

MINUTE ITEM

5/29/69

11. 49-YEAR RIGHT-OF-WAY, BED OF HENSLEY SLOUGH NEAR COURTLAND, SACRAMENTO COUNTY, FOR ACCESS TO APPLICANT'S PROPERTY; LINCOLN CHAN - W.O. 8412, P.R.C. 4221.1.

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

THE COMMISSION AUTHORIZES THE ISSUANCE TO LINCOLN CHAN OF A 49-YEAR RIGHT-OF-WAY FROM MARCH 1, 1969, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$20, WITH THE STATE RESERVING THE RIGHT TO REVIEW AND RESET A REASONABLE RENTAL ON EACH FIFTH ANNIVERSARY, ACROSS THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment

Calendar Item 7 (2 pages)

CALENDAR ITEM

5/69  
W.O. 8412

7.

RIGHT-OF-WAY

APPLICANT: Lincoln Chan.

LOCATION: A 0.142-acre strip of land in the bed of Hensley Slough north-easterly of Courtland, Sacramento County.

LAND USE: Right-of-way for ingress and egress to applicant's property from State Highway No. 16.

TERM: 49 years, from March 1, 1969.

CONSIDERATION: \$20 per annum during first five years, with State reserving the right to review and reset a reasonable rental on each fifth anniversary.

BASIS FOR CONSIDERATION:

\$20 minimum rental for this type of lease or permit.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, P. 2, Ch. 1, Secs. 6501-09.
- b. Administrative Code: Title 2, Div. 3, Articles 1 & 2 as amended effective May 10, 1969.

EXHIBITS: A. Land description. B. Location map.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE ISSUANCE TO LINCOLN CHAN OF A 49-YEAR RIGHT-OF-WAY FROM MARCH 1, 1969, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$20, WITH THE STATE RESERVING THE RIGHT TO REVIEW AND RESET A REASONABLE RENTAL ON EACH FIFTH ANNIVERSARY, ACROSS THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

A strip of submerged land 40 feet wide lying in the bed of Hensley Slough in Section 28, T. 6 N., R. 4 E., is described as follows:

BEGINNING at a point located 19.50 feet, measured at right angles, from the centerline of State Highway No. 11, said point also being located N. 57° 30' 40" E. 986.90 feet from a 1 $\frac{1}{4}$ -inch iron pipe monument located at the easterly terminous of the course "S. 57° 54' W. 124.63'", as said course is shown on the Record of Survey entitled "Property of Chester B. Callaway, Located on Randall Island", recorded in the office of the Recorder of Sacramento County in Book 24 of Surveys, page 16; thence from said point of beginning N. 26° 34' W. to a point on the north bank of Hensley Slough.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark.