

# SB 1022 ADULT LOCAL CRIMINAL JUSTICE FACILITIES REQUEST FOR PROPOSALS

## REAL ESTATE DUE DILIGENCE PREFERENCE CRITERION

### DUE DILIGENCE PACKAGE SUBMISSION REQUIREMENTS AND CHECKLIST

This checklist pertains only to those counties seeking to satisfy the real estate due diligence preference criterion as detailed in the SB 1022 Request for Proposals, Funding Preference section. (This same requirement of information pertains to every county awarded in the SB 1022 process; however, this information is not submitted until after a county is conditionally awarded if the county is not seeking the due diligence preference criterion with its SB 1022 proposal submittal.)

For counties seeking to satisfy this preference criterion, the documents outlined below are required with the proposal submittal, packaged separately from the required number of proposal copies, and delivered to the Board of State and Community Corrections with the proposals. Two (2) complete sets of real estate due diligence documentation, packaged in 3-ring binders, are required for each proposed project. Binder tabs should separate each section according to the package submission checklist outlined below.

Should a county receive a conditional award in this SB 1022 process, additional documentation, documentation updates, and assurances will be required by the state in support of its review requirements.

#### Preliminary Report

- Preliminary Report Provide a preliminary report prepared by a title company authorized to issue title insurance within the State of California. The preliminary report should be dated within three (3) months of the RFP package submission.  
  
The area covered by the preliminary report, i.e., its legal description, should be that of the proposed project site. However, if the proposed project site is only a portion of a greater county campus (i.e., the proposed project site is not an existing stand-alone legal parcel fronting a public road and public utilities) then the area covered by the preliminary report should be that of the greater county campus.  
  
Additionally, if vehicular access and or all public utility access, to the proposed project site or greater county campus, are not by way of direct frontage on a public road and or public utility easement(s), then the area and interests covered by the preliminary report should also include any additional adjacent parcels and/or appurtenant easements that facilitate the vehicular and or public utility access.  
  
Fulfilling these requirements provides for a preliminary report covering the, "Greater Parcel Area".
- Title Documents Provide copies of all Greater Parcel Area vesting documents and vesting reference documents. Also provide copies of all preliminary report exceptions to coverage documents including reference documents and maps of record. Provide copies of the Greater Parcel Area Assessor's Parcel Maps.

#### Appraisal of the Proposed Project Site

- Appraisal Report Provide an independent real estate appraisal identifying land-only value for the proposed project site. The appraisal must be completed by an appraiser with a valid Certified General License issued by the State of California Office of Real Estate Appraisers. The

appraisal for the proposed project site must include an effective date of value that is within one year prior to, and including, October 24, 2013.

The appraisal should conform to DGS Appraisal Specifications (revised 01/01/2008). The DGS Appraisal Specifications (revised 01/01/2008) are available on-line at <http://www.dgs.ca.gov/resd/AboutUs/AppraisalReview.aspx>.

Submission of an appraisal is only required if the County elects to utilize the proposed project site land-only value as part of its county contribution, as detailed in the SB 1022 Proposal Form, Budget Summary Table.

## Unrecorded Rights Certification Letters

- Letters from County Provide Unrecorded Rights Certification letters identifying the existence, or lack thereof, of any and all unrecorded rights that potentially impact the Greater Parcel Area.

Two (2) Unrecorded Rights Certification letters are required for each Greater Parcel Area. One (1) letter is to be prepared and signed by the local facility property manager and one (1) letter is to be prepared and signed by the county property manager.

A site-inspection of the Greater Parcel Area must be personally performed by each county staff member authorized to prepare and sign the certification letters.

When preparing the local facility and headquarters letters, if unrecorded rights are not identified, state so. If unrecorded rights do exist, identify them and supply any applicable documentation.

Some examples of "unrecorded rights" that encumber or may otherwise affect the property interests of the Greater Parcel Area are: contracts, leases, licenses, agreements, memorandums of understanding with public or private entities or persons that affect the use and/or occupancy of the Greater Parcel Area. We are looking for any potentially enforceable right another entity or person may claim allows them to use, occupy, or cross the Greater Parcel Area.

Sometimes conditions exist in real property that one assumes are recorded legal uses, i.e., roadways, irrigation/flood control facilities, ditches, encroachments, or utility lines. However, a visually identified or known periodic use may not appear in the property's preliminary report. Compare your records and knowledge of site conditions with the preliminary report and identify any conflicting property uses.

## Title Exceptions Map

- Map

Provide a title exceptions map of the Greater Parcel Area that reflects the information found in the preliminary report, discovered during the county's unrecorded rights on-site inspection, and real property encumbrances discovered during the county's search of its files.

- Plot and label all Greater Parcel Area geographically locatable exceptions reflected on the preliminary report and encumbrances discovered during the on-site inspection, and county's search of its files;
- Locate the proposed project site within the Greater Parcel Area;
- Prepare on 8 ½" x 11" white bond;
- Stamped by a Land Surveyor licensed in the State of California and wet signed.