

26. DELEGATION OF AUTHORITY TO EXECUTIVE OFFICER TO ACCEPT GRANTS, DEEDS, AND QUITCLAIM DEEDS AND CONSENT TO RECORDING THEM ON BEHALF OF THE COMMISSION UNDER GOVERNMENT CODE SECTION 27281 - Gen. Data.

After consideration of Calendar Item 24 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION RESCINDS ITS DELEGATION OF OCTOBER 26, 1967, MINUTE ITEM 48, PAGE 1200, AND:

1. AUTHORIZES THE EXECUTIVE OFFICER TO ACCEPT, ON BEHALF OF THE COMMISSION, AND TO CONSENT TO THE RECORDING OF GRANTS, DEEDS, OR QUITCLAIM DEEDS CONVEYING ANY INTEREST IN OR EASEMENT UPON REAL ESTATE WHEN SUCH GRANTS, DEEDS, OR QUITCLAIM DEEDS ARE EXECUTED UNDER THE PROVISIONS OF PUBLIC RESOURCES CODE SECTION 6804.1, OR UNDER SPECIFIC PROVISIONS OF APPROVED LEASE FORMS IN RESPECT TO LEASES FOR OIL AND GAS, LEASES FOR MINERALS OTHER THAN OIL AND GAS, AND LEASES FOR GEOTHERMAL RESOURCES, AND AFTER THE TRANSACTION HAS BEEN APPROVED BY THE STATE LANDS COMMISSION.
2. AUTHORIZES THE EXECUTIVE OFFICER TO ACCEPT, ON BEHALF OF THE COMMISSION, AND TO CONSENT TO THE RECORDING OF GRANTS, DEEDS, OR QUITCLAIM DEEDS CONVEYING ANY INTEREST IN OR EASEMENT UPON REAL ESTATE WHEN SUCH GRANTS, DEEDS, OR QUITCLAIM DEEDS ARE EXECUTED PURSUANT TO SPECIFIC PROVISIONS OF APPROVED LEASE FORMS OTHER THAN LEASES FOR OIL AND GAS, LEASES FOR MINERALS OTHER THAN OIL AND GAS, AND LEASES FOR GEOTHERMAL RESOURCES, AND AFTER THE TRANSACTION HAS BEEN APPROVED BY THE STATE LANDS COMMISSION.
3. AUTHORIZES THE EXECUTIVE OFFICER TO ACCEPT, ON BEHALF OF THE COMMISSION, AND TO CONSENT TO THE RECORDING OF GRANTS, DEEDS, OR QUITCLAIM DEEDS CONVEYING ANY INTEREST IN OR EASEMENT UPON REAL ESTATE WHEN SUCH GRANTS, DEEDS, OR QUITCLAIMS ARE EXECUTED (A) TO CARRY OUT AN EXCHANGE OF LAND WITH THE UNITED STATES UNDER PUBLIC RESOURCES CODE SECTIONS 6206.5 AND 6441 THROUGH 6445; OR (B) TO SETTLE AND COMPROMISE CLAIMS UNDER PUBLIC RESOURCES CODE SECTION 6107; OR (C) IN CONNECTION WITH BOUNDARY LINE AGREEMENTS ESTABLISHING THE ORDINARY HIGH WATER MARK OR THE ORDINARY LOW WATER MARK PURSUANT TO PUBLIC RESOURCES CODE SECTION 6357, WHICH EXCHANGE, SETTLEMENT OR COMPROMISE, OR BOUNDARY LINE AGREEMENT, HAS BEEN APPROVED BY THE STATE LANDS COMMISSION.
4. AUTHORIZES THE USE OF SUBSTANTIALLY THE FOLLOWING FORM FOR THE CERTIFICATE OF ACCEPTANCE:

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

Attachment:
Calendar Item 24 (2 pages)

Minute item 26, meeting of 7/29/70 RESCINDED
by minute item 24, meeting of 8/30/73. *[Signature]*
(initials)

24.

DELEGATION OF AUTHORITY TO EXECUTIVE OFFICER TO ACCEPT GRANTS, DEEDS, AND QUITCLAIM DEEDS AND CONSENT TO RECORDING THEM ON BEHALF OF THE COMMISSION UNDER GOVERNMENT CODE SECTION 27281 - Gen. Data.

On October 26, 1967, pursuant to Minute Item 48, page 1200, the State Lands Commission authorized the Executive Officer to accept, on behalf of the State Lands Commission, deeds or grants, and to consent to the recording thereof, under Government Code Section 27281, when such deeds and grants are executed under the provisions of Public Resources Code Section 6804.1 or under the specific provisions of approved lease forms. Government Code Section 27281 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." (Underlining Added)

Section 6106 of the Public Resources Code provides as follows:

"Whenever, under this code or any other law, the Commission is given jurisdiction over any subject matter and empowered to act with respect thereto, it may authorize the execution of any written instrument by any of its officers or employees in the name of the State, pursuant to resolution adopted by the Commission."

The October 26, 1967, authorization is limited to quitclaims or relinquishments of rights obtained under a State-issued lease or permit. However, transactions of the Division often require the recordation of grants, deeds, and quitclaim deeds of other interests to the State. It is deemed advisable to broaden the scope of the authorization consenting to the recordation of these instruments to all areas of Commission jurisdiction.

It is recommended that the Executive Officer be given the same authority to accept deeds and to consent to the recording thereof regarding interests in real property received in connection with exchanges with the United States pursuant to Public Resources Code Sections 6206.5, 6441 through 6445 in settlement and compromise of claims pursuant to Public Resources Code Section 6107, and in connection with boundary line agreements entered into pursuant to Public Resources Code Section 6357.

IT IS RECOMMENDED THAT THE COMMISSION RESCIND ITS DELEGATION OF OCTOBER 26, 1967, MINUTE ITEM 48, PAGE 1200, AND:

1. AUTHORIZE THE EXECUTIVE OFFICER TO ACCEPT, ON BEHALF OF THE COMMISSION, AND TO CONSENT TO THE RECORDING OF GRANTS, DEEDS, OR QUITCLAIM DEEDS

CALENDAR ITEM 24. (CONTD.)

CONVEYING ANY INTEREST IN OR EASEMENT UPON REAL ESTATE WHEN SUCH GRANTS, DEEDS, OR QUITCLAIM DEEDS ARE EXECUTED UNDER THE PROVISIONS OF PUBLIC RESOURCES CODE SECTION 6804.1, OR UNDER SPECIFIC PROVISIONS OF APPROVED LEASE FORMS IN RESPECT TO LEASES FOR OIL AND GAS, LEASES FOR MINERALS OTHER THAN OIL AND GAS, AND LEASES FOR GEOTHERMAL RESOURCES, AND AFTER THE TRANSACTION HAS BEEN APPROVED BY THE STATE LANDS COMMISSION.

2. AUTHORIZE THE EXECUTIVE OFFICER TO ACCEPT, ON BEHALF OF THE COMMISSION, AND TO CONSENT TO THE RECORDING OF GRANTS, DEEDS, OR QUITCLAIM DEEDS CONVEYING ANY INTEREST IN OR EASEMENT UPON REAL ESTATE WHEN SUCH GRANTS, DEEDS, OR QUITCLAIM DEEDS ARE EXECUTED PURSUANT TO SPECIFIC PROVISIONS OF APPROVED LEASE FORMS OTHER THAN LEASES FOR OIL AND GAS, LEASES FOR MINERALS OTHER THAN OIL AND GAS, AND LEASES FOR GEOTHERMAL RESOURCES, AND AFTER THE TRANSACTION HAS BEEN APPROVED BY THE STATE LANDS COMMISSION.
3. AUTHORIZE THE EXECUTIVE OFFICER TO ACCEPT, ON BEHALF OF THE COMMISSION, AND TO CONSENT TO THE RECORDING OF GRANTS, DEEDS, OR QUITCLAIM DEEDS CONVEYING ANY INTEREST IN OR EASEMENT UPON REAL ESTATE WHEN SUCH GRANTS, DEEDS, OR QUITCLAIMS ARE EXECUTED (A) TO CARRY OUT AN EXCHANGE OF LAND WITH THE UNITED STATES UNDER PUBLIC RESOURCES CODE SECTIONS 6206.5 AND 6441 THROUGH 6445; OR (B) TO SETTLE AND COMPROMISE CLAIMS UNDER PUBLIC RESOURCES CODE SECTION 6107; OR (C) IN CONNECTION WITH BOUNDARY LINE AGREEMENTS ESTABLISHING THE ORDINARY HIGH WATER MARK OR THE ORDINARY LOW WATER MARK PURSUANT TO PUBLIC RESOURCES CODE SECTION 6357, WHICH EXCHANGE, SETTLEMENT OR COMPROMISE, OR BOUNDARY LINE AGREEMENT, HAS BEEN APPROVED BY THE STATE LANDS COMMISSION.
4. AUTHORIZE THE USE OF SUBSTANTIALLY THE FOLLOWING FORM FOR THE CERTIFICATE OF ACCEPTANCE:

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