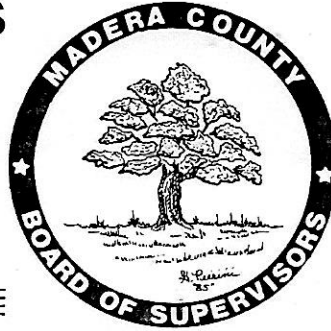


BOARD OF SUPERVISORS

MADERA COUNTY

J. GORDON KENNEDY, District 1
ALFRED GINSBURG, District 2
GAIL HANHART McINTYRE, District 3
JESS LOPEZ, District 4
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WANDA BRADLEY, Clerk of the Board

MADERA COUNTY GOVERNMENT CENTER
209 WEST YOSEMITE AVENUE
MADERA, CALIFORNIA 93637
(209) 675-7700

File No: 85048

Tape No: 1-40

Date: March 19, 1985

In the Matter of APPROVAL OF NOTICE OF INTENTION TO PURCHASE REAL PROPERTY, COUNTY SERVICE AREA #21, CASCADEL WOODS AND SETTING TIME AND DATE OF HEARING.

Upon motion of Supervisor Hanhart McIntyre, seconded by Supervisor Darnell, it is ordered that the attached be and it is hereby adopted as shown.

I hereby certify that the above order was adopted by the following vote, to wit:

AYES: Supervisors Kennedy, Ginsburg, Hanhart McIntyre, Lopez and Darnell.
NOES: None.
ABSTAIN: None.
ABSENT: None.

Distribution:
Planning
Cascadel Woods Homeowners
CAO
County Counsel
Auditor
Publish (Notice)

ATTEST: WANDA BRADLEY, CLERK
BOARD OF SUPERVISORS
By *Dina Roberts*
Deputy Clerk

MADERA COUNTY

COUNTY COUNSEL

MICHAEL D. OTT
County Counsel

MADERA COUNTY GOVERNMENT CENTER
209 WEST YOSEMITE AVENUE
MADERA, CALIFORNIA 93637
(209) 675-7717

MEMO

TO: Board of Supervisors

FROM: Michael D. Ott, County Counsel

RE: Notice of Intention to Purchase Property
(CSA 21 - Cascadel Woods)

DATE: March 12, 1985

Attached hereto is a copy of the proposed Notice. This matter is being brought to you now because of the lengthy notice requirements necessary to consummate this purchase. If this Notice is approved on March 19, you may consummate the purchase on April 16, 1985.

The loan which will be made to CSA 21 pursuant to California Government Code § 25210.9c may be done without public notice - i.e., the appearance of an item on your regular agenda will be sufficient. Recall, however, that this loan will require a 4/5 vote.

Also, there remains the matter of an agreement with the homeowners' association for the management, operation, and maintenance of the property. If such an agreement takes the form of a lease, it will require a Resolution of Intention to Lease adopted by a 4/5 vote and three weeks' notice. The county will then be required to accept sealed proposals to lease such property. If the agreement takes the form of a "management agreement", such formalities may be dispensed with. I am preparing a draft of the operative provisions of such an agreement or lease for review by staff and the Homeowners' Association, but we are awaiting information regarding insurance. Mr. Graham has suggested that the Homeowners' Association, as lessee, could obtain a much lower insurance rate than it could as simply a "manager" of the property.

RECOMMENDATION:

1. Approve Notice of Intention to Purchase Real Property and direct its publication once per week for three weeks prior to April 16, 1985.
2. Set hearing regarding purchase of this property for April 16, 1985, at 10:00 a.m.

NOTICE OF INTENTION TO PURCHASE REAL PROPERTY

PLEASE TAKE NOTICE that:

1. The County of Madera, for and on behalf of County Service Area No. 21 ["CSA 21"], intends to purchase that certain real property located in the State of California, County of Madera which is described on Exhibit "A" attached hereto.

2. The purchase price of said property shall be \$139,500.00 payable as follows:

- a. \$59,500.00 on or before June 1, 1985;
- b. \$928.88 per month, or more, for 10 years, commencing July 1, 1985 (computed at 7% interest).

3. The County of Madera intends to loan CSA 21 \$70,000.00 pursuant to California Government Code § 25210.9c to complete said purchase and assure the payment of the first year's monthly payments.

4. The repayment of said loan and the payment of all monthly payments will be funded entirely from assessments and charges levied against the properties located within CSA 21.

5. The County intends to contract with the Cascadel Woods Property Owners Association to manage, operate, and maintain said property, and to restrict usage of such property to residents of CSA 21.

6. The vendors of the property are Linda E. Martin, Arlon L. Moon, Dr. E. L. Moon, and Betty E. Moon.

7. The Board of Supervisors of the County of Madera will meet on April 16, 1985, at 10:00 a.m. to consummate the purchase of said property upon the terms and conditions set forth above.

Order No. 114106

EXHIBIT "A"

PARCEL NO. 1

Out Lot A in the Cascadel Woods Subdivision No. 4, according to the map thereof, recorded August 5, 1963, in Book 9 of Maps, at pages 146 to 150, Madera County Records.

EXCEPTING THEREFROM any portion thereof which lies within that strip of land 60 feet wide through the S 1/2 of Section 16, Township 8 South, Range 23 East, M. D. B. & M., as dedicated to the County of Madera as a street right of way in that certain Offer of Dedication dated December 22, 1967 and recorded July 11, 1969 in Book 1038 of Official Records, page 466, Madera County Records, Document No. 7595.

PARCEL NO. 2

Out Lot B in the Cascadel Woods Subdivision No. 4, according to the map thereof recorded August 5, 1963, in Book 9 of Maps, at pages 146 to 150, Madera County Records.

EXCEPTING THEREFROM any portion thereof which lies within that strip of land 60 feet wide through the S 1/2 of Section 16, Township 8 South, Range 23 East, M. D. B. & M., as dedicated to the County of Madera as a street right of way in that certain Offer of Dedication dated December 22, 1967 and recorded July 11, 1969 in Book 1038 of Official Records, page 466, Madera County Records, Document No. 7595.

PARCEL NO. 3

Out Lot C and Out Lot . in the Cascadel Woods Subdivision No. 4, according to the map thereof recorded August 5, 1963 in Book 9 of Maps, at pages 146 to 150, Madera County Records.

EXCEPTING THEREFROM any portion thereof which lies within that strip of land 60 feet wide through the S 1/2 of Section 16, Township 8 South, Range 23 East, M. D. B. & M., as dedicated to the County of Madera as a street right of way in that certain Offer of Dedication dated December 22, 1967 and recorded July 11, 1969 in Book 1038 of Official Records, page 466, Madera County Records, Document No. 7595.

EXHIBIT A

