

**RESOLUTION NO. 2024-07**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE PHELAN PINON HILLS COMMUNITY SERVICES DISTRICT AUTHORIZING THE SALE OF PROPERTY AND EXECUTION OF RELATED DOCUMENTS**

**WHEREAS**, the Phelan Pinon Hills Community Services District ("District") is a Community Services District organized and operating pursuant to Government Code Section 61000 et seq.; and

**WHEREAS**, Government Code Section 61060(d) authorizes the District to acquire any real property within or outside the District, by contract or otherwise, to hold, manage, occupy, dispose of, convey, and encumber the property, and to create a leasehold interest in the property for the benefit of the District; and

**WHEREAS**, the District is the owner of certain real property located at 17900 Sheep Creek Road, El Mirage, California (APN 0457-161-83 & 0457-161-83) (the "Property"); and

**WHEREAS**, Circle Green, Inc. (the "Buyer"), the current lessee of the Property, has exercised its purchase option rights under the lease agreement between the District and the Buyer executed on July 18, 2018, and amended on June 2, 2021; and

**WHEREAS**, the District has subsequently been involved in negotiations with the Buyer for several months regarding the price and terms of purchase for the Property.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Phelan Pinon Hills Community Services District as follows:

Section 1. Authorization to Sell Property. The District is hereby authorized to sell the Property to the Buyer for the purchase price of seven hundred thousand dollars (\$700,000).

Section 2. Execution of Purchase and Sales Agreement. The District's General Manager is hereby authorized and directed to execute, acknowledge, and deliver a Purchase and Sale Agreement with the Buyer for the sale of the Property, in substantially the form presented to this meeting, with such changes therein as may be approved by such officer, with the advice and approval of the District's legal counsel.

Section 3. Execution of Other Documents. The District's General Manager is hereby authorized and directed to execute, acknowledge, and deliver any and all other documents, instruments, certificates, or agreements necessary or appropriate to effectuate the sale of the Property, including but not limited to deeds, bills of sale, easement agreements, and closing statements.

Section 4. Distribution of Proceeds. The proceeds from the sale of the Property shall be deposited into the District's appropriate fund(s) in accordance with applicable law and District policies.

Section 5. Ratification of Actions. All actions heretofore taken by the officers, employees, or agents of the District directed toward the sale of the Property, including negotiations with the Buyer and preparation of documents, are hereby ratified, approved, and confirmed.

Section 6. Effective Date. This resolution shall take effect immediately upon its adoption.

Section 7. Certification. The Board Secretary is hereby authorized and directed to certify the adoption of this resolution.

**PASSED AND ADOPTED** by the Board of Directors of the Phelan Piñon Hills Community Services District, State of California, this 3<sup>rd</sup> day of April, by the following vote:

AYES: Directors: Hays, Kujawa, Phillips, Roberts, Snyder  
NOES: Directors:  
ABSENT: Directors:  
ABSTAIN: Directors:



\_\_\_\_\_  
President of Phelan Piñon Hills  
Community Services District and of the  
Board of Directors thereof.

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF SAN BERNARDINO )

I, Kimberly Sevy, Clerk of the Board of Directors of the Phelan Pinon Hills Community Services District, California, hereby certify the foregoing to be a full, true and correct copy of the record of the action as the same appears in the Official Minutes of said Board at its meeting of April 3, 2024.

Kimberly Sevy  
Secretary, Board of Directors  
Phelan Pinon Hills Community Services District

By \_\_\_\_\_  
