

48. DELEGATION OF AUTHORITY TO EXECUTIVE OFFICER TO ACCEPT DEEDS AND CONSENT TO RECORDING THEM ON BEHALF OF THE COMMISSION UNDER GOVERNMENT CODE SECTION 27281 - GEN. DATA.

After consideration of Calendar Item 44 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE EXECUTIVE OFFICER:

1. TO ACCEPT ON BEHALF OF THE COMMISSION, AND TO CONSENT TO THE RECORDING OF, DEEDS OR GRANTS CONVEYING ANY INTEREST IN OR EASEMENT UPON REAL ESTATE WHEN SUCH DEEDS OR GRANTS ARE EXECUTED UNDER THE PROVISIONS OF PUBLIC RESOURCES CODE SECTION 6804.1 OR UNDER THE SPECIFIC PROVISIONS OF APPROVED LEASE FORMS.
2. TO USE SUBSTANTIALLY THE FOLLOWING FORM FOR THE CERTIFICATE OF ACCEPTANCE:

THIS IS TO CERTIFY THAT THE INTEREST IN REAL PROPERTY CONVEYED BY THE DEED OR GRANT DATED _____ FROM _____ TO THE STATE LANDS COMMISSION, A GOVERNMENTAL AGENCY, IS HEREBY ACCEPTED BY THE UNDERSIGNED OFFICER ON BEHALF OF THE STATE LANDS COMMISSION PURSUANT TO AUTHORITY CONFERRED BY RESOLUTION OF THE STATE LANDS COMMISSION ADOPTED ON OCTOBER 26, 1967, AND THE GRANTEE CONSENTS TO RECORDATION THEREOF BY ITS DULY AUTHORIZED OFFICER.

STATE LANDS COMMISSION

DATE _____

BY _____

EXECUTIVE OFFICER

Attachment
Calendar Item 44 (1 page)

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Section 6804.1 of the Public Resources Code provides that:

"...a lessee may at any time make and file with the commission a written quitclaim or relinquishment of all rights under any lease or of any portion thereof...."

It has become customary for the Commission to terminate leases by the use of such quitclaim deeds, and our approved lease forms provide for this method of termination. Every deed to a governmental agency must be accepted by the agency prior to recordation. The acceptance may be delegated to an officer or agent under Government Code Section 27281, which provides as follows:

"Deeds or grants conveying any interest in or easement upon real estate to a political corporation or governmental agency for public purposes shall not be accepted for recordation without the consent of the grantee evidenced by its certificate or resolution of acceptance attached to or printed on the deed or grant....A political corporation or governmental agency, by a general resolution, may authorize an officer or agent to accept and consent to such deeds or grants."

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER:

1. TO ACCEPT ON BEHALF OF THE COMMISSION, AND TO CONSENT TO THE RECORDING OF, DEEDS OR GRANTS CONVEYING ANY INTEREST IN OR EASEMENT UPON REAL ESTATE WHEN SUCH DEEDS OR GRANTS ARE EXECUTED UNDER THE PROVISIONS OF PUBLIC RESOURCES CODE SECTION 6804.1 OR UNDER THE SPECIFIC PROVISIONS OF APPROVED LEASE FORMS.
2. TO USE SUBSTANTIALLY THE FOLLOWING FORM FOR THE CERTIFICATE OF ACCEPTANCE:

THIS IS TO CERTIFY THAT THE INTEREST IN REAL PROPERTY CONVEYED BY THE DEED OR GRANT DATED _____ FROM _____ TO THE STATE LANDS COMMISSION, A GOVERNMENTAL AGENCY, IS HEREBY ACCEPTED BY THE UNDERSIGNED OFFICER ON BEHALF OF THE STATE LANDS COMMISSION PURSUANT TO AUTHORITY CONFERRED BY RESOLUTION OF THE STATE LANDS COMMISSION ADOPTED ON OCTOBER 26, 1967, AND THE GRANTEE CONSENTS TO RECORDATION THEREOF BY ITS DULY AUTHORIZED OFFICER.

STATE LANDS COMMISSION

DATE _____

BY _____
EXECUTIVE OFFICER