

# **San Bernardino County Flood Control District**

## **Surplus Property Procedure for 2021-2022**

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**Please note, the Flood Control District (District) Surplus Property process is separate from the District Permitting process.**

**Any rights conveyed by the District are required to go through a District Surplus Property process and must ultimately be declared surplus to its needs by the San Bernardino County Board of Supervisors.**

The processes for requesting conveyance of Surplus Property are as follows

### **Online Process**

(for EZOP registration & login use <https://ezop.sbcounty.gov/CitizenAccess>)

Conveyance of rights will require an EZ Online Permitting (EZOP) account for login access.

An online application, with relevant documentation, will be required for inspection. Once approved for review, the applicant will be notified that the payment of the one-time Surplus Property Application Fee (non-refundable) is required prior to the District commencing its review. For each online payment, a minimal convenience fee by the financial institution is added. In reference to the Surplus Property Application Fee (non-refundable), please see the District "*Schedule of Fees Ordinance*" mandated (effective July 1<sup>st</sup>) and approved yearly by the San Bernardino County Board of Supervisors.

"Relevant documentation" is detailed in the "*Procedure Guide*" below.

### **Procedure Guide**

The processes will require relevant documentation. This should consist of a formal request letter explaining in detail the reason for the request and with visual aids (i.e. highlighted assessor plat(s), exhibits, plan sets etc.). You will be contacted if more detailed information is required. The presented information will be inspected as to its feasibility. If feasible, and after fees are submitted to the District, then the review meeting will be scheduled.

The meeting is held to determine if the rights being requested could be surplus to District needs. These meetings are scheduled with a committee monthly or as needed. The committee is comprised of members from all divisions of the Flood Control District as well as from various other divisions within the Department of Public Works and County Counsel. The committee conducts a review meeting with the goal to present enough information to enable the Assistant Director of Flood Control to render a decision. Note, multiple meetings may take place prior to this decision. The requestor will be notified of the final decision once the review is completed.

No speculation can be made officially in advance of the review as to the viability of a request because of the great number of variables and personnel required to bring the relevant facts to light. Any conveyance of rights must ultimately be approved by the Board of Supervisors.

If the Assistant Director's decision is in favor of the request, then the second phase can begin.

An "appraisal review and administration fee initial deposit" will be due to begin the second phase (see the "*Schedule of Fees Ordinance*").

The tasks within the second phase include review of submitted legal descriptions, exhibits, plats, and appraisals, as well as the creation of documents, exhibits, plats, correspondence, and reports, and any other action(s) required to finalize the conveyance(s). This is an "actual cost" process per the current District "*Schedule of Fees Ordinance*" mandated (effective July 1<sup>st</sup>) and approved yearly by the San Bernardino County Board of Supervisors. The applicant is obligated to pay the actual costs incurred by the Flood Control District made for the second phase. Please read the current District "*Schedule of Fees Ordinance*" carefully. The applicant will be billed for actual work costs exceeding the initial deposit. The completion of the conveyance(s) will not occur if outstanding project costs are still pending. Unused deposit money may be refunded once all charges for the project have been satisfied.

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The District requires all legal description(s) and plat(s) to be prepared and stamped by a licensed land surveyor. Approvals of these legal descriptions and plats shall be made by the District Right-of-Way Section Chief. The applicant is responsible for any surveying that may be required to produce accurate legal descriptions and plats.

The District is required to receive fair market value for the rights it conveys. The applicant is required to submit an appraisal to the District Right-of-Way Section which will be reviewed by the San Bernardino County Real Estate Services Department.

When the legal description(s) and plat(s) are in order, the District will draft the required deed for recordation. Please be advised, generally, if the required deed is an easement there are terms and conditions included in the deed. The terms and conditions will have to also need be approved by the grantee of the deed.

Once the appraised value is approved, the documents will be submitted to the County Real Estate Services Department to prepare a presentation to the San Bernardino County Board of Supervisors requesting the approval of the conveyance(s).

Any questions regarding the above procedure should be directed to the District Right-of-Way Section Chief.

**District Right-of-Way Division Chief's mailing address & contact information:**

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