

MINUTE ITEM

13. APPLICATION BY THE DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS, TO ACQUIRE IN FEE A RIGHT-OF-WAY AND A RELATED MAINTENANCE STATION SITE LOCATED ON STATE SCHOOL LANDS, NW $\frac{1}{4}$  OF SECTION 36, T. 6 S., R. 36 E., M.D.B. & M., INYO COUNTY - W.O. 3543, S.W.O. 7673.

After consideration of Calendar Item 7 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION FINDS THAT THE PORTIONS, AS SET OUT BELOW, OF SECTION 36, T. 6 S., R. 36 E., M.D.B. & M., INYO COUNTY, ARE NOT SUITABLE FOR CULTIVATION WITHOUT ARTIFICIAL IRRIGATION AND AUTHORIZES THE SALE, SUBJECT TO ANY STATUTORY OR CONSTITUTIONAL RESERVATIONS INCLUDING MINERALS, TO THE DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS, FOR \$312.44 CASH:

RIGHT-OF-WAY

BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION 36, DISTANT N. 1° 06' 45" W. 661.74 FEET FROM THE "X" MARKED GRANITE ROCK MARKING THE WEST  $\frac{1}{4}$  SECTION CORNER OF SAID SECTION; THENCE (1) FROM SAID POINT OF BEGINNING ALONG SAID WEST LINE N. 1° 06' 45" W., 162.56 FEET; THENCE (2) N. 36° 51' E. 1942.06 FEET; THENCE (3) ALONG A CURVE TO THE LEFT WITH A RADIUS OF 1950 FEET, AN ARC DISTANCE OF 353.99 FEET TO THE INTERSECTION WITH THE NORTH LINE OF SAID SECTION 36; THENCE (4) ALONG SAID NORTH LINE S. 89° 23' 07" E., 110.47 FEET; THENCE (5) FROM A TANGENT THAT BEARS S. 25° 06' 12" W., ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 2050 FEET, AN ARC DISTANCE OF 420.29 FEET TO A POINT DISTANT S. 53° 09' E., 100.00 FEET FROM THE NORTHEASTERLY TERMINUS OF COURSE (2); THENCE (6) S. 36° 51' W., 2070.22 FEET TO THE POINT OF BEGINNING, CONTAINING 5.479 ACRES, MORE OR LESS.

MAINTENANCE YARD

BEGINNING AT A POINT ON SAID NORTH LINE DISTANT S. 89° 23' 07" E., 900.00 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 36; THENCE (1) FROM SAID POINT OF BEGINNING S. 1° 06' 45" E., 690.10 FEET TO THE INTERSECTION WITH THE NORTHWESTERLY RIGHT OF WAY LINE, ROAD IX-INYO-63-C; THENCE (2) ALONG SAID RIGHT OF WAY LINE, N. 36° 51' E., 479.65 FEET; THENCE (3) ALONG A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 1950 FEET, AN ARC DISTANCE OF 353.99 FEET TO THE INTERSECTION WITH THE NORTH LINE OF SAID SECTION 36; THENCE (4) ALONG SAID NORTH LINE N. 89° 23' 07" W., 486.58 FEET TO THE POINT OF BEGINNING, CONTAINING 4.060 ACRES, MORE OR LESS.

Attachment

Calendar Item 7 (2 pages)

CALENDAR ITEM

7.

APPLICATION BY THE DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS, TO ACQUIRE IN FEE A RIGHT-OF-WAY AND A RELATED MAINTENANCE STATION SITE LOCATED ON STATE SCHOOL LANDS, NW $\frac{1}{4}$  OF SECTION 36, T. 6 S., R. 36 E., M.D.B. & M., INYO COUNTY - W.O. 3543, S.W.O. 7673.

Article 6, Section 6, of the California Constitution, authorized and directed the State Department of Engineering, now the Department of Public Works, to lay out and construct a State highway from Big Pine to Oasis (now Route 63). Pursuant to this directive, the Department in 1919 laid out a State highway, now known as State Highway IX-Inyo-63-C, portions of which traverse the NW $\frac{1}{4}$  of Section 36, T. 6 S., R. 36 E., M.D.B. & M., containing 5.479 acres.

Prior to its adoption as a State highway, this highway was in the County Highway System of Inyo County. Thereafter, by Statutes of 1931, Chapter 82, subsection (f), as amended by Statutes of 1933, Chapter 106, subsection (f), the Department was directed to lay out and construct a State highway from Big Pine to the Nevada State Line via Oasis. In accord with this authority and in order to maintain said State Highway Route 63, the Department in 1935 established for State highway purposes a maintenance yard on a portion of said NW $\frac{1}{4}$  of Section 36, containing 4.060 acres.

State Highway Route 63 and said State Highway maintenance station are now dedicated to a public use and have been so used since their establishment and are necessary to provide transportation facilities for the people of the State of California.

It appears that the best interest of the State will be served by permitting outright sale of these 9.54 acres for \$312.44 to the Department of Public Works, Division of Highways, based on appraisals as hereafter detailed:

5.479 (highway right-of-way)	\$20.00 per acre	\$109.58 Total
4.060 (maintenance station site)	50.00 per acre	203.00 Total

The above totals establish an average of \$32.75 per acre for 9.54 acres, for a total value of \$312.44.

The following are extracts from the appraisal reports relating to the values of these specific lands: The NW $\frac{1}{4}$  and E $\frac{1}{2}$  of Section 36, T. 6 S., R. 36 E., M.D.M., was appraised initially at an average of \$10 per acre when it was believed that the north section line did not encompass all of the Division of Highways improvements. At the time of the initial appraisal, the highest and best use of this land was designated as grazing. The two specific parcels to be sold under Application No. 11628 (Division of Highways) have definite uses. One is a right-of-way for State Highway 63, the other is a site for Division of Highways maintenance station. The latter already has improvements in the form of a chain-link fence, four or five buildings, and necessary facilities. The estimated replacement costs of these buildings is \$15,000 to \$20,000. Therefore, the reappraisal

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of these two specific parcels within the NW $\frac{1}{4}$  of Section 36 must reflect a site value with an established use rather than raw land which could best be utilized for grazing purposes.

These parcels are within the area contained in Application to Purchase No. 11514 submitted by Adrienne C. Burke. The prospective buyer of the remainder of the subject section has executed a waiver in favor of the Department of Public Works, Division of Highways, for any priority rights accorded by earlier filing.

No application fee is necessary.

IT IS RECOMMENDED THAT THE COMMISSION FIND THAT THE PORTIONS, AS SET OUT BELOW, OF SECTION 36, T. 6 S., R. 36 E., M.D.B. & M., INYO COUNTY, ARE NOT SUITABLE FOR CULTIVATION WITHOUT ARTIFICIAL IRRIGATION AND AUTHORIZE THE SALE, SUBJECT TO ANY STATUTORY OR CONSTITUTIONAL RESERVATIONS INCLUDING MINERALS, TO THE DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS, FOR \$312.44 CASH:

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