

JUL 26 2010



TREASURER - TAX COLLECTOR  
PUBLIC ADMINISTRATOR

RECEIVED  
MICHAEL J. SMITH

Treasurer-Tax Collector  
Public Administrator  
ROY GIVEN  
Assistant

July 23, 2010

Town of Fairfax  
Attention: Michael Rock  
142 Bolinas Road  
Fairfax, CA 94930

RE: Purchase of Tax Defaulted Property

Dear Michael Rock:

The sale of tax-defaulted property parcel #003-161-07 to the Town of Fairfax was approved by the Marin County Board of Supervisors and the State Controller's Office.

Attached is a completed signed copy of the Agreement to Purchase Tax-Defaulted Property and the deed to the property.

If you should have any questions, please do not hesitate to contact me at 499-6141.

Very truly yours,

MICHAEL J. SMITH  
Treasurer-Tax Collector

Chris Sciocchetti  
Chief Deputy Tax Collector

Enclosures

RECORDING REQUESTED BY: *Return*  
MICHAEL J. SMITH *To*  
TAX COLLECTOR, ROOM 202  
*attention: Chris Sciccheth*



2010-0032788

Recorded | REC FEE 0.00  
Official Records  
County of  
Marin  
JOAN C. THAYER  
Assessor-Recorder

**MAIL TAX STATEMENTS TO:**

Town of Fairfax  
142 Bolinas Road  
Fairfax, CA 94930

10:24AM 09-Jul-2010 | Page 1 of 1

Doc. Tran. Tax – computed on full value of property conveyed: \$ N/A

*Chris Sciccheth*  
Signature of Declarant

**TAX DEED TO PURCHASER OF TAX-DEFAULTED PROPERTY**

On which the legally levied taxes were a lien for fiscal year 02-03  
*Default Year*  
and for nonpayment were duly declared to be in default. 8974  
*Default Number*

This deed, between the Tax Collector of Marin County ("SELLER") and Town of Fairfax ("PURCHASER"), conveys to the PURCHASER, free of all encumbrances of any kind existing before the sale, except those referred to in Revenue and Taxation Code §3712, the real property described herein, which the SELLER sold to the PURCHASER Town of Fairfax on June 18, 2010 pursuant to a statutory power of sale in accordance with the provisions of Division 1, Part 6, Chapter 8, Revenue and Taxation Code, for the sum of \$5,700.00.

No     taxing agency objected to the sale.

In accordance with law, the SELLER hereby grants to the PURCHASER that real property situated in said county, State of California, last assessed to: FORD, EVELYN J described as follows:  
003-161-07 Assessor's Parcel Number

LOT 49, in Block 4 as shown upon that certain map entitled, "Map of No. 1 of the Cascades", filed for record on August 4, 1914 in Book 4 of Maps at page 74, in the office of the County Recorder of the County of Marin, State of California.

EXECUTED ON July 8, 2010, By *Roy Given*  
Roy Given, Marin County Assistant Treasurer-Tax Collector

State of California) ss.  
County of Marin )

On July 8, 2010, before me, Jennifer L. Walter, Notary Public, personally appeared Roy Given, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.



WITNESS my hand and official seal.

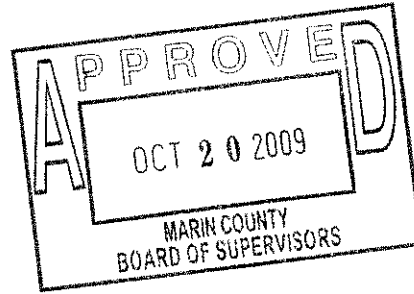
*Jennifer L. Walter*  
Signature of Notary Public



TREASURER - TAX COLLECTOR  
PUBLIC ADMINISTRATOR

MICHAEL J. SMITH  
Treasurer-Tax Collector  
Public Administrator  
ROY GIVEN  
Assistant

October 20, 2009



Board of Supervisors  
County of Marin  
3501 Civic Center Drive, Room 329  
San Rafael, CA 94903

**Subject: Agreement to Purchase Tax Defaulted Property**

Dear Board Members:

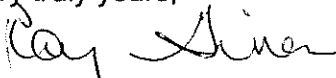
**Recommendation:** Request your Board approve the attached Agreement with the Town of Fairfax to purchase tax defaulted parcel 003-161-07 in the amount of \$5,700 provided for your approval.

**Summary:** This parcel is being sold pursuant to Revenue and Taxation Code Chapter 8 public agency sale provisions. Parcel 003-161-07 is a lot located in the portion of Rancho Canada De Herrera in the Town of Fairfax in Marin County. This parcel will be used to preserve public open space. This office approves this sale and requests your Board's approval of the attached agreement.

**Fiscal Impact:** In that this is a purchase for public purpose, the parcel will be removed as taxable from future tax rolls. The purchase price of \$5,700 recovers prior year unpaid taxes, penalties and tax sale costs.

**Reviewed By:**     Auditor Controller             N/A  
                          County Counsel                 N/A  
                          Human Resources                N/A

Very truly yours,

  
ROY GIVEN  
Assistant Treasurer-Tax Collector

MICHAEL J. SMITH  
Treasurer-Tax Collector

cc: Bryon Karow, Assistant Auditor-Controller  
James Flageollet, County Counsel

CA-8

**AGREEMENT TO PURCHASE TAX-DEFAULTED PROPERTY**

This Agreement is made this 20<sup>th</sup> day of October, 2009, by and between the Board of Supervisors of MARIN County, State of California, and TOWN OF FAIRFAX ("PURCHASER"), pursuant to the provisions of Division 1, Part 6, Chapter 8, of the Revenue and Taxation Code.

The real property situated within said county, hereinafter set forth and described in this agreement is tax-defaulted and is subject to the power of sale by the tax collector of said county for the nonpayment of taxes, pursuant to provisions of law.

**TERMS AND CONDITIONS**

It is mutually agreed as follows:

1. That as provided by Section 3800 of the Revenue and Taxation Code, the cost of giving notice of this agreement shall be paid by the PURCHASER,
2. That the PURCHASER agrees to pay the sum of \$5,700 for the real property described in Exhibit "A" within 60 days after the date of this agreement becomes effective. Upon payment of said sum to the tax collector, the tax collector shall execute and deliver a deed conveying title to said property to PURCHASER.
3. That the PURCHASER agrees to use the parcel for public purpose under the following intent:

To acquire and hold in  
perpetuity as public open  
space.

**APN: 003-161-07**

If all or any portion of any individual parcel listed in Exhibit "A" is redeemed prior to the effective date of this agreement, this agreement shall be null and void as to that individual parcel. This agreement shall also become null and void and the right to redemption restored upon the PURCHASER'S failure to comply with the terms and conditions of this agreement.

*10/29/2009*  
*A.S.*

The undersigned hereby agree to the terms and conditions of this agreement and are duly authorized to sign for said agencies.

ATTEST:

Town of Fairfax  
(Purchaser)

By Michael Beck  
Town Manager

(Seal)

ATTEST: BOARD OF SUPERVISORS

[Signature]  
Clerk of the Board of Supervisors

By MARIN COUNTY

By Miniam M. Martinez  
DEPUTY CLERK, BOARD OF SUPERVISORS  
COUNTY OF MARIN

By Harold Brown, Jr.  
Harold C. Brown, Jr.  
President, Board of Supervisors

Pursuant to the provisions of Section 3775 of the Revenue and Taxation Code, the governing body of the City of \_\_\_\_\_ hereby agrees to the sale price as provided in this agreement.

ATTEST: TOWN OF FAIRFAX

[Signature]  
Deputy

By Michael Beck  
Town Manager

Pursuant to the provisions of Section 3775 of the Revenue and Taxation Code, the Controller agrees to the selling price hereinbefore set forth and pursuant to the provisions of Section 3795 approves the foregoing agreement this 2<sup>ND</sup> day of FEBRUARY, 2010.

JOHN CHIANG, CALIFORNIA STATE CONTROLLER

By [Signature]

GEORGE LOLAS, Assistant Chief  
Division of Accounting and Reporting

**Exhibit "A"**

<b><u>Description</u></b>	<b><u>First Year Delinquent</u></b>	<b><u>Default Number</u></b>	<b><u>Purchase Price</u></b>
003-161-07	2003	03-8974	\$5,700

All that certain real property situated in the City of Fairfax, County of Marin, State of California, described, as follows:

LOT 49, in Block 4 as shown upon that certain map entitled, "Map of No. 1 of the Cascades", filed for record on August 4, 1914 in Book 4 of Maps at page 74, in the office of the County Recorder of the County of Marin, State of California.

