

Old Ben Lomond School Sale Illegal, County Counsel Says

The controversial action of the San Lorenzo Valley unified school district trustees involving the bidding for the old Ben Lomond school continues to be immersed in confusion.

Deputy County Counsel Ira Barr declared this morning that the trustees acted illegally in re-opening the bidding last month to accept a changed bid from the Mormon church.

He explained that the board accepted a "conditioned" bid from the church, then closed the bidding. Later in the meeting when Barr and County Counsel Bill Card arrived, the trustees re-opened the bidding and accepted the changed bid from the church.

The representative for the Church of Jesus Christ of Latter Day Saints changed the bid to conform with the conditions of the sale in the legal notice, he stated. Trustees obtained the advice of the counsels on revamping the bid to conform with the legal notice, but did not tell them the "conditioned" bid had been accepted before they arrived, Barr stated.

When he returned to the school the following day to review a tape recording of the proceedings, Barr discovered that bids had been called for and the church bid accepted before the attorneys arrived.

"Certain conditions of the bid were deleted since the bid did not conform to the official notice," he explained.

Trustees exceeded their authority when the bidding was re-opened. Barr explained the proper procedure was for the board to re-advertise for bids in order to accept the changed bid from the church.

Everett Hansen, bishop for the Santa Cruz ward of the Mormon church, explained this morning that the \$34,000 for purchasing the school was in escrow with the Cal-Pac Title company by the November 30 deadline.

"I do not know what is holding the transaction up now," he stated. "It is up to the school district now to furnish the deed."

District Superintendent Howard Wire reported that the sales has not been consummated because the title company wants "an opinion from a lawyer." Explaining that the church is seeking title clearance to the property, Wire said the school district has no immediate plans for the sale money — which must be used for capital outlay purposes.

Oliver Myren, assistant manager of the title company, stated the company would probably give more information to Wire this afternoon regarding the status of the complex sale.

The Ben Lomond recreation district has no official interest in the clouded controversy pertaining to the church bidding, according to Jerry Shapiro, district president. He said an election may be called to determine whether the residents of the district desire to purchase the church.

QUAKE IS RECORDED

Berkeley (AP). — An earthquake joggled the University of California seismograph here Tuesday at 6:29 p.m. but the instrument did not indicate the direction.

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Edwards Air Force Base. — Maj. Joseph W. Rogers of the air force prepares to board his F106 Delta Dart in which the

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