





Midpeninsula Regional  
Open Space District

**CLOSING MEMORANDUM**

To: Ana M. Ruiz, General Manager   
 From: Jasmine Leong, Real Property Agent I   
 Date: June 21, 2021  
 Subject: Rieser-Nelson Property Addition, Purisima Creek Redwoods Open Space Preserve

The General Manager approved the Acceptance of Low Value Interest in Real Property on May 24, 2021 in accordance with the District Rules of Procedure. Escrow closed for the subject transaction on June 18, 2021, and title to and possession of this 2.46-acre parcel passed to the District. In accordance with the District Use and Management Planning policy, the Preliminary Use and Management Plan was approved by the General Manager on May 24, 2021. Close of escrow marks the final adoption of the Preliminary Use and Management Plan.

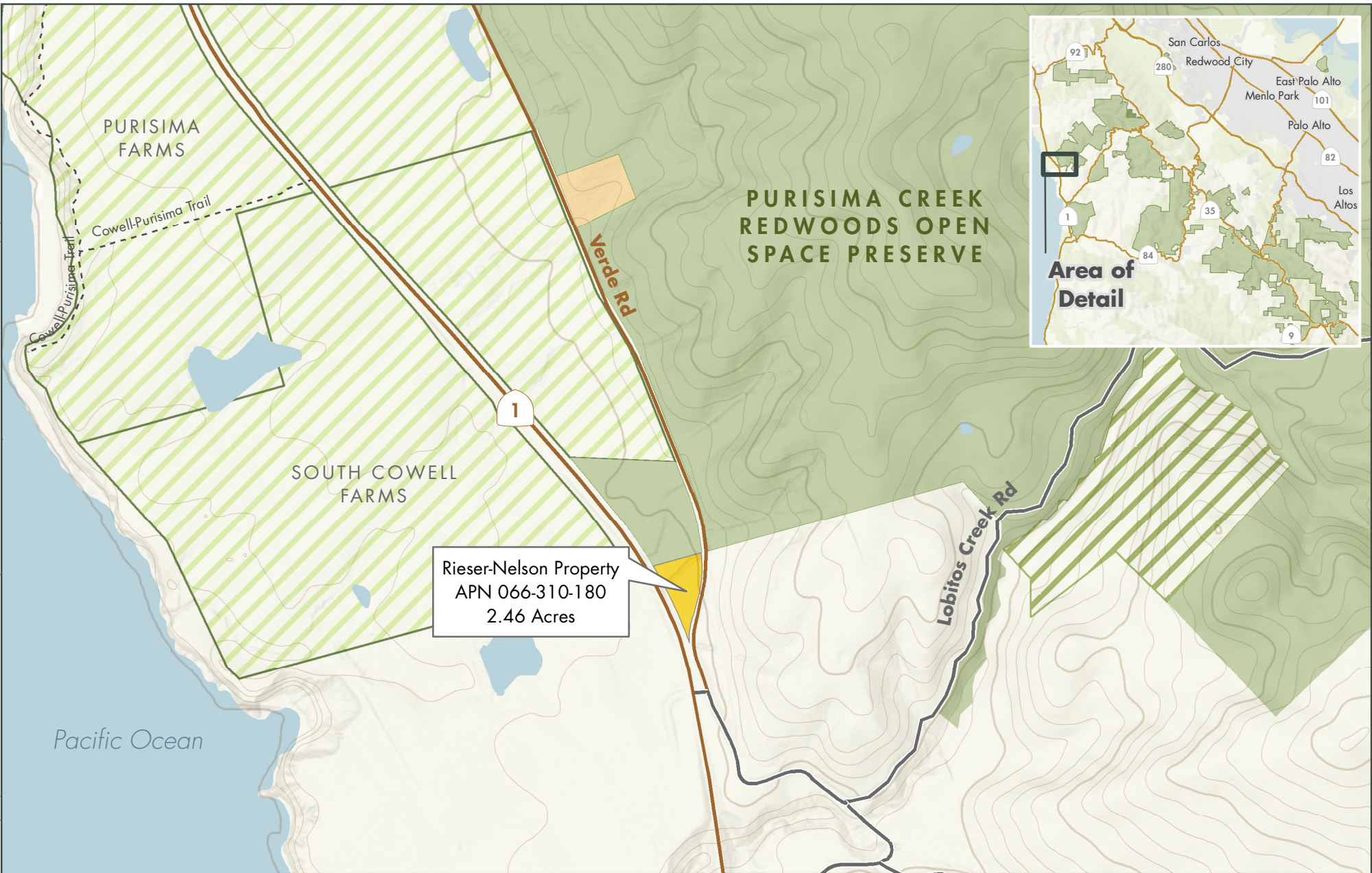
The following chart presents dedication and acquisition details for this property:

DEDICATION & ACQUISITION INFORMATION						
Preserve & Area	County & A.P.N.	Grantor	Acres	Ownership Status: (Fee, Easement, Lease, Mgmt Agreement)	Board Approval Date & Resolution Number or General Manager Approval Date	
Purisima Creek Redwoods	San Mateo County 066-310-180	Rieser-Nelson	2.46	Fee	General Manager May 24, 2021	
Closing Date	Mgmt. Status: (Open, Closed, CMU, or Other)	Dedication Date & Status (Intended or Withheld)	Type	Funding	Value	GIS Code
June 18, 2021	Closed	Withheld	Cash	\$15,000.00	\$15,000.00	2351
			MAA Funded <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		MAA Portfolio #03-008	

Misc. Notes:	
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Attachment: Map

- |                    |                     |          |
|--------------------|---------------------|----------|
| cc: Administration | Land and Facilities | Legal    |
| Natural Resources  | Visitor Services    | Planning |
| Public Affairs     | Real Property       | GIS      |
| Board of Directors | AGM                 |          |



### Rieser-Nelson Property

- |  |   |
|--|---|
|  MROSD Preserves        |  Non MROSD Conservation or Agricultural Easement |
|  Rieser-Nelson Property |  MROSD Conservation or Agriculture Easement      |
|  Private Property       |   |

Midpeninsula Regional  
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4/13/2021





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## **ACCEPTANCE OF LOW VALUE INTEREST IN REAL PROPERTY**

Property Name: Patricia Rieser and Mary Jane Nelson, Trustee of the Mary Jane Nelson Revocable Living Trust dated August 26, 2013 (Rieser-Nelson)

Property Location & APN: Located between Highway 1 and Verde Road within unincorporated San Mateo County, APN 066-310-180

Preserve: Purisima Creek Redwoods Open Space Preserve

Date: May 13, 2021

### **REAL PROPERTY MANAGER'S RECOMMENDATIONS**

1. Determine that the recommended actions are categorically exempt from the California Environmental Quality Act (CEQA) as set out in this Memorandum.
2. Approve the purchase of the Rieser-Nelson property under the General Manager's authority.
3. Adopt the Preliminary Use and Management Plan as set forth in the attached Staff Memorandum and name the Rieser-Nelson property as an addition to Purisima Creek Redwoods Open Space Preserve.

### **SUMMARY**

Midpeninsula Regional Open Space District (District) is proposing to purchase the Rieser-Nelson property containing approximately 2.46-acres commonly referred to as San Mateo County Assessor's Parcel Number 066-310-180 at a purchase price of \$15,000. The following report presents a description of the property, a Preliminary Use and Management Plan, the environmental review, purchase terms and conditions, and financial considerations.

### **DISCUSSION**

The Midpeninsula Regional Open Space (District) has negotiated a purchase of the 2.46-acre Rieser-Nelson property ("Property") at a price of \$15,000. It is recommended that this Property be accepted by the District General Manager in accordance with Board Policy 4.06, "Certificates

of Acceptance and Acquisition of Interest in Low-Value Real Property by the General Manager.” Policy 4.06 is attached.

On May 13, 2009, the District Board of Directors adopted amendments to the Open Space Use and Management Planning Policy (see Report R-06-61). Section I includes the following statement:

“When the General Manager is authorized to accept a gift of or acquire low value real property, the General Manager is also authorized to approve the Preliminary Use and Management Plan for the property. The Board of Directors shall be notified in writing of any Preliminary Use and Management Plan so approved at the next regular Board meeting following the acquisition.”

**Property Description**

The Property consists of one assessor’s parcel totaling 2.46-acres in unincorporated San Mateo County. The Property is located between Highway 1 and Verde Road approximately 3 miles south of the City of Half Moon Bay and is south and southwest of the recently purchased 371-acre POST South Cowell Ranch property. The triangular-shaped Property is unimproved and contains a mix of poison oak, coastal scrub and conifers.

**USE AND MANAGEMENT**

**Planning Considerations**

The subject property is located in unincorporated San Mateo County in the Coastside Protection Area within existing District jurisdictional boundaries. The Property has a County General Plan designation of Agriculture and is zoned Planned Agricultural District/Coastal Development (PAD/CD). Per the County’s Zoning Regulations, public recreation and natural preserves are allowed uses in the PAD/CD zoning designation. Primary access to the property is via Verde Road. The Property is in the vicinity of a major regional trail connection to the north known as the Purisima-to-the-Sea trail corridor and may be considered in the future as part of the study area of the Purisima-to-the-Sea Trail Feasibility Study.

**Preliminary Use and Management Plan (Next Steps)**

The Preliminary Use and Management Plan will take effect at the close of escrow and remain effective until the Plan is amended or a Comprehensive Use and Management Plan or Master Plan is approved for Purisima Creek Redwoods Open Space Preserve. The Preliminary Use and Management Plan represents a status quo approach to management. The Property will be maintained in its current natural condition with no changes anticipated. If changes to land use or the physical environment are proposed in the future, the plan would be subject to further environmental review and public input.

Public Access:	Closed to the public.
Signs and Site Security:	Install Preserve boundary signs where appropriate.

Structures and Improvements:	None.
Resource Management:	Monitor Property for invasive plants and animals.
Agricultural Resources:	None.
Patrol:	Routinely patrol the Property.
Wildfire Fuel Management:	Implement standard District-wide fuel management and defensible space practices consistent with the District's resource management practices.
Roads and Trails:	None.
Site Safety Inspection:	No known safety hazards exist on the site.
Name:	Name the Property as an addition to Purisima Creek Redwoods Open Space Preserve.
Dedication:	Withhold from dedication at this time.

## CEQA COMPLIANCE

### Project Description

The project consists of the acquisition of approximately 2.46-acres of land as an addition to the Purisima Creek Redwoods Open Space Preserve and the adoption of a Preliminary Use and Management Plan for the Property. The land will be permanently preserved as open space and maintained in a natural condition.

### CEQA Determination

The District concludes that this project will not have a significant effect on the environment. It is categorically exempt from CEQA (California Environmental Quality Act) under Article 19, Sections 15316, 15317, and 15325 of the CEQA Guidelines as follows:

Section 15316 exempts the acquisition of land to create parks if the site is in a natural condition and the management plan proposes to keep the area in a natural condition. The Preliminary Use and Management Plan specify the property will be operated and maintained in a natural condition and there will be no expansion of use. The property will be closed to the public.

Section 15317 exempts the acceptance of fee interests to maintain the open space character of an area. The District will acquire fee interest and maintain the open space character of the area. No development is proposed as part of this project.

Section 15325 exempts transfer of ownership of interests in land in order to preserve open space. This acquisition will transfer fee ownership to the District and ensure it will be preserved as public open space by incorporating it into the Purisima Creek Redwoods Open Space Preserve.

## TERMS & CONDITIONS

The 2.46-acre Rieser-Nelson property is being purchased at a price of \$15,000 on an “as-is” and an all-cash basis. The Property value is supported by past sales within the Coastside rural market area of undevelopable lands for plotage or surplus value.

## BUDGET CONSIDERATIONS

### 2020-2021 Budget for New Land Purchases:

Rieser-Nelson Property	\$ 15,000.00
Total Land Purchases approved to date FY20-21	\$ 6,400,000.00
Total Land Purchases (if approved)	\$ 6,415,000.00

### Current Coastside Protection Area Fiscal Considerations

The purchase of the Rieser-Nelson Property and addition of the Property to Purisima Creek Redwoods Open Space Preserve is expected to have a nominal impact on the District’s operating budget. Due to the Property’s location and shape, ongoing land stewardship can be effectively accomplished in conjunction with other nearby District lands. All property taxes are current, and the District will cancel San Mateo County property taxes immediately after assuming ownership of the Property.

The Property is located within the District’s Coastside Protection Area but is within the Coastside Fire Protection District (the State Responsibility Area by CalFire), so the Property will not be subject to the Agreement between San Mateo County and the District regarding fire services. Similarly, the Property is not located in the La Honda-Pescadero School District; therefore, no fees will be payable under either Agreement as a result of the proposed purchase.

## PUBLIC NOTICE

Since no action is being taken by the District Board, this action is not subject to the Brown Act.

## NEXT STEPS

After purchase, the District will manage the former Rieser-Nelson property as an addition to the Purisima Creek Redwoods Open Space Preserve in accordance with the Preliminary Use and Management Plan.

Attachments:

Map

Board Policy 4.06

Prepared by:

Jasmine Leong, Real Property Specialist I

Contact person:

same as above

Real Property Manager's Recommendations Accepted by:

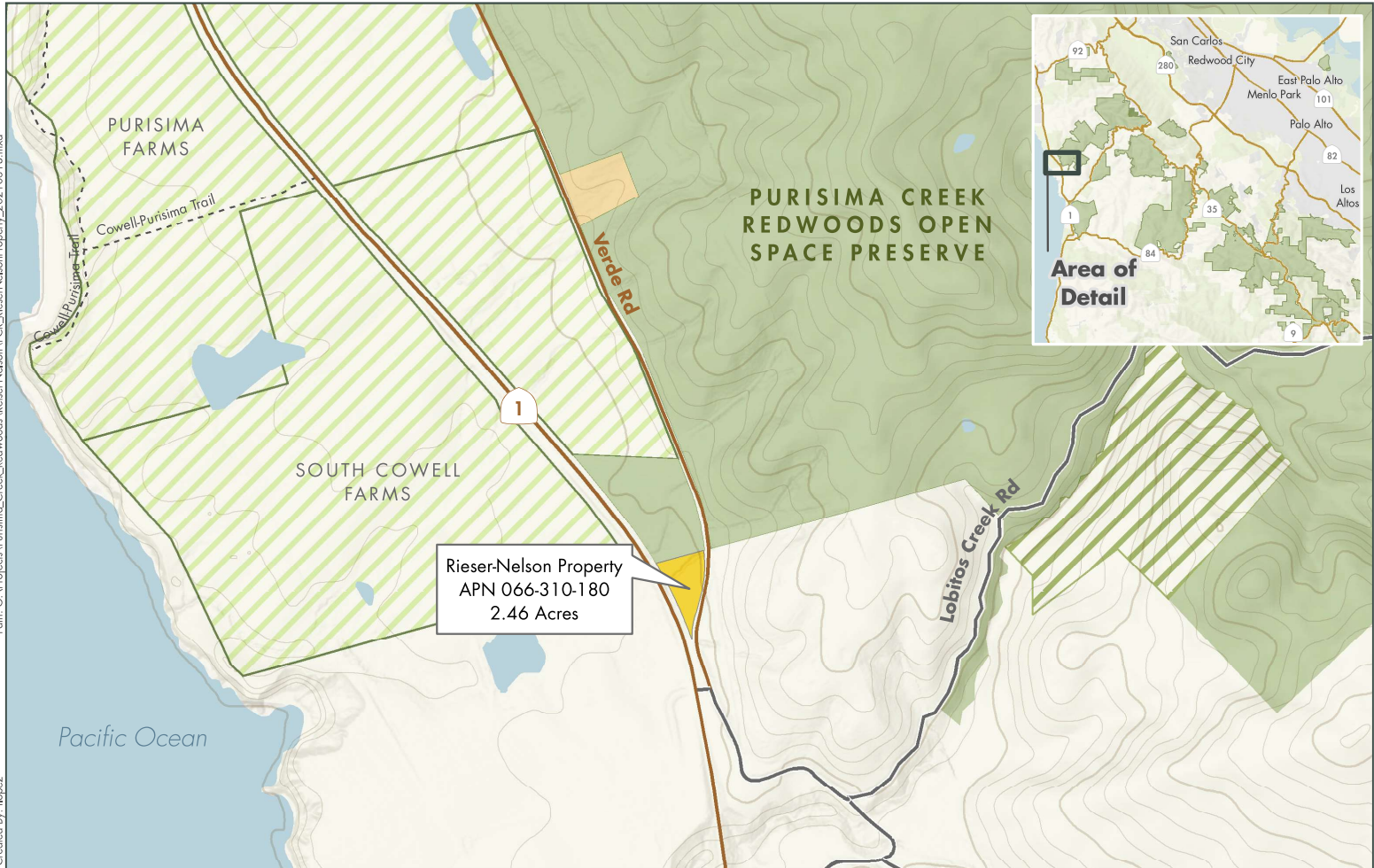
  
Ana Ruiz (May 24, 2021 10:57 PDT)

Ana M. Ruiz, General Manager

May 24, 2021

Date

cc: Board of Directors with Closing Memo as an attachment



### Rieser-Nelson Property

-  MROSD Preserves
-  Non MROSD Conservation or Agricultural Easement
-  Rieser-Nelson Property
-  MROSD Conservation or Agriculture Easement
-  Private Property

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While the District strives to use the best available digital data, these data do not represent a legal survey and are merely a graphic illustration of geographic features.



# Midpeninsula Regional Open Space District

## Board Policy Manual

<b>Certificates of Acceptance and Acquisitions of Interests in Low-Value Real Property by the General Manager</b>	<b>Policy 4.06 Chapter 4 – Acquisition &amp; Maintenance of District Lands</b>
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.