

**RESOLUTION NO. 6-12-2018A**

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**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MALAGA COUNTY WATER DISTRICT DECLARING IDENTIFIED REAL PROPERTY TO BE SURPLUS PROPERTY OF THE DISTRICT AND AUTHORIZING ISSUANCE OF NOTICE OF AVAILABILITY FOR SALE OF SUCH SURPLUS PROPERTY IN ACCORDANCE WITH THE PROVISIONS OF GOVERNMENT CODE §54222**

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**WHEREAS**, the Malaga County Water District (“District”) is the owner of vacant land located at 4335 S. Maple Avenue at the corner of S. Maple Avenue and E. Malaga Avenue in the City of Fresno also identified by Fresno County Assessor Parcel Number 33003111T consisting of approximately 4.35 acres of land zoned by the City of Fresno as IH (Heavy Industrial) hereinafter referred to as the “Real Property”; and

**WHEREAS**, the Real Property was purchased for the purpose of providing the District with overflow pond capacity for its Waste Water Treatment Facility (“WWTF”) however, due to the implementation of a pond maintenance program the District currently has sufficient capacity in its existing ponds and, in the event the District requires additional capacity at its WWTF, recycling or reclamation or water from the WWTF would be preferable to placing the water in percolation ponds rendering the Real Property no longer required by or suitable for the District for any public purpose of service performed by the District and therefore surplus; and

**WHEREAS**, the District desires to declare the Real Property surplus real property and to dispose of the Real Property by sale as provided by law.

**NOW, THEREFORE**, be it resolved by the Board of Directors of the Malaga County Water District as follows:

1. The foregoing recitals are true and correct and incorporated by this reference as though fully set forth at this point.
2. The District declares the aforementioned Real Property to be surplus real property of the District and authorizes the General Manager to publish the fact of this declaration and give notice of the availability of the property for sale in the manner permitted and/or required by Government Code §54222.
3. The District has had the Real Property appraised with a value of \$375,000 as of May 2, 2018.

4. The General Manager is authorized to issue a written solicitation of offers to purchase the Real Property to the City of Fresno and the Fowler Unified School District and any other public entity within who's jurisdiction the Real Property is located that is required to receive notice pursuant to Government Code §54222 specifying the minimum price at the appraised value, \$375,000.

5. If no entity or association gives the District notice that it desires to purchase the surplus property within 60 days after notice is given then the General Manager shall inform the Board that no entity or association is interested in purchasing the property so that the Board may direct the General Manager to dispose of the surplus Real Property in accordance with State law and the District's policies and procedures.

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This Resolution is approved and adopted this 12<sup>th</sup> day of June 2018, at the regular meeting of the Malaga County Water District, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

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Charles Garabedian, Jr., President of the Board  
of Directors of the Malaga County Water  
District

ATTEST:

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Norma Melendez, District Clerk,  
Acting Secretary to the Board of Directors  
of the Malaga County Water District