

15) **Purchase of Real Property for Drainage Purposes (APN 378-030-027)**

1. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING THE ACQUISITION OF ONE RIVERSIDE COUNTY TAX-DEFAULTED PROPERTY FOR THE APPROXIMATE PURCHASE PRICE OF \$90,887.19 PLUS ASSOCIATED ADMINISTRATIVE COSTS FOR ASSESSOR'S PARCEL NUMBER (APN) 378-030-027; and
2. Approve and authorize the City Manager to enter into a purchase agreement for the Acquisition of the property in final form as approved by the City attorney.



REPORT TO CITY COUNCIL

To: Honorable Mayor and Members of the City Council

From: Jason Simpson, City Manager

Prepared by: Remon Habib, City Engineer

Date: July 9, 2024

Subject: Purchase of Real Property for Drainage Purposes (APN 378-030-027)

Recommendation

Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING THE ACQUISITION OF ONE RIVERSIDE COUNTY TAX-DEFAULTED PROPERTY FOR THE APPROXIMATE PURCHASE PRICE OF \$90,887.19 PLUS ASSOCIATED ADMINISTRATIVE COSTS FOR ASSESSOR'S PARCEL NUMBER (APN) 378-030-027; and

Approve and authorize the City Manager to enter into a purchase agreement for the Acquisition of the property in final form as approved by the City attorney.

Background

APN 378-030-027 is located on Collier Avenue north of Riverside Dr./Hwy 74. The parcel was created by Parcel Map 32991 and is designated as a "wetlands area-not a building site". APN 378-030-027 is available a a tax-defaulted property from the County of Riverside.

Discussion

The parcel is undevelopable and will be used for drainage purposes. The location is optimum as the discharge point for drainage facilities for a future storm drain system to drain Collier Avenue as well as surrounding parcels. The area has historically been subject to flooding.

Fiscal Impact

The approximate purchase price is \$90,887.19 plus customary administrative and closing costs. Funding is allocated under the City's Drainage Fund.

Attachments

Attachment 1- Resolution

Exhibit A – Resolution Exhibit

Attachment 2 - Agreement to Purchase Letter

Exhibit A - Vicinity Map

Engineering



RESOLUTION NO. 2024-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING THE ACQUISITION OF ONE RIVERSIDE COUNTY TAX-DEFAULTED PROPERTY FOR THE APPROXIMATE PURCHASE PRICE OF \$90,887.19 PLUS ASSOCIATED ADMINISTRATIVE COSTS FOR ASSESSOR PARCEL NUMBER 378-030-027

Whereas, the City of Lake Elsinore expresses interest in acquiring tax-defaulted property from the County of Riverside, California under Chapter 8 of the State Revenue and Taxation Code; and

Whereas, the tax-defaulted property is located within the City of Lake Elsinore, as shown on Exhibit A, attached; and

Whereas, the intended purpose of acquisition for the tax-defaulted property identified as Assessor Parcel Number 378-030-027 located on Collier Avenue north of Riverside Dr./HWY 74 in the amount of \$90,887.19 is for the planned construction of a storm drain discharge point to reduce flooding in the area; and

Whereas, in addition to the total purchase price of \$90,887.19 for the property, the cost for the Notice of the Agreement to Purchase Tax-Defaulted Property shall be paid by the City of Lake Elsinore.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1. Interest to Acquire. The City of Lake Elsinore expresses interest in acquiring the tax-defaulted property shown in Exhibit A, attached.

Section 2. Authority to Proceed. The City Manager is authorized to proceed with the acquisition and execute all related documents including an Agreement to Purchase Tax-Defaulted Property through the County of Riverside Treasurer-Tax Collector (Attached as Exhibit A)

Section 3. Effective Date. This Resolution shall take effect immediately upon its adoption.

Section 4. The City Clerk shall certify to the adoption of this Resolution and enter it into the book of original Resolutions.

Passed and Adopted at a regular meeting of the City Council of the City of Lake Elsinore, California, this 9th day of July 2024.

Steve Manos
Mayor

Attest:

Candice Alvarez, MMC
City Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF LAKE ELSINORE)

I, Candice Alvarez, MMC, City Clerk of the City of Lake Elsinore, California, do hereby certify that Resolution No. 2024-____ was adopted by the City Council of the City of Lake Elsinore, California, at the regular meeting of July 9, 2024, and that the same was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Candice Alvarez, MMC
City Clerk

City of Lake Elsinore
Resolution No. 2024-

Exhibit A

APN	Redemption Amount
378030027	\$90,887.19

MATTHEW JENNINGS
County of Riverside Treasurer - Tax Collector

Giovane Pizano
Assistant Treasurer



Melissa Johnson
Assistant Tax Collector

June 13, 2024

City of Lake Elsinore
Attn: Jason Simpson
130 South Main Street
Lake Elsinore, CA 92530

Re: Tax Defaulted Properties

Dear City of Lake Elsinore:

We are in receipt of your inquiry regarding acquiring tax-defaulted property.

The below referenced tax-defaulted parcel(s) may be acquired by the **City of Lake Elsinore, a municipal corporation, as a Taxing Agency** under a Chapter 8 Agreement to Purchase Tax-Defaulted Property for the minimum purchase price as follows:

Assessment No.	Purchase Price
378030027	\$90,887.19
Total	\$90,887.19

The purchase price(s) is determined in keeping with Section 3793.1 of the California Revenue and Taxation Code and the Riverside County Office of the Treasurer-Tax Collector policy number 98-1. **You may also purchase the above listed parcel(s) through the Chapter 7 Auction.**

Property taxes may be applied to parcels that are outside of the City of Lake Elsinore, a municipal corporation, as a Taxing Agency purchasing boundaries. Please verify with your legal counsel that the parcel(s) is within your purchasing boundaries.

In order for the **City of Lake Elsinore, a municipal corporation, as a Taxing Agency** to enter into an Agreement to Purchase the above listed parcel(s), we would need a Resolution from your Board of Directors. The Resolution should show an offer to purchase the parcel(s), including the purchase price(s), legal description(s), Assessor's 9 digit parcel number(s), and the specific public purpose for which each parcel(s) is to be devoted. It should also include a statement that the costs of giving notice shall be paid by the **City of Lake Elsinore, a municipal corporation, as a Taxing Agency**. In addition to the Resolution, the State now requires a separate Mission Statement to be submitted as part of the Agreement. This must be on official letterhead.

Notice of the Agreement to Purchase Tax-Defaulted Property must be given. Pursuant to Section 3799 of the California Revenue and Taxation Code, the Tax Collector shall make reasonable efforts to ascertain the identity and address of any party of interest. Notifications of the pending sale to the parties of interest must be sent by registered mail and/or certified mail. Also, in compliance with the California Revenue and Taxation Code 3800, the cost of giving notice shall be paid by the **City of Lake Elsinore, a municipal corporation, as a Taxing Agency**.

Notice of the Agreement to Purchase Tax-Defaulted Property will also be published in **The Press Enterprise** newspaper in accordance with Section 3798 of the California Revenue and Taxation Code. Should the Agreement to Purchase be nullified after the first publication, **City of Lake Elsinore, a municipal corporation, as a Taxing Agency** is still responsible for the publication costs incurred.

We would appreciate receiving the Resolution to purchase the above listed parcel(s) from your Board of Directors by **July 15, 2024** to ensure that we have time to review the Resolution for any changes required and to pull the property from the tax sale, if needed. It would be advisable to contact our office and confirm that the Resolution has been received. **Properties scheduled to be sold at public auction will not be removed from the public auction tax sale unless your Resolution has been received in our office prior to the scheduled date of the tax sale.**

City of Lake Elsinore
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June 13, 2024

Once the Resolution has been received by our office, an Agreement to Purchase Tax-Defaulted Property will be prepared and sent to you for signing. Once you have signed and returned the Agreement to us, we will obtain authorization from our Board of Supervisors and from the State Controller. Upon authorization by the State Controller's Office, we will proceed by setting the effective date of the Agreement, ordering title reports, preparing the certified mailing to all parties of interest and the three weeks published notification in the newspaper. Once these steps have been completed and if the property has not been redeemed or removed for legal reasons, correspondence will be sent to you requesting that payment be sent within 14 days of the effective date of the Agreement. Should payment not be received within the time allowed the Agreement would be void.

If your Board of Directors decides against offering to purchase the above listed parcel(s), we would appreciate a letter stating that fact in order to close our file on the matter. Should you elect not to purchase by Chapter 8 Agreement, the law does not restrict you from bidding on the property at public auction.

If you have any further questions regarding this matter, please feel free to contact me.

Sincerely,

Michel'le Barker
Tax Sale Operations
951-955-3994

Exhibit A - Vicinity Map

Aerial View of Subject Property

