

6. PUBLIC AGENCY PERMIT (RIGHT-OF-WAY), TIDE AND SUBMERGED LAND, TUOLUMNE RIVER IN MODESTO, STANISLAUS COUNTY, FOR SEWER FORCE MAIN; CITY OF MODESTO - W.O. N-0269, P.R.C. 4074.9.

After consideration of Calendar Item 10 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE ISSUANCE TO THE CITY OF MODESTO OF A 49-YEAR PUBLIC AGENCY PERMIT (RIGHT-OF-WAY), FROM OCTOBER 1, 1968, IN CONSIDERATION OF THE PUBLIC HEALTH AND BENEFIT, FOR CONSTRUCTION OF A BURIED 60" SEWER FORCE MAIN ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment

Calendar Item 10 (2 pages)

10.

PUBLIC AGENCY PERMIT (RIGHT-OF-WAY)

APPLICANT: City of Modesto

LOCATION: A 40- x 322-foot strip of tide and submerged land in Tuolumne River in Modesto, Stanislaus County

PROPOSED USE: The construction of a buried 60" sewer force main

TERM: 49 years, from October 1, 1968

CONSIDERATION: No charge (the public health and benefit)

PREREQUISITE ITEM:

Applicant is owner or permittee of upland

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Pt. 2, Ch. 1, Secs. 6501-6509
- b. Administrative Code: Title 2, Div. 3, Secs. 2000-2011
- c. Commission policy: Minute Item 18 of November 18, 1959

OTHER PERTINENT INFORMATION:

The annual rental value of the site is \$193.20

EXHIBITS: A. Land description B. Location map

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE ISSUANCE TO THE CITY OF MODESTO OF A 49-YEAR PUBLIC AGENCY PERMIT (RIGHT-OF-WAY), FROM OCTOBER 1, 1968, IN CONSIDERATION OF THE PUBLIC HEALTH AND BENEFIT, FOR CONSTRUCTION OF A BURIED 60" SEWER FORCE MAIN ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

A parcel of tide and submerged land in the bed of Tuolumne River, Stanislaus County, California, being a portion of Section 7, Township 4 South, Range 9 East, M.D.M., said parcel being a strip of land 40 feet in width lying 20 feet on each side of the following described centerline:

COMMENCING at the United States Meander Corner on the left bank of the Tuolumne River and on the west line of said Section 7; thence South $0^{\circ} 19'$ East along said west line of Section 7 a distance of 3.40 feet; thence following the centerline of a 40-foot County Road the following three courses and distances:

1) South $59^{\circ} 15'$ East 1333.00 feet;

2) South $86^{\circ} 57'$ East 339.52 feet;

3) North $88^{\circ} 08'$ East 851.00 feet to a point, said point

being the southeasterly corner of the property conveyed to Bratten Heistand, et ux, by Deed recorded July 9, 1947 as Instrument No.

8444, Stanislaus County Records; thence north along the easterly line of said Heistand property 78.08 feet; thence North $88^{\circ} 07' 30''$ East along the left bank of the Tuolumne River and along the north line of Swamp and Overflowed Lands Survey No. 239, 180 feet to the TRUE POINT OF BEGINNING; thence leaving said north line and entering lands of the State of California (Tuolumne River Bed), North 0° East across said State lands a distance of approximately 322 feet to a point on the northerly boundary of said State lands, also being the southerly boundary of lands of the City of Modesto.