

TOWN OF SAN ANSELMO

RESOLUTION NO. 515

RESOLUTION RESCINDING RESOLUTION NO. 504 PERTAINING TO THE EXCHANGE OF BURTCHAELL HEIRS PROPERTY FOR CORPORATION YARD AND OTHER MATTERS PERTAINING THERETO.

WHEREAS, the Town of San Anselmo has heretofore considered the exchange of its real property known as the Corporation Yard for certain real property owned by the BURTCHAELL heirs, and more particularly described in a quiet title action No. 17936 now pending in the Superior Court of the County of Marin, State of California, and

WHEREAS, the City Council of the Town of San Anselmo, in addition to the foregoing exchange of real property, further considered the re-purchase of the Corporation Yard on a long-term basis for a consideration of One Hundred Thousand (\$100,000.00) Dollars, and

WHEREAS, a resolution of intention has heretofore been published, indicating the City Council's desire and intent to consummate the foregoing exchange and re-purchase, and

WHEREAS, the City Council has now been advised by its City Attorney that the proposed exchange and re-purchase as aforesaid cannot legally be consummated unless the matter be first submitted to a vote of the people, in accordance with the Constitution of the State of California, and

WHEREAS, the City Council does not deem it advisable to submit the aforesaid matter to a vote of the people or to incur any bonded indebtedness therefor;

NOW, THEREFORE, BE IT RESOLVED: That Resolution No. 504 is hereby rescinded, withdrawn, annulled, and made void in each and every particular thereof with the same force and effect as though said Resolution had never been drawn or passed by the City Council.


BE IT FURTHER RESOLVED: That the City Council of the Town of San Anselmo still deems it wise and necessary that the City of San Anselmo eventually acquire the BURTCHAELL heirs property for the expansion and improvement of the San Anselmo street system, and that appropriate action be taken without delay to effect the purchase of said property by outright purchase in parcels for cash consideration for each parcel, the fee title to such parcels to be in the City of San Anselmo as paid for.

BE IT FURTHER RESOLVED: That the ^{PRELIMINARY} City Attorney and the City Engineer immediately take such action as may be necessary to effectuate a purchase of the said property as outlined herein.

ULTIMATELY


BE IT FURTHER RESOLVED: That the following named persons, duly qualified real property appraisers, be appointed to appraise the BURTCHAELL heirs property and submit their findings to the City Council as soon as possible.

DWIGHT MERRIMAN
THOMAS T. KENT
A. N. NIPPER


Ray M. Overdick,
City Clerk

I hereby certify that the foregoing Resolution was duly passed and adopted at a regular meeting of the City Council of the Town of San Anselmo held on the 13th day of February, 1951, by the following vote:

AYES: Councilmen Knowles, Skinner, O'Mara, Smith, Booth.
NOES: None
ABSENT: None


Ray M. Overdick,
City Clerk