

48. SALE OF VACANT SCHOOL LANDS, SAN BERNARDINO COUNTY; STATE DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS - S.W.O. 8323.

After consideration of Calendar Item 43 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION:

- (1) FINDS THAT PARCELS "A" AND "B" AS SHOWN ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, CONTAINING 2.559 AND 31.978 ACRES, RESPECTIVELY, ARE NOT SUITABLE FOR CULTIVATION WITHOUT ARTIFICIAL IRRIGATION; AND
- (2) AUTHORIZES THE SALE OF SAID PARCELS TO THE STATE DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS, AT THE TOTAL APPRAISED CASH PRICE OF \$10,401, SUBJECT TO ALL STATUTORY AND CONSTITUTIONAL RESERVATIONS INCLUDING MINERALS AND GEOTHERMAL RESOURCES, AND ALSO SUBJECT TO THE CONDITION THAT THE CONVEYANCE OF SAID PARCELS IS MADE FOR THE PURPOSES OF A FREEWAY AND ADJACENT FRONTAGE ROADS AND THE GRANTOR HEREBY RELEASES AND RELINQUISHES TO THE GRANTEE ANY AND ALL ABUTTER'S RIGHTS, INCLUDING ACCESS RIGHTS, APPURTENANT TO GRANTOR'S REMAINING PROPERTY, IN AND TO SAID FREEWAY; PROVIDED, HOWEVER, THAT SUCH REMAINING PROPERTY ABUTTING SAID PARCEL "A" ON THE SOUTH, AND THAT SUCH REMAINING PROPERTY ABUTTING SAID PARCEL "B" ON THE NORTH AND ON THE SOUTH, SHALL HAVE ACCESS TO THE RESPECTIVE FRONTAGE ROADS LYING NORTHERLY AND SOUTHERLY OF SAID FREEWAY, AND WHICH SAID FRONTAGE ROADS WILL BE CONNECTED TO THE FREEWAY ONLY AT SUCH POINTS AS MAY BE ESTABLISHED BY PUBLIC AUTHORITY. THE CONSTRUCTION OF SAID FRONTAGE ROADS MAY BE DEFERRED FOR AN INDEFINITE PERIOD OF TIME, AND SAID REMAINING PROPERTY WILL HAVE NO ACCESS IN AND TO SAID FREEWAY EXCEPT AS HEREIN PROVIDED. GRANTEE SHALL HAVE NO OBLIGATION TO PROVIDE ANY OTHER ACCESS TO SAID REMAINING PROPERTY OR MAINTAIN THE FRONTAGE ROAD AREAS UNTIL THE FRONTAGE ROADS ARE CONSTRUCTED AND ACCEPTED FOR MAINTENANCE BY A PUBLIC AGENCY.

Attachment

Calendar Item 43 (4 pages)

45.

SALE OF VACANT SCHOOL LANDS
RIVERSIDE LAND DISTRICT

APPLICANT: State Department of Public Works, Division of Highways

LOCATION: In eastern San Bernardino County, approximately 31 miles easterly of Baker

APPRAISAL INFORMATION:

<u>Parcel No.</u>	<u>Acreage</u>	<u>Appraised Value</u>
"A"	2.559	\$ 25.00
"B"	31.978	<u>\$10,376.00</u>
TOTAL		\$10,401.00

DESCRIPTION:

Legal Description:

As in Exhibit "A" attached hereto and made a part hereof

Suitability for cultivation:

Not suitable for cultivation without artificial irrigation

Access:

Parcels "A" and "B" comprise present State Highway Route - Interstate 15

Terrain:

Typical moderately sloping desert land

Highest and Best Use in the Before Condition:

Recreational Cabin sites

OTHER PERTINENT INFORMATION:

Since this is an acquisition by an agency of State government, the usual circularization of State agencies was not accomplished in accordance with existing regulations.

At present, Parcel "A" is subject to a right-of-way for highway purposes acquired by the State Division of Highways directly from the United States Bureau of Land Management approximately ten years prior to the passage of title to the State under the School Land Grant. The sale of this parcel will therefore pass to Highways all of the Commission's right, title and interest therein, subject to the usual statutory and constitutional reservations, the value of which has been placed at \$25. Title to Parcel "B" is to be conveyed to the Division of Highways subject to the usual statutory and constitutional reservations.

Both of these acquisitions are for freeway purposes. Therefore, in addition to the value directly attributed to said parcels,

CALENDAR ITEM 43. (CONTD.)

the Division of Highways is acquiring all access rights to the parcels for which a value of \$20 per acre has been attributed as damages to the remaining acreage of school land within the section. The total value shown in the above tabulation includes the \$20 per acre for damages to the remainder, and is considered fair and reasonable after a thorough appraisal and review by staff. The total area of school land within the section prior to the taking by Highways of Parcels "A" and "B" is described as the S $\frac{1}{2}$ and NE $\frac{1}{4}$ containing 472.29 acres.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Pt. 3, Chs. 1 and 2, Sec. 7301
- b. Administrative Code: Title 2, Div. 3, Secs. 2300-2303
- c. Commission policy: Minute Item 11, Meeting of 9-16-1963

EXHIBITS: A. Legal description B. Location map

IT IS RECOMMENDED THAT THE COMMISSION:

- (1) FIND THAT PARCELS "A" AND "B" AS SHOWN ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, CONTAINING 2.559 AND 31.978 ACRES, RESPECTIVELY, ARE NOT SUITABLE FOR CULTIVATION WITHOUT ARTIFICIAL IRRIGATION; AND
- (2) AUTHORIZE THE SALE OF SAID PARCELS TO THE STATE DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS, AT THE TOTAL APPRAISED CASH PRICE OF \$10,401, SUBJECT TO ALL STATUTORY AND CONSTITUTIONAL RESERVATIONS INCLUDING MINERALS AND GEOTHERMAL RESOURCES, AND ALSO SUBJECT TO THE CONDITION THAT THE CONVEYANCE OF SAID PARCELS IS MADE FOR THE PURPOSES OF A FREEWAY AND ADJACENT FRONTAGE ROADS AND THE GRANTOR HEREBY RELEASES AND RELINQUISHES TO THE GRANTEE ANY AND ALL ABUTTER'S RIGHTS, INCLUDING ACCESS RIGHTS, APPURTENANT TO GRANTOR'S REMAINING PROPERTY, IN AND TO SAID FREEWAY; PROVIDED, HOWEVER, THAT SUCH REMAINING PROPERTY ABUTTING SAID PARCEL "A" ON THE SOUTH, AND THAT SUCH REMAINING PROPERTY ABUTTING SAID PARCEL "B" ON THE NORTH AND ON THE SOUTH, SHALL HAVE ACCESS TO THE RESPECTIVE FRONTAGE ROADS LYING NORTHERLY AND SOUTHERLY OF SAID FREEWAY, AND WHICH SAID FRONTAGE ROADS WILL BE CONNECTED TO THE FREEWAY ONLY AT SUCH POINTS AS MAY BE ESTABLISHED BY PUBLIC AUTHORITY. THE CONSTRUCTION OF SAID FRONTAGE ROADS MAY BE DEFERRED FOR AN INDEFINITE PERIOD OF TIME, AND SAID REMAINING PROPERTY WILL HAVE NO ACCESS IN AND TO SAID FREEWAY EXCEPT AS HEREIN PROVIDED. GRANTEE SHALL HAVE NO OBLIGATION TO PROVIDE ANY OTHER ACCESS TO SAID REMAINING PROPERTY OR MAINTAIN THE FRONTAGE ROAD AREAS UNTIL THE FRONTAGE ROADS ARE CONSTRUCTED AND ACCEPTED FOR MAINTENANCE BY A PUBLIC AGENCY.

Attachment: Exhibit "A"

EXHIBIT "A"

That certain real property in the County of San Bernardino, State of California, described as follows:

PARCEL "A": That portion of the Southwest Quarter of Section 16, Township 16 North, Range 13 East, SAN BERNARDINO MERIDIAN, according to the Official Plat of the Survey and Independent Resurvey of said Township approved December 16, 1941, and accepted May 20, 1952, by the United States Department of the Interior, General Land Office, described as follows:

BEGINNING at a U.S.G.L.O. Disk marking the West Quarter corner of said Section 16; thence along the West line of said Southwest Quarter, South $0^{\circ} 13' 35''$ East 270.79 feet to a 9800-foot radius curve, concave Southeasterly in the Southerly line of the Right-of-Way of State Road 08-SBd-15 (formerly VII-SBd-31-N) as shown on County Surveyor's Filed Map No. 7629.5, on file in the Office of the County Surveyor of said County; thence Northeasterly along said curve, from a tangent bearing North $69^{\circ} 52' 41''$ East, through an angle of $5^{\circ} 19' 58''$ a distance of 912.13 feet to the North line of said Southwest Quarter; thence along said North line, South $89^{\circ} 49' 16''$ West 870.87 feet to the POINT OF BEGINNING.

PARCEL "B": That portion of the West Half of the Northeast Quarter of said Section 16, and that portion of Government Lot 2 in said Northeast Quarter of said Section 16, described as a whole as follows:

BEGINNING at a point in the West line of said Northeast Quarter, distant along said West line South $0^{\circ} 17' 09''$ East 2335.77 feet from a U.S.G.L.O. Brass Cap in Rock Mound marking the North Quarter corner of said Section; thence North $80^{\circ} 46' 45''$ East 532.71 feet to a point designated as "150' Rt. 345+00 L.L.E. Rdbd." on said County Surveyor's Filed Map; thence parallel with the Layout Line of the East Roadbed (L.L.E.Rdbd.) as shown on Filed Map, North $86^{\circ} 01' 36''$ East 2003.67 feet; thence South $81^{\circ} 15' 18''$ East 119.06 feet to the East line of said Section; thence along said East line North $0^{\circ} 17' 25''$ East 437.21 feet to the South line of Tract 38 as shown on said Official Plat of said Township; thence along the South and West lines, respectively, of said Tract 38, South $89^{\circ} 54' 29''$ West 264.16 feet to the Southwest corner of said Tract, and North $0^{\circ} 06' 26''$ West 168.31 feet, more or less, to the Northerly Right-of-Way line of said State Road as shown on said County Surveyor's Filed Map; thence along said Northerly line, through the following two (2) courses:

- (1) Westerly along a 6150-foot radius curve, concave Southerly, from a tangent bearing South $85^{\circ} 39' 00''$ West, through an angle of $3^{\circ} 07' 00''$ a distance of 334.54 feet, and
- (2) South $82^{\circ} 32' 00''$ West 2067.45 feet to said West line of said Northeast Quarter; thence along said West line South $0^{\circ} 17' 09''$ East 508.09 feet to the POINT OF BEGINNING.

This conveyance of Parcels "A" and "B" is made for the purposes of a freeway and adjacent frontage roads and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights, including access rights, appurtenant to grantor's remaining property, in and to said freeway; provided, however, that such remaining property abutting said Parcel "A" on the South,

EXHIBIT "A" (CONTD.)

and that such remaining property abutting said Parcel "B" on the North and on the South, shall have access to the respective frontage roads lying Northerly and Southerly of said freeway, and which said frontage roads will be connected to the freeway only at such points as may be established by public authority. The construction of said frontage roads may be deferred for an indefinite period of time, and said remaining property will have no access in and to said freeway except as herein provided. Grantee shall have no obligation to provide any other access to said remaining property or maintain the frontage road areas until the frontage roads are constructed and accepted for maintenance by a public agency.