



RESOLUTION NO. 081-2024

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO  
DECLARING THE COUNTY-OWNED REAL PROPERTY LOCATED AT 3447  
CLEMINGER DRIVE IN DIAMOND SPRINGS, CALIFORNIA EXEMPT SURPLUS LAND  
UNDER THE SURPLUS LAND ACT

**WHEREAS**, the County of El Dorado (County) owns the real property located at 3447 Cleminger Drive in Diamond Springs, California, which is more specifically identified as Assessor's Parcel Number 331-400-002, (the Property); and

**WHEREAS**, the Surplus Land Act (California Government Code sections 54220 through 54234) is generally intended to make a local agency's surplus land (*i.e.*, land not needed for the local agency's use) available for potential acquisition by affordable housing sponsors or other local public entities; and

**WHEREAS**, Government Code section 54221(b)(1) requires the Board of Supervisors to take formal action at a regular public meeting to declare the Property surplus land or exempt surplus land, as supported by written findings, before the County may take any action to dispose of the Property; and

**WHEREAS**, the written findings supporting an exempt surplus land declaration are provided to the California Department of Housing and Community Development (HCD) for review at least thirty (30) days before the County's disposition of the land pursuant to Section 400(e) of the HCD's Surplus Land Act Guidelines (SLA Guidelines); and

**WHEREAS**, the Property was conveyed and dedicated to the County by the Marshall Foundation for Community Health (the Foundation) on the express condition that the Property be used for the development of recreational and park facilities; and

**WHEREAS**, the deed conveying the Property to the County, recorded on January 31, 2024 in the Official Records of the El Dorado County Recorder as Document No. 2024-0002396 restricts use of the Property for recreational and park facilities purposes; and

**WHEREAS**, to further ensure the Property is used in furtherance of the Foundation's stated purpose, the deed includes a reversionary clause authorizing the Foundation to transfer the Property to the Foundation's designee, the Boys and Girls Club of El Dorado County Western Slope, should the County fail to commence construction of the park project within a certain time period or thereafter cease using the Property for the park project; and

**WHEREAS**, the Foundation's named designee, the Boys and Girls Club of El Dorado County Western Slope, seeks to acquire the Property now to facilitate the construction and operation of recreational and park facilities; and

**WHEREAS**, the Property is exempt surplus land pursuant to California Government Code section 54221(J)(i) as a validly restricted surplus land with legal restrictions prohibiting housing on the Property that are not imposed by the County; and

**WHEREAS**, declaring the Property exempt surplus land, does not obligate the County to transfer the Property and the County may subsequently determine that the Property is necessary for County use and not move forward with any disposition of the Property.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of the County of El Dorado, that the Property is not necessary for the County's use or purpose, and it is exempt surplus land pursuant to California Government Code section 54221(J)(i) because the Property is subject to valid legal restrictions that are not imposed by the County and that would make housing prohibited, as a result of the deed restrictions and reversionary clause limiting use of the Property for recreational and park facilities purposes.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 21st day of May, 2024 by the following vote of said Board:

Ayes: Thomas, Hidahl, Turnboo, Parlin, Laine  
Noes: None  
Absent: None

Attest:  
Kim Dawson  
Clerk of the Board of Supervisors

By: *Kyle Kufner*  
Deputy Clerk

*Wendy Thomas*  
Chair, Board of Supervisors  
Wendy Thomas