

ATTACHMENT B

ORDINANCE NO. 3898

AN ORDINANCE OF THE COUNTY OF ORANGE, CALIFORNIA, AUTHORIZING DIRECTOR OF GSA TO GRANT OR OTHERWISE CONVEY EASEMENTS IN REAL PROPERTY, NOT EXCEEDING \$25,000 IN VALUE, TO PUBLIC ENTITIES.

The Board of Supervisors of the County of Orange, California, does ordain as follows:

SECTION 1. Article 13 is hereby added to Division 4 of Title 1 of the Codified Ordinances of the County of Orange, to read as follows:

ARTICLE 13. GRANTING OF EASEMENTS TO PUBLIC ENTITIES

Sec. 1-4-225. Grants or Conveyances of Easements not exceeding \$25,000.

(a) This section is enacted pursuant to Government Code Section 25526.6, and the Board of Supervisors hereby authorizes the Director of GSA, or his designee, to grant or otherwise convey easements, not exceeding \$25,000 in value, and to approve and execute the following types of collateral instruments: Easement Deed, Easement Deed and Agreement, Grant of Easement, and Escrow Instructions for Conveyance of Easements, when the following four criteria are met:

- (1) The value of the easement does not exceed \$25,000 for each easement as determined by GSA/Real Estate.
- (2) The easement is to be granted or otherwise conveyed to the State, or to any county, city, district, or public agency or corporation, or to any public utility corporation.
- (3) The conveyance of the easement is in the public interest and such conveyance will not substantially conflict or interfere with the use of the property by the County.
- (4) The easement documents have been approved by County Counsel and the operating agency/department.

(b) The Board of Supervisors hereby directs the Director of General Services Agency to apply the following three limiting criteria:

- (1) The value of easements granted under this authority to any one entity within one fiscal year shall not exceed \$100,000.
- (2) The number of easements granted under this authority to any one entity shall not exceed ten per fiscal year, with the exception that easements required by public agencies and utility companies, to provide utility service to County buildings and facilities, shall not be counted toward this limitation of ten per fiscal year.
- (3) The value of all easements granted under this authority shall be limited to a cumulative value not to exceed \$200,000 per fiscal year.

(c) The Board of Supervisors hereby directs the Director of GSA to submit an annual report to the Board of the easements granted under this authority, excluding collateral instruments, which do not exceed \$25,000.

SECTION 2. This Ordinance shall take effect and be in full force thirty (30) days from and after its passage and, before the expiration of fifteen (15) days after the passage thereof, shall be published once in the Register newspaper published in the County of Orange, State of California, together with the names of the members of the Board of Supervisors voting for or against the same.

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## ATTACHMENT B

**State of California**

**GOVERNMENT CODE**

**Section 25526.6**

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25526.6. Notwithstanding any other provision of law, the board may grant or otherwise convey, or by ordinance, may authorize such county officer or officers as are deemed appropriate, to grant or otherwise convey an easement, license, or permit for use of any real property of the county to the state, or to any county, city, district, or public agency or corporation, or to any public utility corporation in the manner and upon the terms and conditions as the board or authorized county officer determines or prescribes, upon a finding by the board or authorized county officer that the conveyance is in the public interest and that the interest in land conveyed will not substantially conflict or interfere with the use of the property by the county.

(Amended by Stats. 1982, Ch. 169, Sec. 2.)