

RESOLUTION NO. 2308

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE DISSOLVED SHAFTER COMMUNITY DEVELOPMENT AGENCY, ACCEPTING THE TRANSFER OF PARCELS 028-180-72, 089-230-45, AND 091-180-18, AND THE PROCEEDS FROM THE SALE OF PROPERTY AND RENTAL INCOME FROM THE CITY OF SHAFTER, PURSUANT TO AN APPROVED LONG RANGE PROPERTY MANAGEMENT PLAN

WHEREAS, pursuant to Health and Safety Code Section 34173(d), the City of Shafter is the successor agency to the Shafter Community Development Agency (“Successor Agency”); and

WHEREAS, pursuant to Health and Safety Code Section 34173(g), the Successor Agency is now a separate legal entity from the City; and

WHEREAS, Health and Safety Code Section 34191.5(b) requires the Successor Agency to prepare a Long Range Property Management Plan (“Property Management Plan”) that addresses the disposition and use of the real properties of the former redevelopment agency; and

WHEREAS, Health and Safety Code Section 34191.5(b) also requires the Successor Agency to submit the Property Management Plan to the Successor Agency’s oversight board and the Department of Finance for approval no later than six months following the issuance to the Successor Agency of the Finding of Completion pursuant to Health and Safety Code Section 34179.7; and

WHEREAS, the Department of Finance issued the Successor Agency a Finding of Completion on March 21, 2013; and

WHEREAS, the Successor Agency approved a Property Management Plan that contains all the information required under Health and Safety Code Section 34191.5 on April 16, 2013 by way of Resolution No.2268; and

WHEREAS, the Oversight Board of the Successor Agency approved the Property Management Plan on April 23, 2013 by way of Resolution No.8; and

WHEREAS, the California Department of Finance reviewed the approved Property Management Plan and provided staff with proposed changes to the plan which were incorporated into the revised Property Management Plan; and

WHEREAS, the Successor Agency approved a revised Property Management Plan on November 19, 2013 by way of Resolution No.2303; and

WHEREAS, the Oversight Board of the Successor Agency approved the revised Property Management Plan on November 21, 2013 by way of Resolution No.12; and

WHEREAS, the California Department of Finance approved the revised Property Management Plan on November 22, 2013; and

WHEREAS, the Shafter Community Development Agency transferred all real property to the City of Shafter in March of 2011 including APNs 028-180-71, 028-180-72, 089-230-45, and 091-180-18, all of which are subject to the revised Property Management Plan; and

WHEREAS, title to parcels 028-180-72 and 091-180-18 is currently legally held in the name of the City of Shafter and must be transferred to the Successor Agency so it may be disposed of in accordance with the revised Property Management Plan; and

WHEREAS, title to parcel 089-230-45 is currently legally held in the name of the Successor Agency and only needs to be transferred to the Successor Agency within the financial records of the City and Successor Agency so it may be disposed of in accordance with the revised Property Management Plan; and

WHEREAS, the City of Shafter sold APN 028-180-71 for \$382,459.58; and

WHEREAS, the revised Property Management Plan specifically requires the City to remit the proceeds of the sale of APN 028-180-71 to the Successor Agency for remittance to the Kern County Auditor Controller for distribution to other taxing agencies; and

WHEREAS, the City has received \$110,000 in lease payments from the tenant on APN 091-180-18 from February 1, 2011 through November 1, 2013; and

WHEREAS, the revised Property Management Plan specifically requires the Successor Agency to use lease payment from the lease on APN 091-180-18 to satisfy existing Enforceable Obligations; and

WHEREAS, the Successor Agency desires to implement the portion of the approved revised Property Management Plan pertaining to APN's 028-180-71, 028-180-72, 089-230-45, and 091-180-18

NOW, THEREFORE, THE SUCCESSOR AGENCY TO THE DISOLVED SHAFTER COMMUNITY DEVELOPMENT AGENCY, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Approval of the receipt of properties from the City of Shafter. The Successor Agency hereby approves the receipt of APNs 028-180-72, 089-230-45, and 091-180-18, and authorizes the City Manager to execute and record Certificates of Acceptance for APNs 028-180-72 and 091-180-18, in the form attached.

Section 3. Approval of the receipt of proceeds from the sale of APN 028-180-71 from the City of Shafter. The Successor Agency hereby approves the receipt of \$382,459.58, the proceeds from the sale of APN 028-180-71, from the City of Shafter and authorizes and directs the City Manager and Administrative Services Director to, once received, remit this amount to the Kern County Auditor Controller for distribution to other taxing agencies.

Section 4. Approval of the receipt of lease revenues from APN 091-180-18 from the City of Shafter. The Successor Agency hereby approves the receipt of \$110,000, the lease payments from the tenant of APN 091-180-18, from the City of Shafter and authorizes and directs the City Manager and Administrative Services Director to report these revenues on the next ROPS as available to pay existing Enforceable Obligations.

Section 5. Execution and transmittal. The City Manager and Administrative Service Director are hereby authorized and directed to take any action necessary to carry out the purposes of this Resolution including but not limited to submitting this resolution to the Successor Agency's Oversight Board for approval, and to the State of California Department of Finance.

Section 6. Effectiveness. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED at a regular meeting of the Successor Agency to the Dissolved Shafter Community Development Agency on the 3rd day of December, 2013.



Jon Johnston, Chairman

ATTEST:



Christine Wilson, Secretary

CERTIFICATE OF GOVERNING BODY'S ACTION


STATE OF CALIFORNIA)
) ss.
COUNTY OF KERN)

I, Christine Wilson, City Clerk of the City of Shafter, California, DO HEREBY CERTIFY that the above Resolution 2308, a Resolution of the City Council of the City of Shafter as the Successor Agency to the Dissolved Shafter Community Development Agency, was duly passed and adopted at a Regular Meeting held on the 3rd day of December, 2013, by the following vote:

AYES: Alvarado, Colvard, Florez, Johnston, and Prout.
NOES: None.
ABSENT: None.
ABSTAINING: None.

DATED: December 3, 2013

(SEAL)



City Clerk of the City of Shafter

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Exhibit A

**CITY OF SHAFTER
CERTIFICATE OF ACCEPTANCE OF QUITCLAIM DEED**

This Certificate of Acceptance pertains to the interests in real property conveyed by the Quitclaim Deed, to which this Certificate of Acceptance is attached,

from:

CITY OF SHAFTER, a California municipal corporation and charter city (GRANTOR)

to:

**Successor Agency to the Dissolved Shafter Community Development Agency,
(GRANTEE)**

Said Quitclaim Deed, dated _____, 2013, is hereby accepted by the undersigned officer on behalf of Grantee pursuant to authority conferred by the Grantee's governing body on **December 3, 2013**, and the Grantee hereby consents to recordation of said Quitclaim Deed.

**Successor Agency to the
Dissolved Shafter Community Development Agency**

By: _____
John D. Guinn, City Manager

Dated: _____

ATTEST:

(Seal)

By: _____
Christine Wilson, City Clerk