

ORANGE COUNTY PARKS COMMISSION

STAFF REPORT

FROM: Mark Denny, Director, OC Parks

DATE: November 5, 2009

SUBJECT: Open Space Lands Transaction – Update No. 1

Background

On September 29, 2009, the Board of Supervisors approved the attached Letter of Intent to the Irvine Company and The Nature Conservancy identifying the County's intentions regarding the transfer of more than 20,000 acres of Irvine Company land to the County. In approving the letter, the Board also directed that this subject be placed on the agenda for your Commission to be updated on progress on monthly basis. The Board also directed that this item come back to them for completion or update no later than March 31, 2010.

Role of OC Parks Commission

Until the transfer process is completed, monthly updates, such as this one, will be submitted to your Commission. As individual documents are ready for review, they will be included in the update to your Commission so that you can provide comments and receive public input. Once all the documents are completed, they will be submitted as a package for your consideration and recommendation to the Board.

Document Review

OC Parks staff has started reviewing drafts of the real estate documents and agreements that will be utilized to effect the lands transfer. A concurrent review of the legal descriptions of the property has also begun. The first document being submitted for your Commission's review is the Fifth Amendment to Irrevocable Offer of Dedication and Acceptance of Offer – Limestone Canyon, which is attached.

The Irvine Company dedicated 5,360 acres of land for Limestone-Whiting Wilderness Park under an Irrevocable Offer of Dedication (Offer) which recorded on June 20, 1991, and an additional 403 acres by an amendment to the Offer which recorded April 30, 1997. A total of 2,496 acres of the land has been accepted to date. These offers were subject to the Company receiving certain entitlements and occupancy permits. Subsequently, the Company received entitlements that would result in fewer occupancy permits identified in the Offer. The Fifth Amendment will eliminate the occupancy permit "triggers" and enable the County to accept the remaining property.

OC Parks staff will provide an oral presentation on the Fifth Amendment at the meeting.

RECOMMENDED ACTIONS:

1. Receive and file Open Space Lands Transaction – Update No. 1.
2. Take public testimony and provide comments on: Fifth Amendment to Irrevocable Offer of Dedication and Acceptance of Offer – Limestone Canyon.

Mark Denny

Attachments: Letter of Intent
Fifth Amendment to Offer