
Introduced by Senator Migden

February 22, 2007

An act to amend Section 5540.5 of the Public Resources Code, relating to public resources.

LEGISLATIVE COUNSEL'S DIGEST

SB 488, as introduced, Migden. Public resources: open-space district: exchange of real property.

Existing law authorizes the East Bay Regional Park District, and the Midpeninsula Regional Open Space District, in a calendar year to exchange not more than 40 acres of district-owned real property or any interest in real property, for real property or an interest in real property, that is of equal or greater value and is necessary to be acquired for park or open-space purposes.

This bill would authorize the Sonoma County Agricultural Preservation and Open Space District to exchange not more than 40 acres of district-owned real property or any interest in real property for the above purposes.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 5540.5 of the Public Resources Code is
2 amended to read:
3 5540.5. (a) Notwithstanding Section 5540, a district, with the
4 approval by a unanimous vote of the members of its board of
5 directors, may exchange ~~any~~ real property, or ~~any~~ *an* interest in
6 real property, dedicated and used for park or open-space purposes,

1 or both *park and open-space purposes*, for real property, or ~~any~~
2 *an* interest in real property, that the board of directors determines
3 to be of equal or greater value and is necessary to be acquired for
4 park or open-space purposes, or both *park and open-space*
5 *purposes*.

6 (b) A district shall not in ~~any~~ a calendar year exchange more
7 than 10 acres of district-owned real property, or ~~any~~ *an* interest in
8 real property, pursuant to this section for other real property, or
9 ~~any~~ *an* interest in real property, and ~~any~~ *the* real property, or ~~any~~
10 interest in real property, acquired by the district shall be adjacent
11 to other real property owned by the district.

12 (c) Notwithstanding subdivision (b), the East Bay Regional Park
13 District ~~and~~, the Midpeninsula Regional Open Space District, *and*
14 *the Sonoma County Agricultural Preservation and Open Space*
15 *District* may exchange up to a maximum of 40 acres, of
16 district-owned real property; or ~~any~~ *an* interest in real property; in
17 ~~any~~ a calendar year pursuant to this section, for other real property
18 *or an interest in real property*, and ~~any~~ real property; or ~~any~~ *an*
19 interest in real property; so acquired by the district shall be adjacent
20 to other real property owned by the district.