

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No. _____

Authorizing execution of a Property)
Conveyance Agreement between the)
Redevelopment Agency of the County of)
Monterey and the County of Monterey for)
the conveyance of certain real property)
located in the Fort Ord Redevelopment)
Project Area, and the acceptance of such)
conveyances by the County of Monterey.)

WHEREAS, on February 19, 2002, by Ordinance No. 4136, the County adopted the *Redevelopment Plan for the Fort Ord Redevelopment Project Area for the County of Monterey* (“Plan”), and conferred upon the Agency the authority and obligation to implement the Plan and alleviate blight within the Fort Ord Redevelopment Project Area (“Project Area”); and

WHEREAS, the Agency owns certain real property within the Project Area (“Properties”); and

WHEREAS, The Agency desires to enter into a property conveyance agreement (“Agreement”) with the County of Monterey under which the Agency would convey to the County, and the County would accept from the Agency, the Properties; and

WHEREAS, the Properties are more particularly described in the Agreement, and the conveyance of the Properties by the Agency to the County is authorized by California Health & Safety Code Section 33432 and 33220; and

WHEREAS, pursuant to Section 15004(b)(2)(A) of the Guidelines for the implementation of the California Environmental Quality Act (“CEQA”), the Agreement is exempt from the requirements of CEQA because the future use of the Properties is conditioned upon CEQA compliance as more particularly set forth in the Agreement, and the County Board of Supervisors retains full discretion in approving, denying, or conditioning any land use entitlement, or any other planning approval, necessary for the development of the Properties; and

WHEREAS, by staff report accompanying this Resolution and incorporated into this Resolution by this reference (“Staff Report”), the Board of Supervisors has been provided with additional information upon which the actions set forth in this Resolution are based. Among other things, the Staff Report describes the Properties.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisor of the County of Monterey does hereby resolve as follows:

1. The recitals above are true and correct and incorporated herein.
2. The Director of Redevelopment and Housing is hereby authorized and directed to file a Notice of Exemption with respect to the Agreement in accordance with the applicable provisions of CEQA.
3. Pursuant to Health and Safety Code Sections 33432 and 33220, the Board of Supervisors hereby approves the Agreement and all ancillary documents, including but not limited to, grant deeds or quitclaim deeds (“Deeds”); approves execution of the Agreement by the Chair of the Board of Supervisors; approves execution by the Chair of the Board of Supervisors of Acceptances of the Deeds and all ancillary documents, with such changes as are approved by the County signatory (such approval to be conclusively evidenced by the execution of the Agreement); and approves the acceptance of the Properties by the County pursuant to the provisions of the Agreement.
4. Nothing in this Resolution shall affect the County’s policy discretion in granting or denying the land use entitlements, or any other planning approvals necessary for development of the Property.
5. The Director of Redevelopment and Housing is hereby authorized to take such further actions as may be necessary or appropriate to carry out the County’s obligations pursuant to this Resolution and the Agreement
6. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED this 22nd day of March 2011, by the following vote, to wit:

AYES:

NOES:

ABSENT:

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book ___ for the meeting on _____.

Dated: _____

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
Deputy

EXHIBIT A

LIST OF AGENCY-OWNED PROPERTY TO BE TRANSFERRED TO THE COUNTY

Assessor's Parcel No.	COE Parcel No.	Area	Location
031-101-039	E8a.1.2	21 acres	Imjin Parkway/Abrams Dr – development parcel, portion leased to Ord Market
031-101-040	E8a.1.3	3 acres	Imjin Parkway – landfill border habitat reserve
031-101-041	E8a.1.4	30 acres	MST/Whispering Oaks development & landfill border habitat reserve
031-101-042	E8a.1.5	22 acres	Landfill border habitat reserve
031-101-056	E8a.1.1.2	85 acres	Intergarrison Rd - MST/Whispering Oaks development & landfill border habitat reserve
031-101-058	E4.6.2	16 acres	Imjin Parkway widening - portion leased to Ord Market
031-161-010	L23.3.3.1	58 acres	East Garrison II development parcel
Portion of 031-161-019	L23.3.2.2	64 acres	East Garrison II development parcel
Portion of 031-161-019	L23.3.3.2	32 acres	East Garrison II development parcel