

Meeting Date: August 26, 2025 (14)
Resolution No.: 25-087

**RESOLUTION OF INTENTION TO SELL REAL PROPERTY AND NOTICE
INVITING BIDS FOR REAL PROPERTY NUMBER 2017-0128-A.**

WHEREAS, the County of San Diego ("County"), a political subdivision of the State of California, is the owner of that certain improved real property located at Old Highway 80, in the unincorporated community of Boulevard, CA and identified as Assessor Parcel Number 612-091-17-00 ("Property"), and more particularly designated and described as:

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

WHEREAS, this Board of Supervisors found and determined that the Property should be offered for public sale; and

WHEREAS, the requirements of Sections 54222 and 65402 of the Government Code of the State of California have been complied with, insofar as these code sections apply to the public sale of the Property;

NOW, THEREFORE,

BE IT RESOLVED AS FOLLOWS:

1. This Board of Supervisors further finds that the proposed sale of the property is not subject to the State of California Environmental Quality Act (CEQA), as it is categorically exempt under Article 19, Section 15312 of the CEQA Guidelines as the action involves the sale of surplus government property that is not located in an area of statewide, regional, or areawide concern identified in Section 15206(b)(4) of the State CEQA Guidelines..

2. This Board of Supervisors declares its intention to sell the Property under the terms and conditions set forth below in this Resolution of Intention. The Director, Department of General Services, or designee ("Director"), is hereby authorized to conduct the bid opening at the location specified in Section f below, select the highest bidder, and return to the Board of Supervisors on November 18, 2025, for final acceptance of the selected bidder, approval of the sale of the Property, and authorization to perform all necessary actions to complete the sale of the Property.

a. Minimum Bid. The minimum bid and minimum purchase price for the property shall be \$100,000.00.

b. Official Proposal Form. No written proposal will be considered unless submitted on the County of San Diego's Official Proposal Form ("Proposal Form") and received by Department of General Services on or before Friday, September 12, 2025 at the address shown below. Instructions for filling out the Bid Form and the rules for the bidding

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procedure are outlined in a document titled Bid Procedure for the Sale of Real Property ("Bid Procedure"). The Bid Form and the Bid Procedure can be found on the "Properties for Sale" link found at www.sdcre.com. If you cannot digitally access the documents via the County's website, please contact Kelley Bernard-James, Senior Real Property Agent at Kelley.bernardjames@sdcounty.ca.gov or call at 619-932-8929 for options to obtain a hard copy.

County of San Diego
Department of General Services
RE: Boulevard Property; Bid Opening - September 17, 2025
Attention: Kelley Bernard-James, Real Estate Services
5560 Overland Avenue, Suite 410
San Diego, California 92123

c. **Bid Deposit.** A deposit of \$3,000 ("Bid Deposit") is required of all bidders and shall be included with the Proposal Form in a sealed bid envelope submitted for a written bid or submitted to the Director, for an oral bid, if that bidder has not previously submitted a Bid Deposit with a written bid. The Bid Deposit must be in the form of a cashier's check and serves as a guarantee that the selected highest bidder will pay the purchase price and complete the transaction. All checks shall be made payable to the County of San Diego. After the completion of the auction and the acceptance of the highest bid by the Director, all Bid Deposit checks of the unsuccessful bidders shall be returned.

d. **Withdrawing of Written Proposals.** Any time before the time scheduled for the Bid Opening (as defined below), a bidder, upon proper application and identification to the Director, shall have the right to withdraw their bid. A written bid may not be withdrawn after the time set for the Bid Opening without the approval of the Director.

e. **Property Inspection; No Broker's Fee.** The Property being offered for sale shall be open for inspection by appointment only. Additional information may be obtained by contacting the County's Real Estate Services Division at DGSRESDisposition@sdcounty.ca.gov. The County shall not pay a real estate commission as a result of the sale of the property.

f. **Sale Procedure.**

i. **Written Proposals.** All of the written proposals received will be publicly opened, examined, and declared acceptable or not by the Director, on September 17, 2025, at County Operations Center Chambers located at 5520 Overland Avenue, Room 110, San Diego California 92123 at 12:00 p.m. ("Bid Opening"). Of the proposals submitted which conform to all of the terms and conditions herein stated, and which are made by responsible proposers, the proposal, which is the highest shall be accepted, unless a higher oral bid is accepted or the Director rejects all written proposals and oral bids.

ii. **Oral Proposals.** After the public opening, examination, and

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declaration of written proposals, the Director will invite responsible bidders to make bids orally. The first oral bid must be at least one hundred five percent (105%) of the highest written bid submitted or must be for the minimum bid amount, whichever is higher. Each oral bidder must submit or have submitted the Proposal Form and deposit or have deposited with the Director the required Bid Deposit prior to making an oral bid. After the initial oral bid is made, the Director reserves the right to set specific minimum incremental bid amounts during oral bidding in order to expedite the proceedings.

iii. Duplicate High Proposals. In the event that two or more written proposals are received which are equal in amount, and no oral bids are made, the proposal accepted shall be that of the proposer whose name is drawn by lot immediately after the call for oral bids.

iv. Rejection of Written Proposals and/or Oral Bids. The Director reserves the right to reject any and all bids or to waive any informality in the bidding process. If the sale is canceled, all deposits will be refunded without payment of interest.

v. Final Acceptance by the Board of Supervisors. Final acceptance of the highest written or oral bid, as the case may be, shall be subject to approval of the Board of Supervisors by resolution, which Board hearing shall take place on November 18, 2025. The Board-approved highest bidder shall have the exclusive right to purchase the Property in accordance with the terms and conditions contained in the Purchase and Sale Agreement to be executed by the approved highest bidder and the County. The amount of money the highest approved bidder proposed to pay for the Property shall be referred herein as the "Purchase Price."

g. Purchase and Sale Agreement. The selected highest bidder shall execute the Purchase and Sale Agreement with the County within five (5) business days of the approval of the highest bidder by the Board of Supervisors. The Purchase and Sale Agreement can be found on the "Properties for Sale" link found at www.sdcre.com. If you cannot digitally access the documents via the County's website, please contact Kelley Bernard-James, Senior Real Property Agent at Kelley.bernardjames@sdcounty.ca.gov or call at 619-932-8929 for options to obtain a hard copy.

h. Conditions of Sale and Additional Deposit. County requires a good faith deposit totaling 3.0% of the Purchase Price of the Property ("Deposit"). At the opening of escrow, the selected bidder shall deposit into escrow the amount equal to the Deposit minus the Bid Deposit. The selected bidder shall have up to one-hundred eighty (180) days to close escrow from the Opening of Escrow (as such term is defined below); however, the escrow closing date may be extended at the discretion of the Director. Additionally, the selected bidder may request to extend the closing date by three (3) periods of thirty (30) days each and if the escrow is

extended, the Purchase Price for the Property will be increased by one percent (1.0%) at the beginning of each extension period or as determined by the Director in the Director's discretion. The Deposit shall be applied to the Purchase Price at the close of escrow or paid to the County as

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liquidated damages if escrow does not close and the sale is cancelled due to a buyer's default.

i. As-is Sale. The Property is sold "as is" and the County does not warrant that this Property is fit for a particular purpose. The County makes no representations as to the condition of the Property, conformance to the zoning requirements or permit regulations, soil conditions, or the existence, if any, of any hazardous materials on the Property. Purchaser is responsible for conducting their own due diligence.

j. Escrow. The opening of escrow for the Property shall occur within ten (10) business days following the full execution of the Purchase and Sale Agreement for the Property ("Opening of Escrow"). The instructions for the escrow agent for the sale of the Property will be based upon the terms and conditions specified in this Resolution and the Purchase and Sale Agreement for the Property. The selected highest bidder shall pay all costs of the escrow for the Property, including recording fees, Transfer Tax, documentary stamp taxes, government conveyance fees, title insurance, and any other title and escrow fees and charges. The County shall not pay any fees, taxes or other charges and expenses.

k. Restrictive Covenant. The County will convey its rights, title, and interest in the Property by a grant deed. As required by Surplus Land Act, Section 54233 of the Government Code, at the time of sale, a restrictive covenant will be recorded against the Property, which will state that if ten (10) or more residential units are developed on the Property then at least fifteen percent (15.0%) of the total units shall be rented or sold at affordable housing cost or affordable rent to lower income households as such terms are defined in Section 54233. The County assumes no liability for any other possible encumbrances either of record or not of record.

BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors is hereby directed to post and publish the Resolution of Intention to Sell Real Property and Notice Inviting Bids for Real Property Number 2017-0128-A and Notice of the Adoption of the Resolution of Intention to Sell Real Property and Inviting Bids, in accordance with Sections 6063 and 25528 of the Government Code.

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

By: INNA ZAZULEVSKAYA,
SENIOR DEPUTY COUNTY COUNSEL

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Exhibit A
Legal Description

ALL THAT PORTION OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 17 SOUTH, RANGE 7 EAST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY THEREOF, CONVEYED TO THE COUNTY OF SAN DIEGO IN THE GRANT DEED RECORDED NOVEMBER 10, 1986, AS DOC. NO. 86-513994 OF OFFICIAL RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF THAT PARCEL OF LAND DESCRIBED IN DEED TO THE STATE OF CALIFORNIA, RECORDED APRIL 25, 1961, AT FILE/PAGE NO. 71265 OF OFFICIAL RECORDS, IN THE OFFICE OF THE RECORDER OF SAID SAN DIEGO COUNTY; THENCE ALONG THE SOUTHEASTERLY BOUNDARY OF SAID PARCEL NORTH 68°33' EAST, 345.16 FEET TO THE MOSTEASTERLY CORNER THEREOF; THENCE SOUTH 21°27' EAST, 497.94 FEET TO THE SOUTHERLY LINE OF SAID NORTHEAST QUARTER; THENCE ALONG SAID SOUTHERLY LINE NORTH 89°50'00" WEST, 425.05 FEET; THENCE LEAVING SAID SOUTHERLY LINE NORTH 21°27'00" WEST, 859.95 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF CALIFORNIA STATE HIGHWAY (OLD HIGHWAY 80), 100.00 FEET WIDE AS SHOWN ON MISCELLANEOUS MAP NO. 118, FILED IN THE OFFICE OF SAID COUNTY RECORDER ON MAY 21, 1931, AS FILE NO. 28402; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE NORTH 68°33'00" EAST, 50.00 FEET TO AN INTERSECTION WITH A LINE BEARING NORTH 21°27'00" WEST, FROM THE POINT OF BEGINNING; THENCE SOUTH 21°27'00" EAST, 518.59 FEET TO THE **POINT OF BEGINNING**.

ON MOTION of Supervisor Anderson, seconded by Supervisor Aguirre, the above Resolution was passed and adopted by the Board of Supervisors, County of San Diego, State of California, on this 26th day of August 2025, by the following vote:

AYES: Aguirre, 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



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