

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 03/29/2016 by the following vote:

AYE: 4 **John Gioia**
Candace Andersen
Karen Mitchoff
Federal D. Glover

NO:

ABSENT: 1 **Mary N. Piepho**

ABSTAIN:

RECUSE:



Resolution No. 2016/142

ADOPT Resolution No. 2016/142 approving the Grant Deed, the Purchase and Sale Agreement and the Regulatory Agreement from Contra Costa County as housing successor to the Contra Costa County Redevelopment Agency to Habitat for Humanity in connection to the conveyance of real property identified as Assessor's Parcel Numbers 148-180-050, 051, and 052, Las Juntas Way, Walnut Creek. (Project No. 4500-6X5489 [CP#16-10])

The Board of Supervisors of Contra Costa County RESOLVES THAT:

Contra Costa County (County), in its capacity as housing successor to the Contra Costa County Redevelopment Agency, acquired certain real property by Grant Deed, recorded in the Office of this County's Recorder on March 20, 2003 as Instrument No. 2003-0126806, and described in Exhibit "A" attached hereto. Said interest is being transferred to improve, increase, or preserve the supply of low- and moderate-income housing available at affordable housing costs pursuant to Health and Safety Code Sections 33334.2 and 34176.1.

Under Health and Safety Code Section 34176, all rights, powers, duties, obligations, and housing assets, transfer to the County as housing successor.

The County desires to enter into a purchase and sale agreement (the "PSA") with Habitat For Humanity East Bay/Silicon Valley Inc., a California non-profit public benefit corporation (the "Developer") pursuant to which the County would sell the Property to the Developer provided that the Developer would construct homes to be transferred to a low or moderate income household upon completion of the construction, subject to a forty-five (45) year affordability resale restriction to be recorded against the Home and Property.

The County, under Health and Safety Code Section 34130, may sell or otherwise dispose of any real property or any interest in property; and pursuant to Section 33431, such sale may be made without public bidding.

The County conducted a duly notice public hearing on the Purchase and Sale Agreement pursuant to Health and Safety Code Section 33431 and Section 33433 for the purpose of receiving the input and comments of the public on the PSA.

By staff report and Section 33433 report accompanying this Resolution and incorporated into this Resolution by this reference (the "Reports"), the County has been provided with additional information upon which the actions set forth in this Resolution are based.

This Board hereby FINDS that the above recitals are true and accurate.

This Board hereby APPROVES and AUTHORIZES the conveyance of said interest to the Developer, pursuant to Health and Safety Code Sections 33430, 33431 and 33433, and the Chair, Board of Supervisors, is hereby AUTHORIZED to execute the Grant Deed and all ancillary documents necessary to implement the sale of the Property, in consideration for payment in the amount of \$3,000,000.00. The Public Works Director is hereby AUTHORIZED to execute the Purchase and Sale Agreement and all ancillary documents necessary to implement the sale of the Property and the Director of Conservation and Development is hereby AUTHORIZED to execute the Regulatory Agreement and all ancillary documents necessary to implement the Regulatory Agreement.

This Board hereby orders that the proceeds of sale of the Property shall be deposited in to the County's Low and Moderate

Income Housing Asset Fund, created pursuant to Health and Safety Code Section 34176(d), which the County must spend subject to the provisions of Health and Safety Code Section 34176.1.

This Board hereby resolves that this Resolution shall take immediate effect from and after its passage.

The Real Estate Division is ORDERED to deliver a certified copy of this Resolution to Old Republic Title Company, their escrow no. 1117014769-JM for recording in the office of the County Clerk-Recorder.

Contact: Carmen Pina-Sandoval,
925-313-2012

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: March 29, 2016

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

cc: K. Andrus, M. Toms