



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: October 13, 2020

Subject: APPROVE and ACCEPT Grant Deed for Property Located at 2099 Arnold Industrial Way, Concord.

RECOMMENDATION(S):

APPROVE and ACCEPT the Grant Deed dated September 18, 2020, conveying to the County the real property located at 2099 Arnold Industrial Way, Concord (Property), from the Motheral Family Trust dated July 11, 1980;

AUTHORIZE the Public Works Director to execute a Real Property Acceptance in connection with the Property.

DIRECT the Real Estate Division to have the above-referenced Grant Deed and Real Property Acceptance delivered to North American Title Company, 6612 Owens Drive, Suite 100, Pleasanton, CA 94588, Escrow No. 54606-20-00310, for recording in the office of the County Recorder.

FISCAL IMPACT:

No impact on the General Fund. The County has been paying for maintenance, utilities and landscaping during the 20-year term of the lease. If the County elects not to take title to the property, the County may be obligated to pay rent, which it will not be required to do if it takes title.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/13/2020** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

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: October 13, 2020

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

By: Stacey M. Boyd, Deputy

Contact: Jewel Lopez, 925.
957-2485

BACKGROUND:

Pursuant to the terms of a lease dated August 1, 2000, between the County and the Motheral Family Trust dated July 11, 1980, the County leased the property located at 2099 Arnold Industrial Way, Concord (Property), for use by the County's Sheriff's Department, Employment and Human Services Department – Community Service Bureau, and Public Works Department. Under the terms of the lease, the Motheral Family Trust is required to transfer title to the Property after receipt of the County's final payment under the lease. The County's final payment was made in August 2020, and the lease expired by its terms on August 31, 2020.

The transfer of title to the Property upon expiration of the lease was a material consideration when the County entered into this lease. Accepting the grant deed and title to the Property will carry out the business terms of the lease that were approved by the Board of Supervisors on March 7, 2000.

CONSEQUENCE OF NEGATIVE ACTION:

If the County does not accept the Grant Deed, the Motheral Family Trust will continue to own fee title to the property, despite the County having paid the agreed purchase price in full. The result could be a cloud on title to the property, uncertainty as to who is obligated to pay any real property taxes, the County being charged rent on property it is entitled to own, and future action being required to quiet title to the property.

ATTACHMENTS

Grant Deed