

MINUTE ITEM

10/22/70
EWC

7. AMENDMENT OF AUTHORITY TO ISSUE LEASE P.R.C. 4423.9, A RIGHT-OF-ENTRY PERMIT, STANISLAUS COUNTY; STATE DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS - W-8419, P.R.C. 4423.0.

After consideration of Calendar Item 2 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AMENDS ITS RESOLUTION OF MARCH 26, 1970, MINUTE ITEM 3, PAGE 168, TO PROVIDE FOR THE ISSUANCE OF A PERMIT TO AND APPROVAL OF A MAP FOR THE STATE DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS, PURSUANT TO SECTION 101.5 OF THE STREETS & HIGHWAYS CODE, THAT WILL RESERVE FOR HIGHWAY PURPOSES A PARCEL OF SOVEREIGN LAND IN THE BED OF THE SAN JACQUIN RIVER AT HIGHWAY 132, APPROXIMATELY 11 MILES WESTERLY OF MODESTO, STANISLAUS COUNTY, AS DESCRIBED ON DIVISION OF HIGHWAYS MAP 10-STA-132, DATED MARCH 25, 1969, ON FILE IN THE STATE LANDS DIVISION, PROVIDED THAT THE DIVISION OF HIGHWAYS SHALL FILE A LETTER WITH THE STATE LANDS DIVISION CERTIFYING COMPLIANCE WITH CHAPTER 1052, STATUTES OF 1969.

Attachment:

Calendar Item 2 (1 page)

CALENDAR ITEM

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EWC

2.

AMENDMENT OF AUTHORITY TO ISSUE LEASE P.R.C. 4423.9, A RIGHT-OF-ENTRY PERMIT

APPLICANT: State Department of Public Works, Division of Highways.

LOCATION: A strip of land in the bed of the San Joaquin River at Highway 132, approximately 11 miles westerly of Modesto, Stanislaus County, containing one-quarter acre more or less.

LAND USE: Construction and protection of a highway bridge.

TERMS: Indefinite from March 1, 1970.

CONSIDERATION: \$100.00.

BASIS FOR CONSIDERATION:

\$100.00 minimum rental for this type of permit. Rental to be deposited in the General Fund for credit to the Resources Protection Account pursuant to Chapter 1052, Statutes of 1969.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Pt. 2, Ch. 1, Secs. 6501-09.
- b. Administrative Code: Title 2, Div. 3, Articles 1 & 2 as amended effective May 10, 1969.
- c. Streets & Highways Code: Section 101.5.

EXHIBIT: A. Location map.

OTHER PERTINENT INFORMATION:

1. On March 26, 1970 (Minute Item 3, page 168), the Commission authorized issuance to the applicant of a 2-year right-of-entry permit from March 1, 1970, pending resolution of problems involving map format and rental. These problems having now been resolved, it is appropriate to issue a permanent permit.
2. The above rental is based upon the site value as estimated by the Division of Highways.

IT IS RECOMMENDED THAT THE COMMISSION AMEND ITS RESOLUTION OF MARCH 26, 1970, MINUTE ITEM 3, PAGE 168, TO PROVIDE FOR THE ISSUANCE OF A PERMIT TO AND APPROVAL OF A MAP FOR THE STATE DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS, PURSUANT TO SECTION 101.5 OF THE STREETS & HIGHWAYS CODE, THAT WILL RESERVE FOR HIGHWAY PURPOSES A PARCEL OF SOVEREIGN LAND IN THE BED OF THE SAN JOAQUIN RIVER AT HIGHWAY 132, APPROXIMATELY 11 MILES WESTERLY OF MODESTO, STANISLAUS COUNTY, AS DESCRIBED ON DIVISION OF HIGHWAYS MAP 10-STA-132, DATED MARCH 25, 1969, ON FILE IN THE STATE LANDS DIVISION, PROVIDED THAT THE DIVISION OF HIGHWAYS SHALL FILE A LETTER WITH THE STATE LANDS DIVISION CERTIFYING COMPLIANCE WITH CHAPTER 1052, STATUTES OF 1969.