

RESOLUTION NO. HPFC 2017-002

A RESOLUTION OF THE HESPERIA PUBLIC FACILITIES CORPORATION (HPFC) (I) APPROVING A PURCHASE AND SALE AGREEMENT (PSA) BY AND BETWEEN HPFC AND HERMANSEN FAMILY LIVING TRUST; AND (II) AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE THE PSA AND ALL DOCUMENTS NECESSARY TO CARRY OUT THE INTENT OF THIS RESOLUTION

WHEREAS, HPFC was established under the laws and Constitution of the State of California in order to finance various public facilities; and

WHEREAS, HPFC owns certain real property known as Eagle Plaza located at 15776 Main Street, Hesperia, California (Property); and

WHEREAS, HPFC has determined that the Property is no longer necessary for its operations and therefore, wishes to sell the Property; and

WHEREAS, Hesperia Unified School District (HUSD) had the first right of refusal to purchase the Property pursuant to their lease dated August 1, 2015. After considering the purchase option, they tendered a letter on January 23, 2017 refusing to exercise their purchase option; and

WHEREAS, Hermansen Family Living Trust has tendered an offer of \$2,900,000 to purchase the Property.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF THE HESPERIA PUBLIC FACILITIES CORPORATION AS FOLLOWS:

- Section 1. The facts set forth above in this Resolution are true and correct.
- Section 2. The Purchase and Sale Agreement by and between the HPFC and Hermansen Family Living Trust attached hereto is hereby approved and the Executive Director, or his designee, is authorized to execute the PSA on behalf of the HPFC.
- Section 3. The Executive Director is hereby authorized to sign all documents necessary to carry out the PSA and implement this Resolution including making minor, non-material amendments to the PSA and/or related documents.
- Section 4. The Executive Director, or their designee, is hereby authorized and directed to take any appropriate action consistent with the purposes of this Resolution and the PSA approved hereby to carry out the PSA and any subsequent amendments thereto on behalf of the HPFC.

- Section 5. If any section, sentence, clause or phrase of this resolution is determined to be invalid, void or unconstitutional by a decision or order of a court of competent jurisdiction, then such decision or order shall not affect the validity or enforceability of the remaining portions of this resolution, and this HPFC hereby declares that it would have passed the remainder of this resolution if such invalid portion thereof had been declared invalid or unconstitutional.
- Section 6. This activity is not a "project" and therefore exempt from CEQA pursuant to CEQA Guidelines §15060(c)(3).
- Section 7. This Resolution shall go into effect immediately upon its adoption.
- Section 8. The Secretary to the Board of the HPFC shall certify to the passage and adoption hereof and enter it into the book of official resolutions for the HPFC.

ADOPTED AND APPROVED this 1st day of August, 2017 by the following vote:

Paul Russ, Chair

ATTEST:

Melinda Sayre, Secretary to the Board