



Midpeninsula Regional
Open Space District

R-26-02
Meeting 26-01
January 14, 2026

AGENDA ITEM 3

AGENDA ITEM

Annual Dedication Report of Certain Lands of the Midpeninsula Regional Open Space District

GENERAL MANAGER'S RECOMMENDATIONS

1. Accept the annual report on the status of dedicated interests in lands of the Midpeninsula Regional Open Space District held for public open space purposes.
2. Adopt a Resolution dedicating interests in certain District lands for public open space purposes.

SUMMARY

In accordance with the Midpeninsula Regional Open Space District's (District) *Policy for Dedication of District Lands*, adopted in January 1986 (Attachment 2), an annual report on the status of District lands as dedicated or undedicated is prepared each year. To date, 59.16% of District lands are dedicated. Based on an annual, parcel-specific analysis of District property, staff recommends dedicating an additional 336.35 acres in Sierra Azul Open Space Preserve for public open space purposes.

BACKGROUND

In accordance with the *Policy for Dedication of District Lands*, the Board of Directors (Board) receives an annual report indicating the status of District lands as dedicated or undedicated as of December 31st of the reporting year. The annual report may also contain recommendations for additional dedication of specific District properties or interests in lands. Upon dedication, those properties effectively become permanently protected, and the District voluntarily eliminates its ability to sell or otherwise convey those dedicated properties without voter consent, except under narrow statutory exceptions. The exceptions are referenced in the District's enabling legislation within Public Resources Code Section 5540. The statutory exceptions only permit the following: (a) exchanges of dedicated land of equal or greater open space value not to exceed a total of 80 acres in a calendar year, or (b) the transfer of land to another government agency upon the condition that the land will continue to be protected as open space in perpetuity.

Undedicated lands within the District's boundary and sphere of influence are reserved for future dedication to park and/or open space purposes, but only after the necessary planning, boundary adjustments, provision for permanent access, and other changes in configuration, which may involve the disposal or exchange of interests in all or portions of such lands, have been completed. Retaining certain lands in an undedicated status is often in the public's best interest as this affords maximum flexibility to achieve these modifications and secure the rights

necessary for priority goals such as wildlife and trail connectivity. In the interim, undedicated District lands may be used for park or open space purposes within the meaning of Section 5540 of the Public Resources Code.

When considering the adoption of a Use and Management Plan for open space property or a preserve, the Board determines whether the underlying land is to be dedicated at the time of the annual report or to be withheld until a later time, such as when comprehensive planning has been completed. Dedication status is also reviewed as part of the regular land use and management planning process, such as approval of a Site Plan, Preserve Plan or Master Plan. When approving such plans, the Board may adopt a motion of intention to dedicate at that time or to withhold dedication until a future time. Another factor for consideration is when a granting agency requires land dedication as a condition of funding support.

DISCUSSION

Dedication Status Summary

The table below provides a summary of the dedication status of District lands. Only those lands for which title has passed to the District on or before December 31, 2025 are included in the acreage totals. The interests in land that the District holds, i.e., fee title, easement, or other (lease, management agreement, etc.), are included in the table. Rights of first refusal and/or reversions to the District are not included.

Dedication Status of District Lands

<i>Land Interests of the District</i>		<i>Acres</i>
Fee Title Interests		66,361.72
Lesser Interests		6,586.66
Total District Interests		72,948.38
Lands with lesser interest that prevent dedication*		3,127.56
Total acres of lands with marketable interests		69,820.82
<i>Dedication status of lands with marketable interests</i>		<i>Percentage</i>
Dedicated lands		59.18%**
Undedicated lands		40.82%
Total acres of lands with marketable interests		100.00%
		69,820.82

*Lands with lesser interest that prevent dedication include lands protected by District funding contributions and long-term agreements with other agencies.

**Includes all dedicated lands (fee title, easements on public and private lands, leases and CC&Rs). 58% of lands held in fee title interest are dedicated.

Open Space Lands Acquired and/or Protected since January 2025

The last annual report was presented to the Board on December 11, 2024 ([R-24-127](#)). The table below reports total lands with District interests acquired since January 1, 2025, including those that have closed escrow or been protected through other methods as of December 31, 2025.

Lands with District Interests Acquired and/or Protected since January 1, 2025 that have Closed Escrow as of December 31, 2025

<i>Year</i>	<i>Property Name</i>	<i>Preserve</i>	<i>Interest Type</i>	<i>Acres</i>	<i>Appraised Value</i>	<i>District Expenditure</i>	<i>Partner funds, exchanges, grants or gifts</i>
2025	Alves Family	Coastal Field Office	Fee	2.61	\$5,500,000	\$5,500,000	\$0
2025	Bonner	Russian Ridge	Fee	10	\$140,000	\$0	\$140,000
2025	Estrada	Sierra Azul	Fee	40	\$950,000	\$950,000	\$0
2025	Pratt Trust	Russian Ridge	Fee	273.5	\$4,375,000	\$4,375,000	\$0
2025	Smith Family Trust	Purissima Creek Redwoods	Fee	.29	\$5,000	\$0	\$5,000
2025	Tabachnik	Tunitas Creek	Fee	1.85	\$950,000	\$950,000	\$0
			Easement	150.76			
Total				479.01	\$11,920,000	\$11,775,000	\$145,000

Dedication Recommendations

The District annually conducts a parcel-specific analysis to provide dedication recommendations. The analysis includes consideration of criteria identified in the governing policy (Attachment 2). Staff also considers preserve parcel configuration, surrounding land use, pending negotiations for adjacent acquisitions, project coordination with partner agencies, and other relevant factors. Based upon the analysis conducted, staff has concluded that it is appropriate to dedicate the following lands totaling approximately 336 acres in eastern Sierra Azul Open Space Preserve at this time (parcel details available in Attachment 1: *Resolution* and property locations shown on Attachment 4: *Map of Lands Proposed for Dedication*):

Hacienda Park Subdivision: Hacienda Park is a subdivision filed in 1909 but never developed due to its steep and inaccessible terrain. Hacienda Park is located south of Twin Creeks in the Alamitos and Herbert Creek watersheds. The creek canyons and drainages are forested with Douglas fir and bay laurel with oak-scrub and chaparral on the upper slopes. The District has been acquiring fee title rights to the “paper” subdivision since 1995 through thirteen transactions, including gifts from private owners and transfers or purchases of tax delinquent parcels from the County of Santa Clara. The District currently owns approximately 186.65 acres of the Hacienda Park Subdivision, with the remaining approximately 0.36 acres separated between five parcels with different owners. Staff recommends dedicating the entire 186.65 acres of the Hacienda Park Subdivision owned by the District.

POST (Barret Creek Uplands): The Barret Creek Uplands property comprises approximately 149.7 acres purchased in 2011. The Barret Creek Uplands property is located south of Twin Creeks and west of the Hacienda Park Subdivision. The Property is characterized by steep canyons with several seasonal drainages that feed into Barret Creek. The drainages support patches of dense forests giving way to oak-scrub and chaparral on the upper slopes.

Should the Board adopt the attached Resolution (Attachment 1) to dedicate 336.35 additional fee title acres as recommended in this report, 41,656.5 acres (59.7%) of lands with marketable interests would be dedicated and 28,164.3 acres (40.3%) would remain undedicated.

Recommendations for Later Dedication

Pockets of undedicated lands occur throughout the District, with the majority of undedicated District lands lying within Cloverdale Ranch (5,108 acres, 0% dedicated), La Honda Creek (6,490 acres, 50.8% dedicated), and Sierra Azul (19,546 acres, 28.1% dedicated currently, 29.9% proposed) Open Space Preserves. Staff will continue to evaluate District lands for suitability for dedication as long-term management goals for these preserves and other newly acquired lands are approved.

FISCAL IMPACT

Acceptance of the Annual Dedication Report and dedication of certain lands have no immediate fiscal impact.

PRIOR BOARD AND COMMITTEE REVIEW

None

PUBLIC NOTICE

Public notice was provided as required by the Brown Act.

CEQA COMPLIANCE

This item is not a project subject to the California Environmental Quality Act.

NEXT STEPS

In December 2026, Real Property staff will review with other Departments the District lands that may be suitable for dedication in the future and provide these findings as part of the next Annual Dedication Report.

Attachment(s)

1. Resolution Dedicating Interests in Certain District Lands for Public Open Space Purposes
2. Policy for Dedication of District Lands
3. Map of Lands Proposed for Dedication

Responsible Department Head:
Allen Ishibashi, Real Property Manager

Prepared by/Contact person:
Aaron Peth, Real Property Planner, Real Property

RESOLUTION NO. 26-__

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA
REGIONAL OPEN SPACE DISTRICT DEDICATING INTERESTS IN CERTAIN
DISTRICT LANDS FOR PUBLIC OPEN SPACE PURPOSES**

WHEREAS, California Public Resources Code section 5540 empowers the Midpeninsula Regional Open Space District's Board of Directors to dedicate interests in real property for park or open-space purposes, or both, by the adoption of a resolution; and

WHEREAS, the Midpeninsula Regional Open Space District ("District") annually reviews lands held by the District for dedication for public open space purposes pursuant to its Dedication Policy set forth in the Board of Directors' ("Board") Resolution No. 86-6; and

WHEREAS, the most recent annual review identified approximately 336.65 acres of land for dedication to be protected as open space in perpetuity.

NOW, THEREFORE, be it resolved by the Board of Directors of the Midpeninsula Regional Open Space District as follows:

The interests in land held by the District that are listed below are hereby dedicated for public open space purposes, except for density credits on such lands, if any.

Open Space Preserve	Grantor	Board Approval Date	Closing Date	Property Interest	County	Parcel APN(s)	Acreage
Sierra Azul*	Veal	12/14/1994	4/2/1995	Fee	Santa Clara	562-25-007, 562-25-015, 562-25-052	2.22
Sierra Azul*	Zion Lutheran Church	5/10/2000	5/12/2000	Fee	Santa Clara	562-24-058, 562-24-061	2.09
Sierra Azul*	Burns Family Trust	8/9/2000	8/15/2000	Fee	Santa Clara	562-24-024	0.06
Sierra Azul*	Klein	8/9/2000	8/15/2000	Fee	Santa Clara	562-24-050, 562-24-056	2.31
Sierra Azul*	Singewald	N/A	11/18/2002	Fee	Santa Clara	562-24-045	0.14
Sierra Azul*	Santa Clara County	7/24/2002	12/31/2002	Fee	Santa Clara	562-24-008, 562-24-016, 562-24-022, 562-24-053, 562-24-063, 562-24-070, 562-24-071, 562-25-002, 562-25-062	145.44
Sierra Azul*	POST (McKannay)	5/22/2002	3/25/2004	Fee	Santa Clara	562-24-001, 562-24-005, 562-24-006, 562-24-010, 562-24-069, 562-25-038, 562-25-027	31.48
Sierra Azul*	Russi	N/A	3/3/2005	Fee	Santa Clara	562-25-033	0.06

ATTACHMENT 1

Sierra Azul*	Santa Clara County	4/26/2006	11/2/2006	Fee	Santa Clara	562-24-003, 562-24-019, 562-24-020, 562-24-021, 562-24-023, 562-24-030, 562-24-034, 562-24-040, 562-24-064, 562-24-065, 562-24-068, 562-25-010, 562-25-021, 562-25-029, 562-25-031, 562-25-035, 562-25-046, 562-25-047, 562-25-051, 562-25-055	1.66
Sierra Azul*	Delacorte, Tony	N/A	9/25/2008	Fee	Santa Clara	562-24-013	0.24
Sierra Azul*	Hogan, Douglas	N/A	10/15/2009	Fee	Santa Clara	562-24-012	0.18
Sierra Azul*	Santa Clara County	5/27/2009	2/25/2010	Fee	Santa Clara	562-24-055, 562-25-049, 562-25-058, 562-25-060	0.65
Sierra Azul*	Fee-Lopez	N/A	9/18/2020	Fee	Santa Clara	562-24-044	0.12
Hacienda Park Total Acres of lands to be dedicated							186.65
Sierra Azul	POST (Barret Creek Uplands)	3/10/2010	12/22/2011	Fee	Santa Clara	562-23-004	149.7
Total Acres of lands to be dedicated							336.35

*Lands that represent a portion of the Hacienda Park Subdivision

* * * * *

PASSED AND ADOPTED by the Board of Directors of the Midpeninsula Regional Open Space District on January 14, 2026, at a Regular Meeting thereof, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

NAME, Secretary
Board of Directors

NAME, President
Board of Directors

APPROVED AS TO FORM:

Hilary Stevenson, General Counsel

I, the District Clerk of the Midpeninsula Regional Open Space District, hereby certify that the above is a true and correct copy of a resolution duly adopted by the Board of Directors of the Midpeninsula Regional Open Space District by the above vote at a meeting thereof duly held and called on the above day.

Maria Soria
District Clerk

ATTACHMENT 2

RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MIDPENINSULA REGIONAL OPEN SPACE DISTRICT
ADOPTING AN AMENDED POLICY FOR THE DEDICA-
TION OF DISTRICT LANDS

POLICY FOR DEDICATION OF DISTRICT LANDS

WHEREAS, this Board desires to reaffirm and memorialize its policy concerning the status of District lands, now owned or later acquired, with respect to the distinction between dedicated and non-dedicated land:

NOW, THEREFORE, BE IT RESOLVED that the policy of the Midpeninsula Regional Open Space District concerning the status of land it owns or administers is as follows:

1. Dedicated Land. Dedicated land means all real property or interests therein, formally dedicated for park or open space, or both, purposes by resolution of this Board.

2. Undedicated Land. Undedicated land means all real property, or interests therein, that is not "dedicated land" as defined above. Undedicated land shall be considered to be held in a "planning reserve" status and shall not be considered to be dedicated for park or open space, or both, purposes within the meaning of Section 5540 of the Public Resources Code.

Normally, undedicated lands within the District's boundaries will be held for future dedication to park or open space, or both, purposes, but only after the necessary planning, boundary adjustments, provision for permanent access and other changes in configuration, which may involve the disposal or exchange of interests in all or portions of such lands, have been completed. Nevertheless, undedicated land may be used on a limited basis for park or open space, or both, purposes within the meaning of Section 5540 of the Public Resources Code.

At the time of adoption of the Interim Use and Management Plan following acquisition, the Board shall decide by adopted motion whether or not the acquired parcel of land is intended to be dedicated at the time of the annual report described below. The status of each such parcel shall also be reviewed as part of the regular land use and management planning process, and the Board may then adopt a motion of intention to dedicate at the time of the annual report.

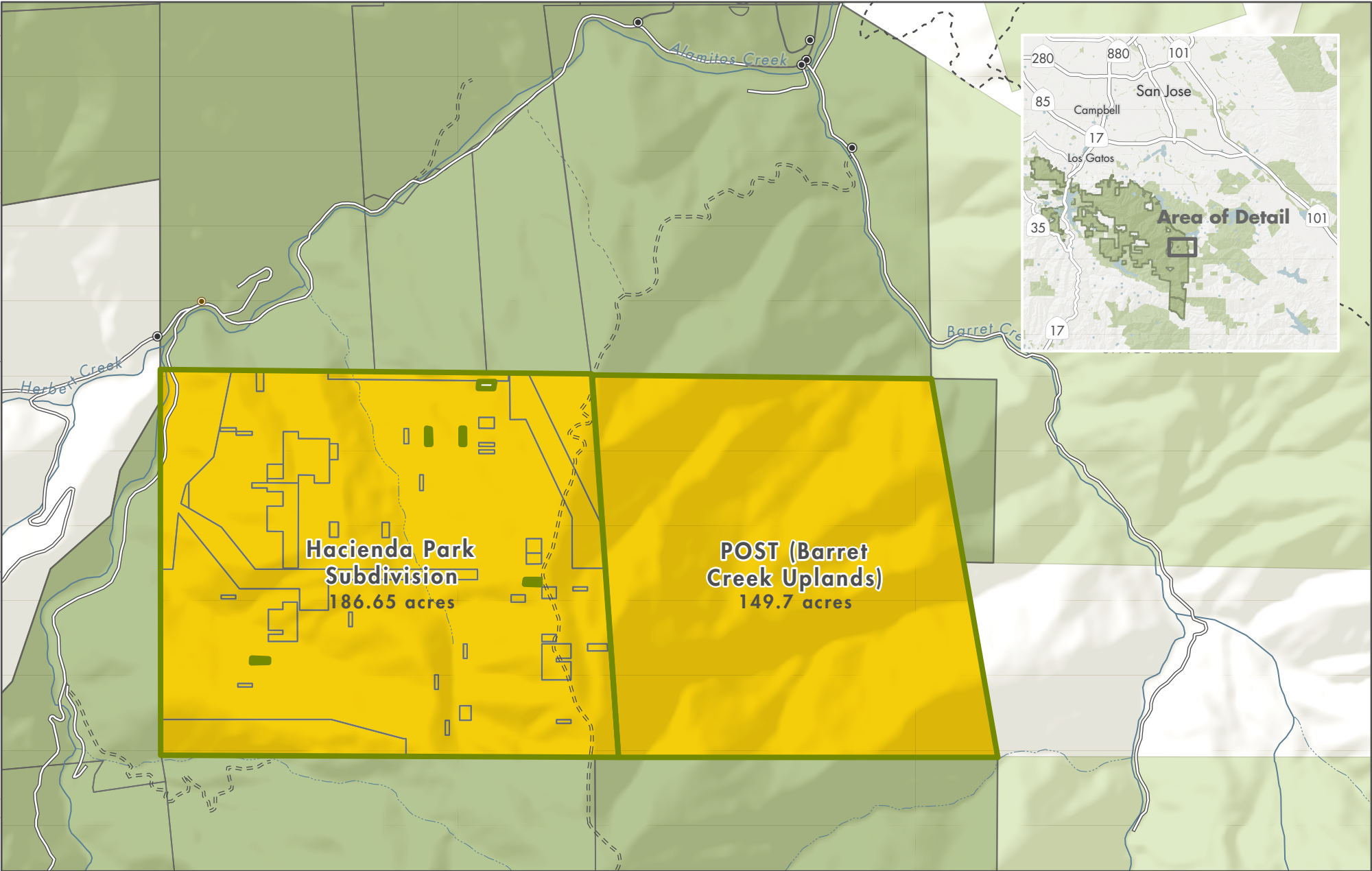
An annual report shall be made in December of each year showing which District lands are in planning reserve status. At that time, the Board of Directors will normally dedicate by resolution any lands which it deems appropriate, but may also dedicate lands at any other time.

3. Transfer-Dedicated Land. Dedicated land may not be conveyed except as provided in Section 5540, Section 5540.5 or Section 5540.6 of the Public Resources Code.

4. Transfer-Undedicated Land. Undedicated land may be conveyed, transferred, leased, or disposed of at the sole discretion of the Board of Directors.

5. This resolution supercedes Resolution 79-54.

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Lands Proposed for Dedication 2025

-  Midpen preserves
-  Other protected lands
-  Private property
-  Lands Proposed for Dedication

Midpeninsula Regional
Open Space District
(Midpen)
11/20/2025



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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.