RESOLUTION NO. 200__-_____

A RESOLUTION OF THE COUNCIL OF THE CITY OF EUREKA
APPROVING A MILLS ACT HISTORIC PROPERTY CONTRACT
BETWEEN THE CITY AND _____________, OWNER(S) OF PROPERTY
LOCATED AT __________ IN THE CITY OF EUREKA, COUNTY OF
HUMBOLDT, STATE OF CALIFORNIA

WHEREAS, on ________, 2005 in accordance with California Government Code, Section
50280, et seq., and California Revenue and Taxation Code, Section 439 et seq., the City Council of
the City of Eureka adopted Resolution No. 2005-_____, A RESOLUTION OF THE COUNCIL OF
THE CITY OF EUREKA ESTABLISHING THE MILLS ACT HISTORIC PROPERTY TAX
INCENTIVE PROGRAM IN THE CITY OF EUREKA, COUNTY OF HUMBOLDT, STATE OF
CALIFORNIA; and

WHEREAS, _________________ is/are the property owner(s) and possesses fee title in and
to that certain real property together with appurtenant structures and improvements thereon,
referred and known as the _______________________ and located at the street address of
__________, Eureka, California, Assessor Parcel Number(s) ___________, hereinafter referred to as
the “Historic Property”; and

WHEREAS, _________________ is a financial institution having interest in the subject
property; and

WHEREAS, the property owner(s), with the financial institution’s agreement, voluntarily
requested that the property be subject to a Mills Act Historic Property Contract, including the
covenants, reservations and restrictions as set forth therein; and

WHEREAS, said Historic Property is located entirely within the City of Eureka; and

WHEREAS, said Historic Property is privately owned; and
WHEREAS, said Historic Property is not exempt from property taxation; and

WHEREAS, said Historic Property is taxed as residential property; and

WHEREAS, pursuant to the terms and provision of Title 15, Chapter 157 of the Eureka Municipal Code the Historic Property is individually listed on the City of Eureka’s Local Register of Historic Places; and

WHEREAS, the Owner’s request for a Mills Act Historic Property Contract was submitted to and reviewed by the City of Eureka’s Historic Preservation Commission; and.

WHEREAS, on _________, 200__, the Historic Preservation Commission approved the Schedule and Plan for Maintenance and Treatment of the Historic Property (attached as Exhibit “B” to the Contract) and took action to recommend that the City Council enter into a Mills Act Historic Property Contract with the Owner of the Historic Property; and

WHEREAS, the Historic Property is located within the Redevelopment area and the Owner’s request for a Mills Act Historic Property Contract was submitted to and reviewed by the Redevelopment Advisory Board; and.

WHEREAS, on _________, 200__, the Redevelopment Advisory Board took action to recommend approval to the Eureka City Council to enter into a Mills Act Historic Property Contract with the Owner of the Historic Property; and

WHEREAS, the City of Eureka and the owner of the Historic Property, for their mutual benefits, now desire to enter into a Contract to both protect and preserve the Historic Property’s character defining features which qualified it as property of historical significance and to qualify the Historic Property for an assessment of valuation pursuant to the provisions of Section 439, et. seq., of the California Revenue and Taxation Code; and

WHEREAS, it is the expectation of City that Owner will use the Mills Act property tax
savings to finance the preservation, maintenance and improvements to the property as specified in
Exhibit “B”; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Eureka as
follows:

Section 1. The subject property is a Qualified Historic Property and meets the
requirements set forth in the City of Eureka Mills Act Historic Property Tax Incentive Program.

Section 2. The City Council hereby approves the Mills Act Historic Property Contract
between the City of Eureka and ____________________.

Section 3. The City Council hereby authorizes the City Manager or authorized designee to
execute said contract on behalf of the Council of the City of Eureka.

Section 4. The City Council has determined that execution of the Mills Act Historic
Property Contract will have no potential for causing a significant effect on the environment and
therefore pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061 is not
subject to CEQA.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka,
County of Humboldt, State of California, on the ________ day of _____________ 200__, by the
following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:
Resolution 200 -
Mills Act Historic Property Contract Approval

ATTEST:

__________________________   ____________________________
Peter La Vallee               Kathleen L. Franco Simmons
Mayor                        City Clerk

APPROVED AS TO ADMINISTRATION:

__________________________   ____________________________
David W. Tyson               David E. Tranberg
City Manager                 City Attorney