

CAPISTRANO BAY DISTRICT
AGENDA REPORT
August 31, 2021

New Business

ITEM 10a

Proposed Acquisition of Real Property

Vacant Lots for Sale/Appraisal

- 35525 \$3.195M opened escrow on 8/23
- 35125 \$2.75M no offers as of 8/26
- 35075 \$2.99M no offers as of 8/26
- *35071 \$2.5M opened escrow by outside buyer and is no longer available
*appraisal on this lot came in at \$2.5M (CMP Appraisals 8-20-21)

Option to Share Beach Access w/County

This option involves permission, in the way of an easement agreement, with OC Parks to gain beach access through the County Beach Park (referred to as 'Meter Beach') when needed. The District has contacted OC Parks with the request and is currently working with their property representative, Shannon Levin. At this early stage the County appears to be open to the plan.

A title search has uncovered no existing recorded access easements in favor of the District so a new easement would have to be created. There will be conditions for use, fees to pay and almost certainly a cost sharing agreement to maintain a functional access ramp for both parties which could include regular sand grading and occasional sand replenishment as the access ramp gets eroded from wave action. The County has not given us a time frame for the process nor does the District have any idea of how limiting the conditions for use may be.

Property Tax Exemption

The District's official boundary includes Tract 797 (the roadway) and all of Tract 889 (the residential lots to the Mean High Tide Line). This has been confirmed by LAFCO and is verified in both the map exhibit that accompanies the original District Forming Resolution No. 59-1354, and the LAFCO Sphere of Influence Map of 2006. In the Cal. Constitution, Article 13, Section 3, "local governments are exempt provided . . . the land is within the boundaries of the District".

Revised Enabling Resolution

With the District losing the opportunity to purchase the vacant lot at 35071, the original draft resolution empowering the District will have to be revised to address any prospective new purchase deal. Additionally, the matter of keeping up good maintenance on the lot needs to be added into the resolution language, if and when the District chooses to proceed.