

RESOLUTION NO. 2023-01

RESOLUTION OF THE BOARD OF SUPERVISORS OF SAN BERNARDINO COUNTY DECLARING THAT: (A) CERTAIN SAN BERNARDINO COUNTY-OWNED REAL PROPERTY, CONSISTING OF A TOTAL OF APPROXIMATELY 120.16 ACRES OF LAND [ASSESSOR'S PARCEL NUMBERS 1057-212-17 (PORTION), 1057-212-19, 1057-212-18, 1057-212-20, 1057-221-01, and 1057-221-02 (PORTION)] IN THE CITY OF CHINO IS NO LONGER NECESSARY FOR SAN BERNARDINO COUNTY'S OWN USE AND, CONSISTENT WITH COUNTY POLICY NO. 12-17, IS SURPLUS AND AVAILABLE FOR DISPOSITION FOR THE COUNTY'S REGIONAL PARKS DEPARTMENT PURPOSES; AND (B) SAID REAL PROPERTY IS EXEMPT SURPLUS LAND PURSUANT TO GOVERNMENT CODE SECTION 54221(f)(1)(G).

On January 10, 2023, on motion of Supervisor Baca Jr., duly seconded by Supervisor Hagman and carried, the following resolution is adopted by the Board of Supervisors of San Bernardino County (Board).

WHEREAS, San Bernardino County (County) is the owner in fee simple of that certain real property consisting of a total of approximately 120.16 acres of land [commonly known as Assessor's Parcel Numbers (APNS) 1057-212-17 (portion), 1057-212-18, 1057-212-19, 1057-212-20, 1057-221-01 and 1057-221-02 (portion)], (collectively, Property) in the City of Chino; and

WHEREAS, County Policy No.12-17 (Surplus Real Property) provides that the Board may declare the Property surplus if it is no longer needed, and thereafter, it may be disposed in accordance with law; and

WHEREAS, the County's Regional Parks Department (Parks) has determined that the Property is no longer needed for its own use; and

WHEREAS, the Real Estate Services Department has determined that declaring the Property surplus and making it available for lease or other disposition for Parks purposes would be in the County's best interests; and

WHEREAS, the Surplus Land Act, Government Code sections 54220-54234 (Act), defines surplus land as land owned in fee simple by the County for which the Board takes formal action in a regular public meeting declaring the land is surplus and not necessary for the County's use and provides that surplus lands shall be disposed of in accordance with the Act; and

WHEREAS, Section 54221(f)(1)(G) of the Act provides for an exemption to the Act if the surplus land is subject to valid legal restrictions that are not imposed by the County and that would make housing prohibited, unless there is a feasible method to satisfactorily mitigate or avoid the prohibition on the property; and

WHEREAS, the Property is subject to an existing deed restriction that limits the use to agricultural preservation, including community gardens, agricultural heritage projects, agricultural and wildlife education or wildlife habitat, or for open-space conservation purposes (Deed Restriction), which was required by Senate Bill 1124, an uncodified act of the State Legislature in 2010, because the Property was acquired with Proposition 70 funds; and

WHEREAS, the Board of Supervisors has considered the staff report presented at its meeting of January 10, 2023 relating to the declaration of the Property as surplus to the County's own needs consistent with County Policy No.12-17 and as exempt surplus land pursuant to the Act

NOW, THEREFORE, the Board hereby finds, declares, and resolves as follows:

SECTION 1. The above recitals, including the findings, are true and correct and are a substantive part of this Resolution.

SECTION 2. The Board hereby declares that, consistent with County Policy No. 12-17, the Property is surplus to the County's own needs and that it is in the County's best interests to make the Property available for disposition for Parks purposes in accordance with applicable laws.

SECTION 3. The Board further finds that the Property is exempt surplus pursuant to the Government Code section 54221(f)(1)(G) of the Act, as the Property is subject to the Deed Restriction, which is a valid legal restriction that is not imposed by the County and that would make housing prohibited and that there are no feasible methods to satisfactorily mitigate or avoid the prohibition on the Property.

PASSED AND ADOPTED by the Board of Supervisors of San Bernardino County by the following vote:

AYES: SUPERVISORS: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

NOES: SUPERVISORS: None

ABSENT: SUPERVISORS: None

STATE OF CALIFORNIA)
)
SAN BERNARDINO COUNTY) ss.

I, **LYNNA MONELL**, Clerk of the Board of Supervisors of San Bernardino County, State of California, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by the Board of Supervisors, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of January 10, 2023. #42 LA

LYNNA MONELL
Clerk of the Board of Supervisors
By _____ Deputy

