

Board Policy No. 12 Excess Real Property Utilization Plan

Summary

This document establishes the real property disposition policy for NCTD real estate assets purchased with assistance from the Federal Transit Administration (FTA).

NCTD Real Property with an FTA Interest

NCTD owns real property that was purchased with assistance from the FTA, referenced in this policy as “real property with an FTA interest.”

Excess real property with an FTA interest is real property that is no longer needed to carry out the originally FTA-authorized transit purpose.

Inventory of NCTD Real Property with an FTA Interest

NCTD shall prepare and keep up-to-date an excess real property with an FTA interest inventory. The inventory list shall include such elements as the following:

1. Property location;
2. Summary of any conditions on the title, original acquisition cost, and the FTA participation ratio;
3. FTA grant number, appraised value, and appraised date;
4. Brief description of improvements;
5. Current use of the property; and
6. Anticipated disposition or action proposed.

Disposal of Excess NCTD Real Property with an FTA Interest

Disposal of excess real property with an FTA interest requires Board approval.

Disposition of any NCTD property with an FTA interest shall follow FTA Circular 5010.1E, Chapter IV; 49 C.F.R. part 18.31; 49 C.F.R. part 24, subpart B; and FTA Master Agreement, Section 19.

NCTD will not dispose of, modify the use of, or change the terms of the real property with an FTA interest title without permission and instructions from FTA.

NCTD real property with an FTA interest may be transferred to a public body to be used for any public purpose with no further obligations to the FTA provided the transfer is approved by the FTA and conforms with the requirements of 49 U.S.C. 5334(h)(1) and (2).

NCTD shall obtain a valuation of excess real property with an FTA interest pending disposal. NCTD shall follow the valuation requirements as required under FTA Circular 5010.1E, Chapter IV and obtain an appraisal to ascertain the value of the excess real property with an FTA interest considered for disposal.

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Prior to disposing of excess real property without an FTA interest, a written offer to sell or lease the property shall be sent to entities described in Government Code § 54222, and otherwise comply with the requirements of Government Code § 54220, et seq. Guidelines provided by the California Department of Housing and Community Development, particularly as it relates to the Surplus Land Act, shall be followed.

Management and Use of NCTD Real Property with an FTA Interest

Real property having an FTA interest shall be managed and used in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act or URA) (PL 91-646) and 49 CFR part 24, the implementing regulation and FTA Circular 5010.1E, Chapter IV.

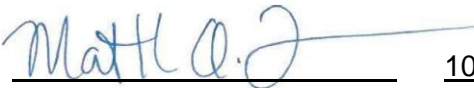
Real property having an FTA interest shall be used for the original authorized purposes as long as needed for that purposes, and NCTD shall not encumber its title or other interests without approval from the FTA.

Approvals



Board Chair

10/21/2021
Date



Executive Director

10/21/2021
Date



General Counsel

10/21/2021
Date

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DATE ISSUED	REVISION No.	RESOLUTION No.	COMMENTS
10/18/2012	ADOPTED		
10/17/2013	1		2013 REVISION
10/16/2014	2		2014 REVISION
11/19/2015	3		2015 REVISION
10/20/2016	4	16-10	2016 REVISION
10/18/2018	5	18-09	2018 REVISION
10/21/2021	6	21-05	2021 REVISION