

Midpeninsula Regional Open Space District

Board Policy Manual

Certificates of Acceptance and Acquisitions of Interests in Low-Value Real Property by the General Manager	Policy 4.06 Chapter 4 – Acquisition & Maintenance of District Lands
Effective Date: 6/28/91	Revised Date: 11/13/13
Prior Versions: 6/28/91; 10/8/03; 5/13/09	

A. In accordance with Government Code § 27281, Certificates of Acceptance for deeds or grants conveying any interest in or easement upon real estate to the District for public purposes shall be executed as follows:

Certificate of Acceptance. The President of the Board of Directors, or, in his or her absence, the Vice President of the Board of Directors, or the District’s General Manager, are hereby authorized to consent to and accept on behalf of the Midpeninsula Regional Open Space District, deeds or grants conveying any interest in or easement upon real property to the District for public purposes and to execute a Certificate of Acceptance as evidence thereof as required by law.

B. Acquisitions of Interests in Low-Value Real Property by the General Manager. The General Manager is hereby authorized to approve the acquisition of an interest in or easement upon real property, or an option to acquire such an interest or easement, on behalf of the Midpeninsula Regional Open Space District provided the following conditions are met:

1. The General Manager determines that the acquisition of such interest in or easement upon real property is necessary or appropriate in order for the District to effectively acquire, plan, maintain and operate its system of open space preserves, and that such acquisition is consistent with all applicable District regulations and policies concerning acquisition of real property; and
2. The purchase price, option price, or, in the case of a gift, the fair market value of the gift, does not exceed the General Manager’s authority to expend District funds as provided in Section 5549 (b)(2) of the Public Resources Code and as authorized by the Board of the Directors; and
3. Prior to the General Manager’s approval of an acquisition, the District undertakes all acts required by law prior to acquiring real property, including compliance with the California Environmental Quality Act; and
4. After acquisition, the General Manager shall notify the Board of Directors, in writing, of the acquisition or option and place upon the Board of Director’s agenda at its regular meeting a Preliminary Use and Management Plan for the real property so acquired. Pursuant to the District’s Public Notification Policy, the General Manager may determine that such Plan be

presented to the Board for final adoption, in the event no public comments concerning the proposed plan have been received prior to Board action.