

MINUTE ITEM

10/3/72
AMB

19. AUTHORIZATION FOR CANCELLATION OF CITY OF SAN DIEGO PURCHASE APPLICATION NO. 29, RIVERSIDE LAND DISTRICT, SAN DIEGO COUNTY; SELECTION OF VACANT FEDERAL LANDS EMBRACED IN SAID APPLICATION - RA 29.

After consideration of Calendar Item No. 17 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. AUTHORIZES CANCELLATION OF THE APPLICATION OF THE CITY OF SAN DIEGO TO PURCHASE THE $N\frac{1}{2}$ OF $NW\frac{1}{4}$, SECTION 22, AND $SE\frac{1}{4}$ OF $SW\frac{1}{4}$, SECTION 27, T. 12 S., R. 2 E., S.B.M., CONTAINING A TOTAL OF 120 ACRES MORE OR LESS IN SAN DIEGO COUNTY (APPLICATION NO. 29, RIVERSIDE LAND DISTRICT).
2. AUTHORIZES THE REFUND OF DEPOSITS LESS EXPENSES INCURRED TO DATE OF CANCELLATION (\$766.40).
3. DETERMINES THAT IT IS TO THE ADVANTAGE OF THE STATE TO SELECT SAID FEDERAL LANDS.
4. APPROVES THE SELECTION OF SAID LANDS.

Attachment:

Calendar Item 17 (2 pages)

CANCELLATION OF CITY OF SAN DIEGO PURCHASE APPLICATION NO. 29,
RIVERSIDE LAND DISTRICT, SAN DIEGO COUNTY; SELECTION OF VACANT
FEDERAL LANDS EMBRACED IN SAID APPLICATION

On October 5, 1964, the State Lands Division filed State Indemnity Selection Application No. 29, Riverside Land District, with the U.S. Bureau of Land Management. Said application embraced vacant federal land described as the N $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 22, and the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 27, T. 12 S., R. 2 E., S.B.M., containing 120 acres, more or less, in San Diego County. The selection was initiated on behalf of the City of San Diego as the City desired said lands to protect the domestic water supply in the Sutherland Reservoir Basin. The City offered and deposited \$600.00 or \$5.00 per acre for the lands applied for.

Title to the above-described land passed to the State by Clear List No. 344, approved February 28, 1972, as lieu land.

A staff appraisal indicates the lands are not suitable for cultivation without artificial irrigation and established the total fair market value of the two parcels at \$17,600.00 as follows:

T. 12 S., R. 2 E., S.B.M.

N $\frac{1}{2}$ of NW $\frac{1}{4}$, Section 22: \$11,200

SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 27: 6,400

Section 2402(c) of the Commission's rules and regulations requires the applicant to increase his offer, in the event the price fixed exceeds the original offer, within 20 days after receipt of written notice of the appraised value or the application of the State to select the land be withdrawn if the Commission so elects. The City of San Diego, Property Department, was notified of the appraised value of the lands by letter dated January 18, 1971, and asked if the City concurred in the valuation and was willing to purchase the lands at the appraised value. A response of March 29, 1971, from the applicant expressed concurrence in the valuation and a request that the State Lands Division proceed to bring the matter to a successful conclusion. Following conveyance of title to the land from the United States to the State, the City of San Diego was notified on March 30, 1972, by certified mail and requested to deposit an additional \$17,000 to cover the total purchase price. The City requested and was granted an additional forty days or until May 30, 1972, to remit the \$17,000 in order that formal approval for the expenditure of such funds could be obtained from the San Diego City Council. On May 22, 1972, the City withdrew its application to purchase the subject lands, informing there had been a change of policy regarding the protection of the Sutherland Reservoir watershed.

Since the applicant does not wish to proceed with the application, the Commission should order it cancelled in accordance with Section 2402(c).

CALENDAR ITEM NO. 17. (CONT'D)

However, the selection of the subject land is considered to be to the advantage of the State in that it will assist in satisfying deficiencies under the School Land Grant.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Division 6, Part 3, Chapter 3, Section 7405.1.
- b. Administrative Code: Title 2, Division 3, Section 2402(c).

EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. AUTHORIZE CANCELLATION OF THE APPLICATION OF THE CITY OF SAN DIEGO TO PURCHASE THE N $\frac{1}{2}$ OF NW $\frac{1}{4}$, SECTION 22, AND SE $\frac{1}{4}$ OF SW $\frac{1}{4}$, SECTION 27, T. 12 S., R. 2 E., S.B.M., CONTAINING A TOTAL OF 120 ACRES MORE OR LESS, IN SAN DIEGO COUNTY (APPLICATION NO. 29, RIVERSIDE LAND DISTRICT).
2. REFUND DEPOSITS LESS EXPENSES INCURRED TO DATE OF CANCELLATION (\$766.40).
3. DETERMINE THAT IT IS TO THE ADVANTAGE OF THE STATE TO SELECT SAID FEDERAL LANDS.
4. APPROVE THE SELECTION OF SAID LANDS.