

TULARE LOCAL HEALTHCARE DISTRICT

**RESOLUTION 924 DECLARING CERTAIN REAL PROPERTY
AS EXEMPT SURPLUS LAND PURSUANT TO CALIFORNIA HEALTH
AND SAFETY CODE § 32121.2 AND CALIFORNIA SURPLUS LAND
ACT (GOVERNMENT CODE §§ 54220 et seq.)**

RESOLVED, by the Board of Directors (“Board”) of the Tulare Local Healthcare District (“District”), as follows:

WHEREAS, the express purpose of the District’s work and operations are set forth in its Mission, which states, “To manage and utilize District resources to address the health needs of [its] population”, and its Vision, which states, “To be an outstanding community resource, actively driving and supporting the improved health of [its] residents.”

WHEREAS, the District holds a fee simple interest in that certain real property comprising 0.13± acres of improved land (APN 170-340-023) located within and contiguous with that certain commercial development known as the Tulare Medical Center, in the County of Tulare, State of California (the “Real Property”), which Real Property was previously utilized to provide certain outpatient medical services.

WHEREAS, because the District no longer directly operates or manages any medical facilities, the Real Property is unoccupied and not utilized for its intended purpose.

WHEREAS, the Real Property is subject to certain Covenants, Conditions and Restrictions (“CC&Rs”) related to and controlling all real property located within the Tulare Medical Center.

WHEREAS, the District has no ongoing use for the Real Property and desires to declare it surplus in accordance with California Health and Safety Code § 32121.2 and as required by California Government Code Section 54221(b)(1) before real property may be declared “exempt surplus land” under the California Surplus Land Act (Govt. Code §§ 54221 *et seq.*) (the “Act”).

WHEREAS, the District further desires to sell and transfer, for fair market value, the Real Property to Polaris Healthcare Properties, a California limited liability company (the “Buyer”), which, subject to the CC&Rs, intends to use the Real Property for the purpose of operating medical office spaces for the benefit of the population served by the District.

WHEREAS, in accordance with Government Code §§ 54221(f)(1) and 54222.3, said surplus land does not fall under the notice and negotiation requirements of the Act on the basis that: (i) in accordance with Government Code § 54221(f)(1)(G), the CC&Rs subject the Real Property to valid legal restrictions that are not imposed by the District and that would make housing prohibited; and (ii) in with accordance Government Code §§ 54221(c)(2)(B)(i) and 54221(f)(1)(K), the District is selling and transferring the Real Property to the Buyer conditioned on the Buyer’s use of the Real Property to “[d]irectly further the express purpose of [the District’s] work or operations.”

THEREFORE, BE IT RESOLVED, the Board does declare that the disposition of the Real

Property on a surplus basis is exempt from the notice and negotiation requirements of the California Surplus Land Act in accordance with Government Code § 54221(f)(1)(G), regarding prior restrictions prohibiting use as housing not enacted by the District, and Government Code §§ 54221(c)(2)(B)(i) and 54221(f)(1)(K), regarding sale and transfer of the Real Property to a buyer intending to use the same to further the District’s Mission and Vision.

BE IT FURTHER RESOLVED, that, designation of the Real Property as exempt surplus land being so declared and made, the disposition of the Real Property to Polaris Healthcare Properties, a California limited liability company, is hereby approved and confirmed by the District in all respects.

NOW, THEREFORE, IT IS ORDERED, that the Chief Executive Officer is authorized, directed and shall dispose of the Real Property by sale and transfer to the above-named buyer, having hereby been declared exempt surplus land under the California Surplus Land Act, through a fair market value sale or otherwise in accordance with the requirements of California Health and Safety Code § 32121.2, and that the CEO shall take all additional actions and sign such documents as necessary to fulfil the purpose of all parts of this Resolution.

PASSED AND ADOPTED, this Resolution No. 924, at the meeting of the Tulare Local Health Care District Board of Directors held on the 24th day of April, 2024, by the following vote:

AYES:	_____	By: _____
NOES:	_____	By: _____
ABSTAIN:	_____	By: _____
ABSENT:	_____	Absent: _____

President, Board of Directors
Tulare Local Health Care District

IN WITNESS WHEREOF, I have hereto set my name as Secretary of the District, this 24th day of April, 2024.

Secretary, Board of Directors
Tulare Local Health Care District