

**SAN MATEO COUNTY  
OFFICE OF THE TAX COLLECTOR**

**Inter-Departmental Correspondence**

**Date:** July 20, 2001  
**To:** Honorable Board of Supervisors  
**From:** Lee Buffington, Tax Collector/Treasurer  
**Subject:** Agreement Sale – City of Pacifica



**RECOMMENDATION**

Adopt the resolution approving the proposed sale by agreement to the City of Pacifica of the tax-defaulted property identified on Exhibit A.

**BACKGROUND**

California Revenue and Taxation Code 3771 et seq. permits agreements between districts and the counties to purchase tax-defaulted property that is at least six years delinquent. The statutory time has elapsed on these parcels and the Tax Collector's notice of power to sell was recorded July 23, 1999. The Revenue and Taxation Code requires each sale to be approved by the State Controller. Adoption of the resolution by the Board is a prerequisite for the Controller's approval.

**DISCUSSION**

The parcel is located between the sidewalk and semi-circular driveway of Linda Mar Elementary School. The City of Pacifica has been maintaining this parcel for several years and would like to preserve it as open space.

**FISCAL IMPACT**

The \$8,300.00 purchase price to be paid by the City of Pacifica includes the cost of advertising, cost of the sale and recordation fees.

EXHIBIT "A"

<u>Parcel</u>	<u>Description</u>	<u>First Year Delinquent</u>	<u>Purchase Price</u>
<del>016-191-200</del>	<del>Lots 9-10 Block 5 Salada Beach City of Pacifica</del>	1992	<del>\$19,500.00</del>
023-190-090	Lot 13 Peralta Park RSM 63/31 City of Pacifica	1986	\$8,300.00

RESOLUTION NO. \_\_\_\_\_

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT  
BETWEEN THE COUNTY OF SAN MATEO AND

THE CITY OF PACIFICA

FOR THE PURCHASE OF TAX-DEFAULTED LAND

RESOLVED, by the Board of Supervisors of the County of San Mateo,  
State of California, that

WHEREAS, the list of property on the attached Exhibit A, which is  
incorporated by reference herein, has been delinquent in the payment of taxes  
for at least six years and

WHEREAS, there has been presented to this Board for execution an  
Agreement between the COUNTY OF SAN MATEO and

THE CITY OF PACIFICA

pursuant to the provisions of Division 1, Part 6, Chapter 8, of the Revenue  
and Taxation Code providing for the purchase by

THE CITY OF PACIFICA

of certain tax-defaulted real property described therein; and

WHEREAS, the execution of said Agreement is authorized under the  
provisions of division 1, Part 6, Chapter 8 of the Revenue and Taxation Code:

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED AND ORDERED  
that the President of this Board is authorized and directed to execute said Agreement  
on behalf of the COUNTY OF SAN MATEO, and the Clerk of the Board shall attest his  
signature thereto.

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EXHIBIT "A"

Parcel	Description	First Year Delinquent	Purchase Price
<del>016-191-200</del>	<del>Lots 9-10 Block 5 Salada Beach City of Pacifica</del>	1992	\$19,500.00
023-190-090	Lot 13 Peralta Park RSM 63/31 City of Pacifica	1986	\$8,300.00

# AGREEMENT TO PURCHASE TAX-DEFAULTED PROPERTY

This Agreement is made this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between the Board of Supervisors of San Mateo County, State of California, and City of Pacifica ("PURCHASER"), pursuant to the provisions of Division 1, Part 6, Chapter 8, of the Revenue and Taxation Code.

The real property situated within said county, hereinafter set forth and described in Item #3 below, is tax-defaulted and is subject to the power of sale by the Tax Collector of said county for the nonpayment of taxes, pursuant to provisions of law.

It is mutually agreed as follows:

1. that as provided by Section 3800 of the Revenue and Taxation Code, the cost of giving notice of this agreement shall be paid by the PURCHASER, and
2. that the PURCHASER agrees to pay the sum of ~~\$27,800~~ **\$8300** for the real property described in Exhibit "A" within 30 days after the date this agreement becomes effective. Upon payment of said sum to the Tax Collector, the Tax Collector shall execute and deliver a deed conveying title to said property to PURCHASER.
3. ~~Lots 9-10 Block 5 Salada Beach, which map was filed in the office of the Recorder of the County of San Mateo, State of California, on August 5, 1907, in Book 5 of Maps, at page 20.  
Parcel 016-191-200~~

Lot 13 Peralta Park RSM 63/31, which map was filed in the office of the Recorder of the County of San Mateo, State of California, on November 4, 1965, in Book 63 of Maps, at page 31.  
Parcel 023-190-090

This agreement shall be null and void if all or any portion of the property is redeemed prior to the effective date of this agreement. This agreement shall also become null and void and the right of redemption restored upon the PURCHASER'S failure to comply with the term and conditions of this agreement. Time is of the essence.

The undersigned hereby agree to the terms and conditions of this agreement and are duly authorized to sign for said agencies.

ATTEST:

Flo Derby  
(Purchaser) CITY CLERK  
(seal)

By JM Vuolteen  
MAYOR

ATTEST:

BOARD OF SUPERVISORS  
SAN MATEO COUNTY

Clerk of the Board of Supervisors

By \_\_\_\_\_  
Deputy  
(seal)

By \_\_\_\_\_  
Chairman

Pursuant to the provisions of Section 3775 of the Revenue and Taxation Code the governing body of the City of PACIFICA hereby agrees to the selling price as provided in this agreement.

ATTEST:

Flo Derby  
City Clerk

CITY OF CITY

By JM Vuolteen  
Mayor

By N/A  
Deputy  
(seal)

This agreement was submitted to me before execution by the board of supervisors and I have compared the same with the records of San Mateo County relating to the real property described therein.

[Signature]  
San Mateo County Tax Collector

Pursuant to the provisions of Sections 3775 and 3795 of the Revenue and Taxation Code, the Controller agrees to the selling price hereinbefore set forth and approves the foregoing agreement this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
STATE CONTROLLER  
By \_\_\_\_\_

NOTE: EXHIBIT "A" MUST BE ATTACHED TO THIS FORM

EXHIBIT "A"

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<del>016-191-200</del>	<del>Lots 9-10 Block 5 Salada Beach City of Pacifica</del>	1992	<del>\$19,500.00</del>
023-190-090	Lot 13 Peralta Park RSM 63/31 City of Pacifica	1986	\$8,300.00



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CITY HALL

170 Santa Maria Avenue • Pacifica, California 94044-2506

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Telephone (650) 738-7300 • Fax (650) 359-6038  
www.ci.pacifica.ca.us

**MAYOR**  
James M. Vreeland

**MAYOR PRO TEM**  
Barbara A. Carr

**COUNCIL**  
Maxine Gonsalves  
Peter DeJarnatt  
Calvin Hinton

STATE OF CALIFORNIA    )  
  ) ss.  
COUNTY OF SAN MATEO    )

I, Flo Derby, City Clerk of the City of Pacifica, County of San Mateo, State of California, do hereby certify that the attached is a full, true, and correct copy of Resolution 12-2001, the original of which is on file in my office, and that I have carefully compared the same with the original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Pacifica this 2<sup>nd</sup> day of April, 2001.

*Flo Derby*

Flo Derby  
City Clerk

Dated: April 2, 2001





RESOLUTION NO. 12-2001

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFICA  
AUTHORIZING PURCHASE OF TAX-DELINQUENT PROPERTIES

WHEREAS, the City of Pacifica is a municipal corporation and general law city,  
duly organized and existing under the Constitution and laws of the State of California;  
and

WHEREAS, the San Mateo County Tax Collector has determined that there are  
two tax-defaulted properties, Assessor's Parcel Numbers 016-191-200 and 023-190-090,  
within the City of Pacifica; and

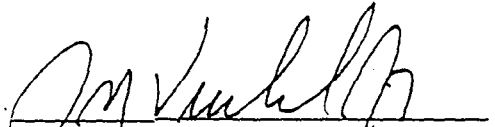
WHEREAS, pursuant to State law, the County Tax Collector has offered the City  
the opportunity to have said properties removed from public auction sale and to execute  
an agreement to purchase them; and

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Pacifica City  
Council does hereby authorize the purchase of said tax-defaulted properties within the  
City limits, approve the purchase agreement, designates the City Manager as the City's  
contact person and signatory, and authorizes the City Manager to execute agreements and  
take other actions necessary to facilitate the acquisition.

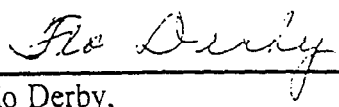
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Passed and adopted by the City Council of the City of Pacifica at their meeting of  
March 12<sup>th</sup>, 2001 by the following vote of the members thereof:


AYES,	Councilmembers: Hinton, DeJarnatt, Gonsalves, Carr & Vreeland
NOES,	Councilmembers: None
ABSENT,	Councilmembers: None
ABSTAIN,	Councilmembers: None

  
James M. Vreeland, Jr.,  
Mayor

ATTEST:

  
Flo Derby,  
City Clerk

APPROVED AS TO FORM:

  
Michelle Marchetta Kenyon,  
Acting City Attorney