

RESOLUTION 13-2

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX APPROVING THE OPTION AGREEMENT FOR THE UPPER RIDGEWAY PROPERTIES AND AUTHORIZING THE TOWN MANAGER TO EXERCISE THE OPTION AND ACCEPT THE PROPERTIES ON BEHALF OF THE TOWN

WHEREAS, Neil Dan Reid, an Individual and Neil Reid Trust A (Survivor Trust), established under the Reid 1988 Revocable Trust ("Seller") owns three parcels, all located on Upper Ridgeway road in Fairfax, California, Marin County Assessor's Parcel Nos. 001-193-07, 001-193-09, and 001-193-03, attached hereto as Exhibit A (Legal Description) desires to sell said properties to the Town of Fairfax, a municipal corporation established and existing under the laws of the state of California ("Buyer") for the purpose of preserving them as open space and to provide public access to and across the properties to other adjacent, publicly-owned land; and

WHEREAS, there remain environmentally sensitive lands in the Town of Fairfax that are subject to development pressures which threaten the loss of unique environmental and aesthetic qualities for future generations of citizens that prompted the formation of the Fairfax Open Space Committee to protect such lands; and

WHEREAS, the Fairfax Open Space Committee has been tasked with informing the Town Council of open space acquisition opportunities and have voted unanimously to recommend these properties for purchase; and

WHEREAS, the Town of Fairfax desires to purchase said properties described in Exhibit A, according to the proposed "Option Agreement" attached to the staff report for this item;

WHEREAS, said Option Agreement is for the purpose of preserving these lands as open space and to provide public access to and across the properties to other adjacent, publicly-owned lands.

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Fairfax, hereby approves and authorizes the Town Manager to exercise the Option Agreement in substantially the form attached to the staff report, together with such changes as may be approved by the Town Attorney, and thereafter exercise the option on behalf of the Town.

BE IT FURTHER RESOLVED, that the Town Manager is authorized to accept the real property interest contained in the Option Agreement by executing and recording an acceptance certificate on behalf of the Town in the official records of the County of Marin.

The foregoing Resolution was adopted at a regular meeting of the Town of Fairfax held in said Town on the 10th day of January 2013, by the following vote, to wit:

AYES:
NOES:
ABSENT:

JOHN REED, MAYOR

Attest:

Judy Anderson, Town Clerk

AGENDA ITEM # 9

Ex 1