

**Introduced by Senator Kehoe**

February 24, 2012

---

---

An act to amend Section 51087 of the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

SB 1338, as introduced, Kehoe. Open-space easements.

The Open-Space Easement Act of 1974 requires the clerk of the governing board of a city or county, upon acceptance or approval of a grant of an open-space easement on privately owned lands within a city or county, to record the easement in the office of the county recorder and file a copy of the easement with the county assessor, as specified.

Existing law requires the county recorder in each county to develop and maintain, within the existing indexing system, a comprehensive index of conservation easements and notice of conservation easement on lands within that county.

This bill would require an easement accepted or approved pursuant to the Open-Space Easement Act of 1974 to be recorded consistent with the indexing system maintained by the county recorder.

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 51087 of the Government Code is
- 2 amended to read:
- 3 51087. Upon the acceptance or approval of any instrument
- 4 creating an open-space easement the clerk of the governing body
- 5 shall record the same in the office of the county recorder and file

1 a copy thereof with the county assessor. *The recording shall be*  
2 *consistent with Section 27255.* From and after the time of ~~such~~ *the*  
3 ~~recording, such~~ *the* easement shall impart ~~such~~ notice thereof to  
4 all persons as is afforded by the recording laws of this state.

O