



Tamalpais Community Services District

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RESOLUTION NO. 2017-05

RESOLUTION OF THE TAMALPAIS COMMUNITY SERVICES DISTRICT BOARD APPROVING THE PURCHASE AND SALE AGREEMENT FOR THE TAMALPAIS VALLEY COMMUNITY CENTER PROPERTY, AND DELEGATING AUTHORITY TO THE GENERAL MANAGER TO NEGOTIATE AND SIGN ALL OTHER DOCUMENTS, AND TAKE ALL OTHER NECESSARY ACTIONS TO COMPLETE THE VOLUNTARY PURCHASE, INCLUDING TERMINATION OF THE EXISTING LEASE

WHEREAS, the Tamalpais Community Services District ("TCSD" or "Buyer") is a special district organized pursuant to the Community Services District Law (California Government Code § 61000, et. seq.); and.

WHEREAS, Government Code section 61610 identifies the powers of the Community Services District including the authority to acquire real or personal property of every kind within or without the district by grant, purchase, gift, devise, lease, or eminent domain; and,

WHEREAS, Beginning in 1994, the Tamalpais Valley Improvement Club, a non-profit public benefit corporation ("TVIC" or "Seller") has leased certain properties located in unincorporated Marin County, a.k.a., Tamalpais Valley, Marin County, California, known as County Assessor's Parcel Numbers 200-200-22 and 052-032-12 (the "Property") to TCSD for a nominal rent of one dollar (\$1.00) per year pursuant to a fifty (50) year lease (the "Lease") that expires on December 1, 2044; and

WHEREAS, TCSD has managed the Property from 1994 to the present; and

WHEREAS, TCSD now wishes to purchase the Property from the TVIC; and

WHEREAS, for good and valuable consideration in the amount of \$1.00 Seller desires to transfer and convey to Buyer and Buyer desires to accept the Property for the benefit of TCSD; and

WHEREAS, a Purchase and Sale Agreement ("Purchase Agreement"), substantially in the form attached as Exhibit A, has been negotiated by and between the parties and memorializes the intent of the parties to transfer the Property to TCSD pursuant to its terms; and

WHEREAS, Government Code section 27281 requires the District to accept the grant of the Property by adopting a resolution of acceptance or delegating the authority to an officer or agent to sign on the district's behalf a Certificate of Acceptance substantially in the form presented in

Government Code section 27281, a copy of which is attached and incorporated by this reference herein as Exhibit B; and

WHEREAS, the acquisition of the Property is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guideline Section 15061(b)(3) since this activity does not have the potential for causing a significant effect on the environment and it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the Tamalpais Community Services District that:

1. The purchase of the Property is exempt from CEQA pursuant to Section 15061(b)(3) of CEQA.
2. The purchase of the Property for the amount of \$1.00 from Seller is hereby authorized and the General Manager is authorized to execute the Purchase Agreement.
3. The General Manager is hereby delegated to take all actions necessary to complete the purchase of the Property including, but not limited to, execution of all closing documents, termination of the Lease, and execution of the Certificate of Acceptance subject to approval as to form and legality by District Counsel.
4. The Board consents to the recordation of the grant deed.

I hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted and passed by the District Board of the Tamalpais Community Services District, County of Marin, California, at a meeting thereof held on 20th of September 2017 by the following vote:

AYES: Bartschat, Brown, Jacobs, Levine

NOES: 0

ABSENT: McMahon



Secretary, Tamalpais Community Services District



President, Board of Directors