

**Acquisition Policies: Ineligible Project Type, Partnership, Property Transfers
Adopted by the Recreation and Conservation Funding Board
April 27, 2016
Resolution 2016-13, as amended**

INELIGIBLE PROJECT TYPE

Property already owned by an eligible sponsor, unless the property meets the eligibility requirements described in the "Acquisition of Existing Public Property" or "Buying Land Without a Signed RCO Agreement (Waiver of Retroactivity)".

PARTNERSHIPS

Two or more eligible sponsors may apply for grant funds together when they are working in partnership to buy property.

Sponsors that plan to purchase property before receiving a project agreement must request a Waiver of Retroactivity in advance of the purchase.

The minimum matching share required in the application is determined by who will own the property at the time of acquisition by an eligible sponsor.

Regardless of how partnerships are formed, the scope of the application is only property acquired from an owner who is not eligible to receive funds in the grant program. This applies the board's acquisition policies and procedures, including appraisal requirements, offers of just compensation, and relocation benefits, to the property owner who is not eligible to receive funds.

When multiple eligible sponsors partner together, the sponsors that will acquire property within the scope of the project, including property acquired through a donation or used as match, must be included as applicants in the application. See the Diagram 1 for how to structure the application for multiple sponsors.

PROPERTY TRANSFERS

An eligible sponsor may apply for a grant with the understanding they intend to transfer the property to another eligible sponsor. A sponsor may transfer property to another eligible sponsor after both parties request an amendment to the project agreement to change sponsors and the amendment is signed by RCO and both the original sponsor and the new sponsor. The new sponsor becomes responsible for complying with the terms of the project agreement. See Diagram 2 below for how to structure the application for property transfers.

An eligible sponsor that intends to transfer property to another eligible sponsor but will retain any portion of the property rights, including any rights or encumbrances such as a covenant or conservation easement, must remain as a sponsor to the project agreement. The sponsor receiving property rights must be added as a sponsor to the project agreement with an amendment signed by RCO and both the original sponsor and the new sponsor.

Alternatively, RCO may issue a new project agreement to the sponsor receiving property for the portion of the property transferred. This ensures that the complete bundle of rights acquired with a grant continues to be protected by the terms of a project agreement.

Diagram 1. Multiple Sponsors

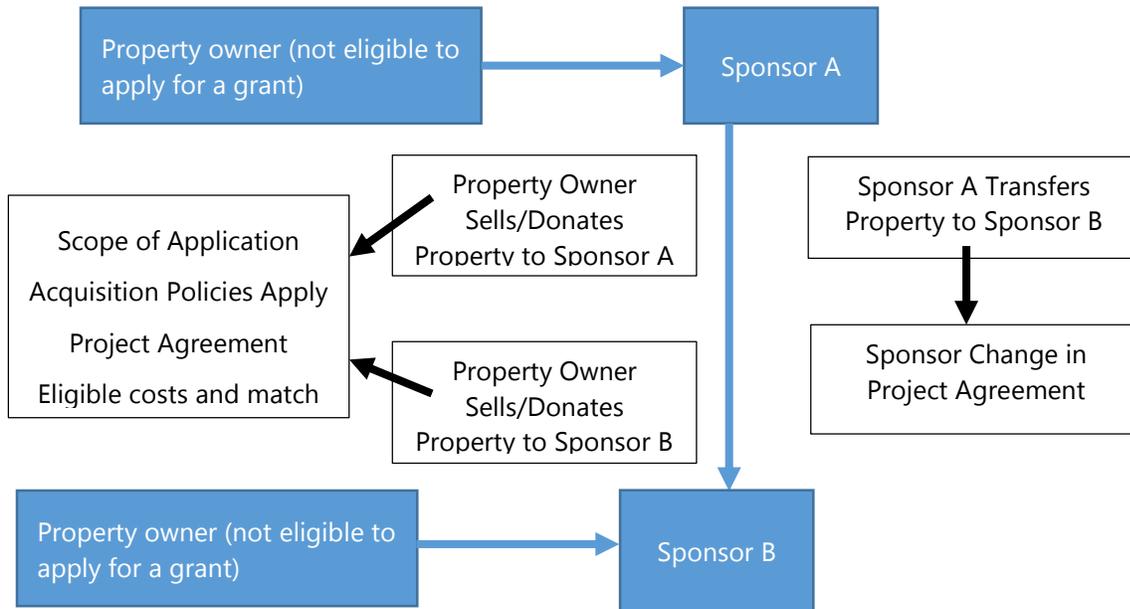


Diagram 2 – Property Transfers

