



**PROPERTY INFORMATION  
HARTS MILL FFS (OLD)**

**2.29± acres (Improved)  
Berry Creek, Butte County**

**SSL# 896**

*(Information updated 7/20/11)*

**Overview:**

The State of California (State) owns real property located at 9476 Oroville-Quincy Highway (Highway 162), Berry Creek, CA 95916. The property was the site of the former CAL FIRE Harts Mill Forest Fire Station. The 2.29±-acre property sits on the southeast frontage of Highway 162 in the unincorporated community of Berry Creek about 2 miles south of Lake Madrone and 12 miles northeast of the City of Oroville. The property has direct access from Highway 162. **Property Data:**

The property has an irregular, rectangular shape with highway frontage measuring approximately 500+ feet northeast to southwest along Highway 162 and approximately 227 feet deep at its southwest end. The varied topography has a mostly level frontage and central area, while the rear of the parcel is quite steep. There are plentiful shrubs, vines, and some trees along a stream bed at the frontage. The forested slope area at the rear of the Property contains native trees and other scenic vegetation.

The improvements consist of a 480 square-foot wood-framed office building, 1,530 square-foot wood-framed barracks building, 888 square-foot wood-framed garage building, a well pump house, fuel pump house, and 10,000-gallon capacity water tank, which CAL FIRE reported they did not use for the past 15 years and it may not be functional. The barracks, garage, and fuel pump house have asbestos shingle siding which, if undisturbed, would require no special handling as hazardous material. Most all construction of this time period contains some asbestos siding, flooring or ceiling tiles, which is standard.

The Property has electricity and telephone service connectivity and a septic system. CAL FIRE used a satellite dish for television reception and kept a propane tank on the Property for other fuel needs. CAL FIRE removed the propane tank from the Property when they relocated to their new facility.

There is no soil report available for the Property. Information obtained from an online property information resource subscribed to by the DGS (Parcel Quest) provides a USDA Soils Estimate indicating the soil is Mounthope Hartsmill Complex. The State did not verify the accuracy of the information provided by Parcel Quest or the soil's suitability for potential development. However, based on CAL FIRE's past construction and surrounding uses of adjacent properties, it is reasonable to conclude the soils are adequate to support residential or commercial construction. Interested parties should check with the county regarding the suitability of the property and any building requirements for their planned use.

### **Entitlements:**

The zoning designation is Scenic Highway (S-H) as identified in the county's General Plan. The S-H zoning allows uses as a single-family residence, single-family residence as a small family daycare home, licensed family care home, or foster or group home serving six or fewer persons. Within the S-H zoning, the county allows "accessory" uses which are those uses and structures normally associated with single family residential use and are either in conjunction with or incidental to the residential use. The county allows other uses in the SH zoning designation with a use permit, minor use permit, or an administrative permit. Interested parties should contact the Butte County Development Services office at (530) 538-7601 to make sure the property is suitable for their planned use prior to making an offer.

### **Available Reports:**

Interested parties may review the below reports on the Department of General Services' (DGS') website at <http://www.surplusproperty.dgs.ca.gov/detail.aspx?id=896>.

- Preliminary Report, Order No. 0403-3632715, issued by Mid Valley Title & Escrow Company, 2295 Feather River Blvd., Suite A, Oroville, CA, 95965, on October 7, 2010.

### **How to Make an Offer to Purchase the Property:**

The DGS is in the process of contracting a broker to list the property for sale (authority is Government Code § 11011.5). Contact information for the listing broker will be posted to the DGS' Internet website when it is available. Offers for the property will not be accepted until DGS selects a broker to list the property.

Offers must be made through the listing broker using the State's approved "Offer Form", which will be available to interested parties through the listing broker.

The offer must include the:

1. Legal name of the entity submitting the bid and the primary point of contact along with all contact information, i.e., name, address, phone, fax, and email address. The Offer Form must be completed in its entirety and signed by a duly authorized representative of the entity submitting the bid. If the entity is a corporation or other business entity, proof of the authority to sign on behalf of the company or corporation must accompany the Offer Form.
2. Total amount of the cash offer.
3. A deposit in the form of a cashier's check or money order made payable to the "STATE OF CALIFORNIA" in an amount equal to ten percent (10%) of the offer price (deposit amount may be negotiable with State through broker). Submittal of offers without a deposit will be rejected by the State.

The State will not accept offers with a financing contingency. DGS will only accept reasonable due diligence contingencies in the offer, i.e., investigations or studies of the property or structures to be completed by a prospective buyer at buyer's own expense after acceptance of the offer by State. A statement of intended sale financing shall accompany the Offer Form and address the buyer's ability to consummate the sale within the time period prescribed in the Purchase and Sale Agreement ("Agreement"). Interested parties should include any information that will assist the State in determining the party has secured the necessary financing to facilitate an all-cash transaction on the sale of the Property at close of escrow.

The DGS Asset Management Branch will notify the listing broker IN WRITING that the buyer's offer has been selected for consideration by State. The DGS will prepare and send the Agreement, based on the terms of the offer, to the listing broker for execution by buyer. Broker shall return the signed Agreement to the State for formal acceptance and approval.

As part of the terms of the Agreement, the Buyer will have an opportunity to conduct physical due diligence of the property, at his or her own expense, under a *Right of Entry* issued by the State to determine if the property contains defects or conditions which are not readily apparent and which may affect the value or desirability of the property for buyer's intended use. If buyer finds a defect or condition requiring mitigation by State, the State will consider buyer's condition(s) and make a determination whether or not the State's mitigation of the issue is in the State's best interest.

Buyer will be given an opportunity to withdraw his/her offer under certain circumstances specified in the Agreement and the deposit will be returned to buyer. Buyer is cautioned to pay attention to the timeframes of the due diligence period and notification requirements. If buyer does not notify State timely that s/he wishes to withdraw the offer, the State considers this action acceptance of the property in its "as-is" condition. If buyer withdraws the offer after the notification date, State will retain the deposit as liquidated damages (see Agreement language).

Buyer should read the conditions of the standard Agreement contract before making an offer on the Property (see at <http://www.surplusproperty.dgs.ca.gov/detail.aspx?id=896> for a template of the Agreement or contact the listing broker). Certain conditions of the Agreement are negotiable and other conditions are required by the law and policy of the State and are not negotiable. The State reserves the right to negotiate new terms with the buyer or State may choose not to negotiate and reject the offer. State reserves the right to reject any and all offers for the property if State determines the offer is not in the best interest of the State. **The Agreement is not binding on State until signed by the Director of the DGS or his authorized representative.**

After State receives buyer's offer, if State intends to accept the offer, State will require buyer to execute an Agreement, in a form similar to that posted to the DGS' website at <http://www.surplusproperty.dgs.ca.gov/detail.aspx?id=896>, within five (5) business days of buyer's receipt of the Agreement from the DGS. The State's execution of the Agreement will start the time clock for Buyer to start the diligence investigations as prescribed in the Agreement. The State will not approve any entry on the property for due diligence investigations until after the buyer and State have both executed the Agreement and State issues a *Right of Entry* to buyer.

The State reserves the right to accept another offer on the property or terminate the sale of the property if the buyer fails to execute the Agreement within the timeframe prescribed in the Agreement, fails to perform under the terms and conditions of the Agreement, does not have the financial capacity to consummate the transaction, or for any other reason whatsoever outside the control of the State.

#### **Disclosures, Representations, and Warranties:**

State obtained the enclosed information from sources deemed reliable; however, State makes no guarantees, warranties, or representations nor expresses or implies any opinion concerning the accuracy or completeness of the information provided. It is furnished solely as an aid to parties interested in purchasing the Property. Interested parties are responsible for undertaking all necessary off-site investigations of the Property prior to making an offer and the State will allow due diligence investigations of the property to the buyer after full execution of the Agreement. Interested parties are responsible for contacting the State should any information directed by the State to DGS' website is not available.

- The State offers the property for sale in its "as is" condition.
- This sale does not require approval of the State Public Works Board. The approval and signature of the DGS Director or his authorized representative will bind the State to the contract.
- There is a 10,000-gallon water storage tank (vault) located on Property at the top of the hill. CAL FIRE did not use the storage tank for fifteen (15) years prior to vacating the site and makes no warranties as to its current condition or suitability for use.
- CAL FIRE removed an underground storage tank (UST) from the property in 1992. According to the Butte County Department of Public Health's Certified Unified Program

Agency (CUPA) (a state-certified program for tank and hazardous waste matters), the county just started its UST removal program in the early 1990s. At that time, the tank removal requirements did not require issuance of a tank closure certificate. The policy of the DGS and CAL FIRE is to obtain a tank closure certificate when the State removes a UST. This practice verifies the site is clean and releases the State from liability should the property become contaminated in the future. Therefore, CAL FIRE will be conducting soil and groundwater testing on the site to secure a tank closure certificate from Butte County. This activity should not disrupt the use of the property by a new owner. CAL FIRE intends to schedule the testing in the near future. There were no unauthorized releases of hazardous substances reported for this property on the Geo Tracker website at <http://geotracker.swrcb.ca.gov/>.

**Questions for DGS:**

Please direct all questions related to the Property to the listing broker as specified. Broker shall contact the DGS for a response on buyer's behalf. The contact at the DGS is Karen Patche at (916) 375-4120 or [karen.patche@dgs.ca.gov](mailto:karen.patche@dgs.ca.gov). Questions will be answered as timely as possible.

The State is not responsible for receipt of offers or any failure to respond to questions submitted by prospective buyers. Please direct your questions about the property to the listing broker. If a response from the DGS is critical to an offer and you do not receive a response to your question from the listing broker in a reasonable amount of time, please contact Karen Patche at the number given above or Robert McKinnon at (916) 376-1814.