

FORT ORD REUSE AUTHORITY
Resolution 14-11

Resolution of the Fort Ord Reuse Authority Board Authorizing the FORA Executive Officer to Record Future Property Transfer Documents on Behalf of the Authority to the Monterey County Recorder's Office

THIS RESOLUTION is adopted with reference to the following facts and circumstances:

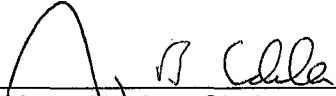
- A. On March 14, 1997 the Board adopted the Fort Ord Reuse Authority Master Resolution. Article 2.04.04 (b) (7), Executive Officer, Powers and Duties of the Executive Officer provides that *"The Executive Officer has the following duties: ...(7) To execute agreements, contracts, and documents on behalf of the Authority; ..."*
- B. In June 2000, the Board as executed by Chair Edith Johnsen, entered into the Fort Ord Economic Development Conveyance (EDC) Agreement with the U.S. Army to receive certain Fort Ord properties.
- C. Subsequently, in May 2001, FORA and certain underlying jurisdictions entered into Implementation Agreements/Contracts (I/As) that defined property transfer acquisition, transfer authority and terms.
- D. Past FORA property transfers were executed by the FORA Executive Officer in conformance with the Master Resolution, the I/As and the EDC Agreement, and these property transfer documents were recorded at the Monterey County Recorder's Office.
- E. While reviewing upcoming Army-FORA Deed Amendment correction documents, FORA Authority Counsel noted that language contained in the original Army transfer deeds recites FORA's acceptance, but is not worded in precise conformity with current California Government Code section 27281 and should reflect the source of the Executive Officer's authority to consent to recordation.
 - a. *"Government Code Section 27281: Deeds or grants conveying any interest in or easement upon real estate to a political corporation or governmental agency for public purposes shall not be accepted for recordation without the consent of the grantee evidenced by its certificate or resolution of acceptance attached to or printed on the deed or grant."* (underline added)
- F. FORA Counsel recommends that the FORA Board adopt a resolution specifically authorizing the FORA Executive Officer to record future property transfer documents on behalf of the Authority so that this resolution can be referenced in future property transfer documents be submitted to the Monterey County Recorder's Office.

NOW THEREFORE the Board hereby resolves that:

- 1. The Board authorizes the FORA Executive Officer to consent to and cause to be recorded FORA property transfer documents on their behalf.

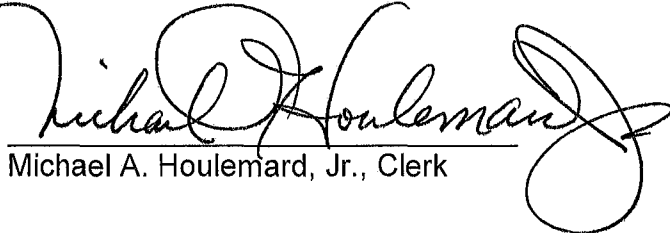
Upon motion by Councilmember Alexander, seconded by Mayor Gunter, the foregoing Resolution was passed on this 16th day of May, 2014, by the following vote:

AYES: BEACH, EDELEN, GUNTER, LUCIUS, OGLEBY, PARKER,
PENDERGRASS, RUBIO, SELFRIDGE.
NOES: NONE.
ABSTENTIONS: NONE.
ABSENT: CALCAGNO, MORTON, O'CONNELL, POTTER.



Mayor Jerry Edelen, Chair

ATTEST:



Michael A. Houlemard, Jr., Clerk