

**RESOLUTION NO. 2019-64**

**A RESOLUTION OF THE HESPERIA CITY COUNCIL (CITY): (I) APPROVING A PURCHASE AND SALE AGREEMENT AND JOINT ESCROW INSTRUCTIONS (PSA) FOR REAL PROPERTY LOCATED AT 9393 SANTA FE AVENUE EAST, ASSESSOR'S PARCEL NUMBER 0410-171-19 AND 0410-171-47 (PROPERTY) BY AND BETWEEN JUVENAL PEREA AND JESSICA VERA (BUYER) AND THE CITY OF HESPERIA (SELLER); (II) AUTHORIZING THE CITY MANAGER TO EXECUTE THE PSA AND ALL DOCUMENTS NECESSARY TO CARRY OUT THE INTENT OF THIS RESOLUTION; AND (III) MAKING THE APPROPRIATE FINDINGS HEREWITH**

**WHEREAS**, the City of Hesperia owns and formerly housed the Hesperia Police Department at the property; and

**WHEREAS**, the Hesperia Police Department moved to a new location in 2010; and

**WHEREAS**, Buyer contacted the Seller expressing interest in purchasing the Property; and

**WHEREAS**, the sales price was negotiated between Buyer and Seller through Coldwell Banker Commercial (CBC), the City's commercial real estate broker;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY OF HESPERIA AS FOLLOWS:**

- Section 1. The facts set forth above in this Resolution are true and correct.
- Section 2. The PSA for sale of the Property in the amount of One Hundred Thirty-Two Thousand Four Hundred dollars (\$132,400) is hereby approved and the City Manager is authorized to execute the PSA on behalf of the City.
- Section 3. The Buyer will pay One Hundred Thirty-Two Thousand Four Hundred dollars (\$132,400) cash at close of escrow.
- Section 4. The City will pay 5% commission and its portion of closing costs and escrow fees, through escrow out of its sale proceeds.
- Section 5. Escrow will close fifteen days after it opens.
- Section 6. The City Manager is hereby authorized to sign all documents necessary and appropriate to carry out the PSA and implement this Resolution; including making minor, non-material amendments to the PSA and/or related documents.
- Section 7. The City Manager is hereby authorized and directed to take any appropriate action consistent with the purposes of this Resolution and the PSA to carry out the PSA and any subsequent amendments thereto on behalf of the City.

- Section 8. 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 the City hereby declares that it would have passed the remainder of this resolution if such invalid portion thereof had been declared invalid or unconstitutional.
- Section 9. This Resolution shall go into effect immediately upon its adoption.
- Section 10. This activity is not a “project” and therefore exempt from CEQA pursuant to CEQA Guidelines §15060(c)(3).
- Section 11. The Clerk shall certify to the passage and adoption hereof and enter it into the book of original resolutions.

**ADOPTED AND APPROVED** this 5<sup>th</sup> day of November, 2019.

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Larry Bird, Mayor

ATTEST:

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Melinda Sayre, Clerk