

RESOLUTION NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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RESOLUTION: A) DECLARING THE BOARD OF SUPERVISORS' INTENT TO PURCHASE THE REAL PROPERTY DESCRIBED AS 849 MITTEN ROAD, 863 MITTEN ROAD AND 866 MALCOLM ROAD, ALL LOCATED WITHIN THE CITY OF BURLINGAME, SAN MATEO COUNTY ASSESSOR'S PARCEL NUMBERS 024-403-380, 024-403-410 AND 024-403-400, RESPECTIVELY, TOGETHER WITH ADJACENT PARKING LOTS, ASSESSOR'S PARCEL NUMBERS, 026-301-310, 026-301-320 AND 026-301-240, ("PROPERTY"), FOR THE TOTAL PURCHASE PRICE OF \$24,500,000; AND B) AUTHORIZING THE PRESIDENT OF THE BOARD OF SUPERVISORS TO EXECUTE A REAL ESTATE PURCHASE AND SALE AGREEMENT ("AGREEMENT") WITH THE OWNERS OF THE PROPERTY, ARE-819/863 MITTEN ROAD, LLC ("SELLERS"), FOR THE COUNTY'S ACQUISITION OF THE PROPERTY; AND C) AUTHORIZING THE COUNTY EXECUTIVE, OR THEIR DESIGNEE, TO EXECUTE A CERTIFICATE OF ACCEPTANCE UPON SATISFACTION OF CERTAIN CONDITIONS IN ESCROW, TO BE RECORDED WITH THE GRANT DEED, TRANSFERRING TITLE TO THE PROPERTY TO THE COUNTY, AS WELL AS ANY AND ALL NOTICES, ESCROW INSTRUCTIONS, AND DOCUMENTS REQUIRED TO FACILITATE THE PURPOSES OF THE AGREEMENT

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, certain real property, described as 849 Mitten Road, 863 Mitten Road and 866 Malcolm Road, all located within the City of Burlingame, Assessor's Parcel Numbers 024-403-380, 024-403-410 & 024-403-400, respectively, together with adjacent parking lot parcels, Assessor's Parcel Numbers, 026-301-310, 026-301-320 and 026-201-240, ("Property"), is comprised of six parcels which includes three buildings used for office and research and development and three parking lot parcels; and

WHEREAS, the County has determined the Property would provide needed administrative, executive, and professional offices for County programs; and

WHEREAS, the Sellers have executed a Real Estate Purchase and Sale Agreement (“Agreement”) proposed by the County Executive for the sale of the Property to the County for the purchase price of \$24,500,000; and

WHEREAS, notices pursuant to California Government Code section 25350, of the intention of the Board of Supervisors to make this purchase, will be published in compliance with Government Code section 6063, including a description of the Property, the price, the vendor, and a statement of the time this Board would meet to adopt this Resolution and consummate the purchase, and inviting interested persons to attend and be heard on the subject; and

WHEREAS, pursuant to Government Code Section 65402, the City of Burlingame was notified of the proposed purchase of the Property and has been requested to issue a finding of conformity with the City’s General Plan; and

WHEREAS, the President of the Board’s execution of the Agreement will allow staff to satisfy the remaining conditions to closing, and the County Executive’s execution of the Certificate of Acceptance, and any other documents required to satisfy County’s obligations under the Agreement, will allow escrow to close and the Property to be vested in the County.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the Board of Supervisors does hereby declare its intention to purchase the real property located at 849 Mitten Road, 863 Mitten Road & 866 Malcolm Road, together with three adjacent parking lot parcels, located within the City of Burlingame, County of San Mateo, for a total purchase price of \$24,500,000 under the terms and conditions set forth in the Agreement.

IT IS FURTHER DETERMINED AND ORDERED that the President of the Board of Supervisors be and is hereby authorized and directed to execute said Agreement for and on behalf of the County, and the Clerk of this Board shall attest the President's signature thereto.

IT IS FURTHER DETERMINED AND ORDERED that the County Executive or their designee is hereby authorized and directed to execute a Certificate of Acceptance upon performance of all material conditions set forth in the Agreement, and any and all notices, escrow instructions, and documents required to facilitate the purposes of the Agreement.

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