



STAFF REPORT

TOWN COUNCIL MEETING OF DECEMBER 9, 2014

To: Town Council

From: Town Manager

Date: November 21, 2014

Subject: A Resolution of the Town Council of the Town of Loomis Authorizing the Sale of a Portion of Assessor's Parcel Number 044-080-060

RECOMMENDATION:

Approve the Resolution authorizing the sale of a Portion of Assessor's Parcel Number 044-080-060 (Exhibit A) to Scott Paris Enterprises.

DISCUSSION:

In March of 2014, Scott Paris inquired of the Town to purchase a portion of the parcel to the northeast of his property. He currently leases this property from the Town. The intent of the purchase is to allow High Hand improved and expanded options for development of this portion of property for both the benefit of the High Hand and the Town and to provide a secure area where High Hand employees can safely park.

Negotiation of the sale of portions of the property owned by the Town to High Hand (aka Scott Paris Enterprises) have been ongoing since the request to purchase the land arose in March. As you are aware, Mr. Paris has made numerous improvements on the subject property which he currently leases.

Following several discussions between Mr. Paris, Town Council and Town staff, it was determined that sale of Town property to Mr. Paris would not only benefit Mr. Paris but the Town but as well. The proposed purchase includes a 50 foot portion of the existing parking area to the southwest of the Peter Oakes Stage, closest to the existing fence at High Hand. Exhibit A shows the reconfigured parcel that would be sold to Mr. Paris. To determine value, at the request of the Town, Mr. Paris had an appraisal prepared for the subject parcel. The appraisal determined the parcel value at \$1.25/per square foot.

In addition, the Town Council requested a number of items be included in the purchase agreement, including,

- All existing structures/improvements on the High Hand property without the required building permits must be applied for and receive required Town building permits within 90 days of close of escrow.
- All future structures or improvements must receive required Town building permits prior to work commencing.
- Credit for the cost of the appraisal shall be deducted from the sales price (\$1,500).
- All Title costs or other costs associated with the sale of the property shall be paid by the buyer.
- Sale shall include an additional 50 feet from existing High Hand fence on the north side of current operation towards Peter Oakes stage.
- The additional 50 feet shall be for the sole purpose of providing secure High Hand employee parking and language shall be included in the Purchase Agreement to this effect.

The attached Resolution would authorize the Mayor and Town Manager to approve, execute, and deliver the Purchase Agreement in substantially the form presented at this meeting (See Exhibit B), with such changes, insertions, revisions, corrections, or amendments as shall be approved by the Mayor and Town Manager and to execute and deliver any and all documents, to implement the sale of the Property pursuant to the Purchase Agreement.

CEQA :

Categorically Exempt under Section 15312. Surplus Government Property Sales.

FINANCIAL IMPLICATIONS:

The Town would receive \$135,175.00 at the end of escrow.

Attachments:

Exhibit A: Parcel and Description

Exhibit B: Resolution

EXHIBIT "A"

PARCEL 1

LEGAL DESCRIPTION:

Being all that certain real property situate in the Town of Loomis, County of Placer, State of California, and lying in its entirety within Section 9, Township 11 North, Range 7 East, Mount Diablo Meridian and being a portion of Parcel 2 as described in Quit Claim Deed to the Town of Loomis recorded in Document No. 2008-0095584 and a portion of Parcel 4 as described in Quit Claim Deed to the Town of Loomis recorded in Document No. 2008-0095585 of Official Placer County Records, and being more particularly described as follows:

Beginning at the most Southwesterly corner of said Parcel 2 as said parcel is described in said document; thence from said Point of Beginning along Westerly line of said parcel, North 36°09'53" East 877.37 feet to a point; thence from said point leaving said Westerly line of said Parcel 2 in a Southeasterly direction, South 53°50'07" East 150.00 feet to a point on the Easterly line of said Parcel 4 as said parcel is described in said document; thence from said point along said Easterly line, South 36°09'53" West 506.39 feet to the most Northeasterly corner of that certain parcel of land described in deed to Paris, recorded as Document No. 2012-0062694 of Official Placer County Records; thence from said corner along the Northerly line of said parcel of land, North 53°40'34" West 60.00 feet to the most Northerly corner of said parcel of land to Paris; thence along the Westerly line of said parcel of land to Paris, South 36°09'53" West 371.15 feet to the most Southerly corner of said parcel of land to Paris, said corner also being the most Southerly corner of said Parcel 2; thence from last said corner along the Southerly line of said Parcel 2, North 53°50'07" West 90.00 feet to the Point of Beginning of this description, containing 2.51 acres more or less of land.


Timothy G. Blair, PLS 8278

Surveyors Group, Inc.
TOL 14-96
11-18-14



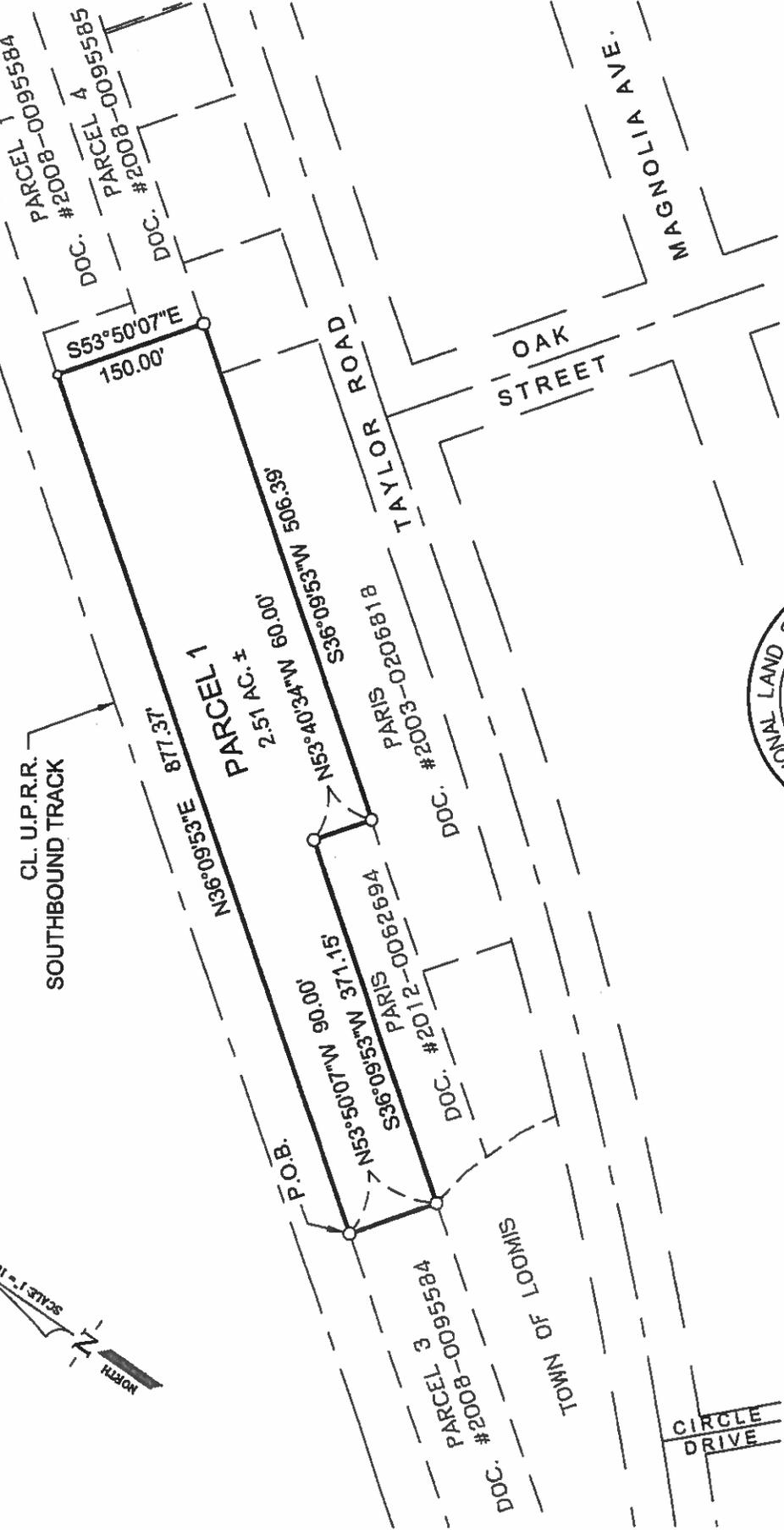
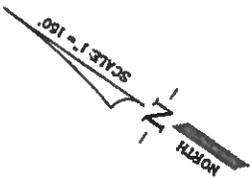


EXHIBIT "B"

A POR. PARCEL 2 - DOC #2008-0095584 & A POR.
 PARCEL 4 - DOC #2008-0095585
 SEC. 9, T.11 N., R.7 E., M.D.M.
 TOWN OF LOOMIS, CALIFORNIA

DA + SGI A Joint Venture

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TOWN OF LOOMIS
RESOLUTION 14- ____

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOOMIS AUTHORIZING
THE SALE OF CERTAIN PROPERTY**

WHEREAS, the Town of Loomis ("Town") is the owner of the improved \pm 2.51 acre real property in the Town of Loomis (a portion of Assessor's Parcel Number 044-080-060) in Loomis, California, designated as shown on Exhibit A ("Purchase Property"); and,

WHEREAS, The Town of Loomis ("Town") desires to create an attractive and convenient Downtown core conducive to the healthy development of commercial businesses and provide a more cohesive arrangement of public and private parcels; and

WHEREAS, Scott Paris Enterprises is willing to acquire said Purchase Property subject to the current improvements; and

WHEREAS, The General Plan designation of the Purchase Property, and its zoning under the Town's Zoning Ordinance, are consistent with the planned use of the Property by the Purchaser; and

WHEREAS, The Town has determined that the Purchase Property is no longer necessary for Town purposes and is willing to sell said Purchase Property for \$1.25 per square foot, subject to Material Terms for an Agreement for Purchase and Sale ("Purchase Agreement").

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Loomis that:

1. Sale of the Purchase Property in accordance with the terms of the Purchase Agreement is in conformity with the General Plan of the Town of Loomis; and
2. The Mayor and Town Manager (the "Designated Officers") are hereby authorized and directed, for and in the name of and on behalf of the Town, to:
 - a. Approve, execute, and deliver the Purchase Agreement in substantially the form presented to this meeting, which Purchase Agreement is hereby approved, with such changes, insertions, revisions, corrections, or amendments as shall be approved by the Designated Officers; and
 - b. to execute and deliver any and all documents, to do any and all things and take any and all actions that may be necessary or advisable, in their discretion, in order to consummate the above transaction and implement the sale of the Property pursuant to this resolution and the Purchase Agreement."
 - c. Said Purchase Agreement shall incorporate the following provisions:

EXHIBIT B

- All existing structures/improvements on the High Hand property without the required building permits must be applied for and receive required Town building permits within 90 days of close of escrow.
- All future structures or improvements must receive required Town building permits prior to work commencing.
- Credit for the cost of the appraisal shall be deducted from the sales price (\$1,500).
- All Title costs or other costs associated with the sale of the property shall be paid by the buyer.
- Sale shall include an additional 50 feet from existing High Hand fence on the north side of current operation towards Peter Oakes stage.
- The additional 50 feet shall be for the sole purpose of providing secure High Hand employee parking and language shall be included in the Purchase Agreement to this effect.

PASSED AND ADOPTED this 9th day of December, 2014, by the following vote:

AYES:
 NOES:
 ABSENT:
 ABSTAIN:

Mayor

Attest:

APPROVED AS TO FORM:

Town Clerk

Town Attorney