



RESOLUTION No. 18-372

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION TO APPROVE AN APPLICATION TO PURCHASE TAX-DEFAULTED PROPERTY FROM THE NEVADA COUNTY TAX COLLECTOR THROUGH A CHAPTER 8 TAX SALE

WHEREAS, pursuant to State Revenue and Taxation Code, properties that are determined to be in default for unpaid property taxes for five (5) years or more are periodically put up for public auction for a minimum bid amount of delinquent taxes due plus costs; and

WHEREAS, real property in the County of Nevada located at 12984 Combie Road, Auburn CA 95602, Assessor's Parcel Number 11-181-03, has been in tax default for more than five (5) years; and

WHEREAS, this parcel is subject to a 2006 Affordable Rental Housing Development Agreement between the County of Nevada and Baldwin Ranch Limited Partnership to provide up to 30 affordable units; and

WHEREAS, Baldwin Ranch Limited Partnership went into bankruptcy during the Great Recession; and

WHEREAS, by 2011 Baldwin Ranch Limited Partnership defaulted and was in material breach of the Affordable Rental Housing Development Agreement, having failed to construct any affordable housing units; and

WHEREAS, under this Agreement, the County has the right to foreclose on this parcel due to Baldwin Ranch Limited Partnership's failure to meet its obligations; and

WHEREAS, an alternative method to foreclosure for clearing title and taking possession of the property is through Chapter 8 of the Revenue and Taxation Code which provides that public purpose is an acceptable reason for the purchase; and

WHEREAS, a public purpose exists for the County to purchase this tax defaulted property pursuant to Chapter 8 of the Revenue and Taxation Code and utilize it in a manner consistent with facilitating affordable housing objectives within the County; and

WHEREAS, further public purpose exists for the County to purchase this tax defaulted property pursuant to Chapter 8 of the Revenue and Taxation Code by returning abandoned and unmaintained property to a productive use; and

WHEREAS, the County desires to exercise its right to purchase the tax defaulted parcel located at 12984 Combie Road, Auburn, CA (APN 11-181-03) pursuant to Chapter 8 of the California Revenue and Taxation Code.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Nevada County Board of Supervisors hereby finds and determines that the above-referenced recitals are true and correct and that acquisition of APN 11-181-03 through a Chapter 8 sale will serve public purposes.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby approves the Application to Purchase Tax-Defaulted Property from the Nevada County Tax Collector pursuant to Chapter 8 of the Revenue and Taxation Code, authorizes the Chair of the Board to execute the application, and directs staff to file the application with the Nevada County Tax Collector.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a special meeting of said Board, held on the 17th day of July 2018, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Hank Weston and Richard Anderson

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: 


Edward Scofield, Chair

7/17/2018 cc: CDA (1)
T-TC*
AC*

APPLICATION TO PURCHASE TAX DEFAULTED PROPERTY

This application must be completed by an eligible purchasing entity to commence purchase of tax defaulted property by agreement sale from the county under applicable provisions of the California Revenue and Taxation Code. Complete the following sections and supply supporting documentation accordingly. Prior to purchase approval the county may require the applicant submit additional information or documentation. **Completion of this application does not guarantee purchase approval.**

For county use only:

1. Date application received: 7/17/18 2. If applicable, date written objection to Chapter 7 tax sale was received: N/A

Applicant must complete Sections A through D.

A. Purchaser Information

1. Name of organization: Nevada County

2. Corporate structure: Public Agency

Nonprofit organization

Public Agency (**please select type of public agency**)

A taxing agency, revenue district, or special district

The State or County

B. Property Status and Use Information

1. Is the parcel currently approved for a Chapter 7 tax sale as of the date of this application?

Yes No

If yes, a written objection must be included with the application. If a written objection was submitted to the county prior to application, what is the date of the objection? (date of objection)

2. The purpose of the purchase: (check one box only)

For low income housing

To otherwise serve low income persons

To preserve open space

To preserve a lien

For public purpose: Affordable Housing

C. Property Information

Provide the following information. (If more space is needed exhibits may be attached)

1. County where the parcel(s) is located: Nevada

2. Assessor's Parcel Number (APN): 11-181-03-000

D. Acknowledgement

Identification and signature of the purchasing entity's authorized officer:

Edward Scofield

Chair, Board of Supervisors

Print Name

Print Title


Authorized Signature

7/17/18
Date