

MINUTE ITEM

27. SALE OF SOVEREIGN LAND, CHAIN ISLAND, SACRAMENTO COUNTY, CALIFORNIA, SOVEREIGN LANDS LOCATION NO. 27, A. RUSSEL GALLAWAY, JR. - S.W.O. 6724.

After consideration of Calendar Item 12 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE SALE IS AUTHORIZED, UNDER THE PROVISIONS OF CHAPTER 2012/57, OF THAT CERTAIN ISLAND KNOWN AS CHAIN ISLAND, MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE THERETO MADE A PART HEREOF, TO THE HIGHEST BONA-FIDE BIDDER, A. RUSSEL GALLAWAY, JR., AT A CASH PRICE OF \$5,258.20; THE SALE IS TO BE SUBJECT TO ALL STATUTORY AND CONSTITUTIONAL RESERVATIONS INCLUDING MINERALS AND SUBJECT ALSO TO THAT CERTAIN LEASE EXECUTED BY THE STATE OF CALIFORNIA ACTING THROUGH THE STATE LANDS COMMISSION IN FAVOR OF RAYMOND J. BROOKS, DATED FEBRUARY 26, 1951.

Attachment

Calendar Item 12 (3 pages)

CALENDAR ITEM

12.

SALE OF SOVEREIGN LAND, CHAIN ISLAND, SACRAMENTO COUNTY, CALIFORNIA,  
SOVEREIGN LANDS LOCATION NO. 27, A. RUSSEL GALLAWAY, JR. - S.W.O. 6724.

Chapter 2012, Statutes of 1957, authorizes the State Lands Commission to sell and dispose of, upon such conditions as to price and terms of sale as it may deem to be most advantageous to the State, all of the right, title and interest of the State of California in and to that portion of land lying within the County of Sacramento, at the confluence of the Sacramento and San Joaquin Rivers, known as Chain Island, more particularly described in the field notes of a survey thereof made by J. C. Boyd, Sacramento County surveyor, on April 10, 1902, and shown therein as containing 53.60 acres.

The act provides also that the State Lands Commission, upon determination of the value and conditions of sale of the island, shall offer the island for sale for cash at public auction to the highest bidder; provided that no bid which is less than the sum determined by the Commission to be the value of the island shall be accepted; and provided further that the Commission may reject any and all bids. Section 3 of the aforesaid act provides that any sale and conveyance of the island shall be made subject to any lease of said property outstanding at the time of sale.

At its meeting of August 8, 1957, the Commission adopted a resolution authorizing the Executive Officer to proceed with the sale of the land described in Chapter 2012, Statutes of 1957, and directed (1) that notice to receive sealed bids be published in accordance with the requirements of Government Code Section 6064; (2) that the appraised value be established, said value to be the minimum price at which the land could be sold; and (3) that sale be made to the highest bona-fide bidder, subject to: (a) Any lease of said property outstanding at the time of the sale. (b) All statutory reservations including minerals. (c) Final approval by the Commission. The Commission reserved the right to reject any and all bids.

In the belief that the area occupied by the island as of the current date was at variance with the area shown by the J. C. Boyd survey of 1902, the State Lands Division undertook a survey to determine the mean high tide line along the shore of Chain Island. The required field work and plat of survey were completed in November 1957. This 1957 survey disclosed that the area presently occupied by the island contained 41.81 acres and that the location thereof varied considerably from the area shown as occupied by the island in the 1902 survey. As a result, a request for an opinion was submitted to the office of the Attorney General to determine if the Commission could properly sell the area shown as occupied by the 1957 survey or whether the area to be sold must be that depicted on the J. C. Boyd survey of 1902, specifically referred to in Chapter 2012, Statutes of 1957.

An opinion from the office of the Attorney General under date of November 13, 1958, concludes that any conveyance for the sale of Chain Island under the authority of Chapter 2012, Statutes of 1957, must be issued with reference

CALENDAR ITEM 12. (CONTD.)

to the latest recorded survey, that of November 1957.

An initial offer to purchase the land described in said act was received on September 11, 1957, from A. Russel Gallaway, Jr., of Sacramento, California, and assigned Sovereign Lands Location No. 27. An offer of \$107.20 was made for the 41.81 acres involved.

On November 14, 1957 an identical initial offer to purchase the land was made by Murray R. Kay of Antioch, California.

A staff appraisal report has established the value of the subject land at \$5,226.25, or \$125 per acre.

Publication to receive sealed bids was made in the Sacramento Bee in accordance with the requirements of Government Code Section 6064. One bid only was received during the publication period. The bid, complete in all respects, was for a total of \$5,258.20, and was submitted by A. Russel Gallaway, Jr., of Sacramento, California. The initial offer of Murray R. Kay was not increased in accordance with the published notice to receive sealed bids.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE SALE, UNDER THE PROVISIONS OF CHAPTER 2012/57, OF THAT CERTAIN ISLAND KNOWN AS CHAIN ISLAND, MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE THERE-TO MADE A PART HEREOF, TO THE HIGHEST BONA-FIDE BIDDER, A. RUSSEL GALLAWAY, JR., AT A CASH PRICE OF \$5,258.20; THE SALE IS TO BE SUBJECT TO ALL STATUTORY AND CONSTITUTIONAL RESERVATIONS INCLUDING MINERALS AND SUBJECT ALSO TO THAT CERTAIN LEASE EXECUTED BY THE STATE OF CALIFORNIA ACTING THROUGH THE STATE LANDS COMMISSION IN FAVOR OF RAYMOND J. BROOKS, DATED FEBRUARY 26, 1951.

Attachment  
Exhibit "A"

EXHIBIT "A"

Description for Use in Patent for Chain Island

All that certain real property known as Chain Island, as shown upon "Survey of the Mean High Tide Line along the Shore of Chain Island" dated November, 1957 and recorded in the office of the County Recorder of Sacramento County in Book 13 of Surveys at page 13, lying in the south half of projected Section 27, Township Three (3) North, Range One (1) East, Mount Diablo Base and Meridian, more particularly described as follows:

Beginning at Station 1 as shown upon said survey, which bears South 59° 33' 40" West, 8387 feet from the northeast corner of Section 26, T. 3 N., R. 1 E., M.D.M.; which Station 1 also bears North 14° 26' East 16.8 feet from California State Lands Commission Triangulation Station, "CHAIN EAST" (the California Coordinate System, Zone 2, coordinates of which are: X = 2,043,485.81 and Y = 147,056.72); thence along the following courses and distances:

S. 57° 05' 41" E. 101.24', S. 49° 35' 26" E. 97.13', S. 00° 36' 34" W. 94.01',  
S. 59° 32' 31" W. 388.63', S. 54° 09' 44" W. 199.83', S. 70° 20' 46" W. 44.60',  
S. 56° 46' 35" W. 204.41', S. 73° 08' 30" W. 103.4', S. 39° 00' 43" W. 101.67',  
S. 58° 50' 53" W. 156.58', N. 79° 52' 31" W. 56.89', N. 23° 48' 21" W. 74.32',  
S. 85° 45' 49" W. 108.30', S. 66° 43' 38" W. 101.24', N. 80° 37' 41" W. 104.39',  
S. 74° 10' 18" W. 201.65', S. 45° 59' 37" W. 122.35', N. 88° 30' 54" W. 270.09',  
N. 77° 00' 19" W. 93.39', S. 78° 05' 38" W. 169.65', S. 57° 31' 44" W. 104.31',  
N. 50° 21' 21" W. 90.91', N. 73° 42' 04" W. 178.16', N. 11° 28' 55" W. 261.23',  
N. 20° 10' 14" E. 104.40', N. 45° 47' 58" E. 152.04', N. 72° 48' 52" E. 101.53',  
N. 53° 14' 47" E. 98.60', N. 28° 10' 43" E. 63.53', N. 70° 47' 46" E. 94.24',  
N. 60° 23' 22" E. 370.37', N. 70° 11' 10" E. 144.56', N. 58° 37' 37" E. 96.04',  
N. 82° 01' 49" E. 100.98', N. 69° 30' 47" E. 97.14', N. 76° 52' 27" E. 228.98',  
N. 84° 02' 49" E. 337.26', S. 72° 10' 52" E. 29.41', S. 89° 15' 21" E. 77.01',  
S. 91° 44' 59" E. 202.09', S. 60° 49' 57" E. 49.24', N. 84° 13' 32" E. 89.45',  
S. 66° 34' 48" E. 203.79', S. 67° 48' 35" E. 82.08', to the point of beginning, containing 41.81 acres.