of Supervisors.

ANDREW POTTER
Clerk of the Board of Supervisors

By: 
Nancy Vizcarra, Deputy



Resolution No. 24-126
Meeting Date: 10/22/2024 (16)