

MINUTE ITEM

4/4/74
CRK

22. SALE OF VACANT SCHOOL LAND, APPLICATION NO. 174, RIVERSIDE LAND DISTRICT, SAN BERNARDINO COUNTY, STATE DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS - RA 174, PRC 4424.0.

After consideration of Calendar Item 20 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTION BECAUSE, BEING AN EXISTING HIGHWAY FACILITY, IT IS CATEGORICALLY EXEMPT FROM CEQA PURSUANT TO PUBLIC RESOURCES CODE SECTION 21084; 14 CAL. ADM. CODE 15101; AND 2 CAL. ADM. CODE 2910(a).
2. FINDS THAT THE SALE HEREIN DESCRIBED IS NECESSARY FOR THE HEALTH, WELFARE OR SAFETY OF THE PEOPLE OF THE STATE OF CALIFORNIA.
3. FINDS THAT THE PORTIONS OF SECTION 36, T 8 N, R 15 E, SBM, AND SECTION 16, T 8 N, R 13 E, SBM, AS DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, ARE NOT SUITABLE FOR CULTIVATION WITHOUT ARTIFICIAL IRRIGATION.
4. AUTHORIZES THE SALE OF THE SCHOOL LANDS DESCRIBED IN EXHIBIT "A" SUBJECT TO ALL STATUTORY AND CONSTITUTIONAL RESERVATIONS INCLUDING MINERALS AND GEOTHERMAL RESOURCES, TO THE DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS, FOR THE TOTAL APPRAISED PRICE OF \$6,507.00, WITHOUT ADVERTISING, AS AUTHORIZED BY SECTION 2302(a) OF THE COMMISSION'S REGULATIONS.
5. AUTHORIZES ACCEPTANCE OF RENTAL IN THE AMOUNT OF \$1,431.20 FOR USE AND OCCUPANCY OF PORTIONS OF SECTION 16, T 8 N, R 15 E, SBM, AND SECTION 36, T 8 N, R 13 E, SBM, AUTHORIZED BY PRC 4424.0 FOR THE PERIOD OF FEBRUARY 2, 1970, THROUGH APRIL 4, 1974.
6. AUTHORIZES THE TERMINATION OF PRC 4424.0, EFFECTIVE APRIL 4, 1974.

Attachment:

Calendar Item 20 (7 pages)

CALENDAR ITEM

20.

3/74
CRK
RA 174SALE OF VACANT SCHOOL LAND, APPLICATION NO. 174,
RIVERSIDE LAND DISTRICT, SAN BERNARDINO COUNTY,
STATE DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS

On June 8, 1970, an offer was received from the State Department of Transportation, Division of Highways, to purchase for freeway purposes portions of the NW $\frac{1}{4}$ and W $\frac{1}{2}$ of SE $\frac{1}{4}$, Section 16, T 8 N, R 15 E, SBM, containing a total of 51.52 acres more or less, and portions of the S $\frac{1}{2}$, Section 36, T 8 N, R 13 E, SBM, containing a total of 78.62 acres more or less. The aggregate total area applied for purchase in the two sections is 130.14 acres more or less. The freeway construction was completed on May 16, 1973.

The applicant in writing has offered the following amounts for the numbered parcels embraced in the subject application:

<u>Parcel No.</u>	<u>Acres</u>	<u>Offer</u>
1	47.36	\$2,368.00
2	4.16	208.00
3	72.96	3,648.00
4	5.66	283.00
TOTAL	130.14	\$6,507.00

The State Lands Division concurs in the Division of Highways' unit value of \$50 per acre and the total appraised value of \$6,507.00 as set forth above.

The land is not suitable for cultivation without artificial irrigation.

The Division of Highways has determined that it is necessary to acquire the school land for the purposes of Interstate Route 40, including freeway and adjacent frontage road area, and areas for drainage protection of same.

In consideration of the requirements of Section 6371, Part 1, Division 6, Public Resources Code, the State Lands Division has determined that this sale is necessary for the health, welfare or safety of the people of California, substantiation of which is evidenced by information in Exhibit "C". In compliance with Section 6373 of the aforementioned Code, the recipient of the lands embraced in this transaction has submitted information as to the general plan for the use of the school lands to be transferred, including comments on the coordinated planning with federal, local and other State agencies (See Exhibit "C"). The plan has been transmitted to the Legislature.

A right of entry permit, PRC 4424.0, for a period of 18 months, commencing February 26, 1970, was granted by the State Lands Commission, authorizing

CALENDAR ITEM NO. 20. (CONTD)

the Division of Highways the right and privilege of going upon lands generally described as portions of Parcel Nos. 1 and 3 and all of Parcel Nos. 2 and 4 of Exhibit "A" for the purpose of construction and protection of a public highway. Said permit, now expired, provides that the consideration to the State for the permit shall be determined and payable upon conveyance of the land to the permittee. The fair rental for such use of the lands (119.10 acres) for the period of February 26, 1970, to date of Commission approval of conveyance (February 28, 1974) at the rate of 6% of the appraised value amounts to \$1,431.20.

THE PROPERTY:

Location:

Parcel Nos. 1 and 2, portions of Section 16, T 8 N, R 15 E, SBM, are situated on the lower north slope of the Clipper Mountains, approximately 96 airline miles east of Barstow, and 50 airline miles west of Needles. Essex, the nearest hamlet, on U. S. Highway Route 66, is about 10 airline miles to the southeast of said Section 16.

Parcel Nos. 3 and 4, portions of Section 36, T 8 N, R 13 E, SBM, are situated southeast of Van Winkle Mountain, approximately 88 airline miles east of Barstow and 64 airline miles west of Needles. Amboy, the nearest hamlet, on U. S. Highway Route 66 is about 16 airline miles to the southwest of said Section 36.

Access: None. The described sections and parcels therein are isolated, remote, and were totally without road access.

Water: None.

Terrain: Parcel Nos. 1 and 2 are comprised of gentle but irregular lower slopes of the Clipper Mountains, traversed by several natural washes.

Parcel Nos. 3 and 4 are comprised of moderately sloping ground throughout.

HIGHEST AND BEST USE PRIOR TO CONSTRUCTION:
Speculation/grazing.

OTHER PERTINENT INFORMATION:

1. On March 26, 1970, the Commission authorized issuance of the aforementioned right of entry permit (PRC 4424.0) for construction of a highway facility on the subject land. An environmental impact report was not required at that time. (Chapter 1555 was effective November 23, 1970.) The highway was

CALENDAR ITEM NO. 20. (CONTD)

completed on May 16, 1973. Since it is now an existing facility, the action recommended herein is categorically exempt from the provisions of CEQA pursuant to 14 Cal. Adm. Code 15101 and 2 Cal. Adm. Code 2910(a).

2. The conveyance of those portions of Parcel Nos. 1 and 3, described in Exhibit "A", lying within the right of way designated on Right of Way Maps of State Road 8-SBd-40 on file in Books 10 and 11 of State Highway Maps, is made for the purpose of a freeway and adjacent frontage roads, and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights as provided in said Exhibit "A".

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Part 3, Chs. 1 and 2, Section 7301.
- b. Administrative Code: Title 2, Div. 3, Art. 5, Sections 2300 and 2302.

EXHIBITS:

- A. Land Descriptions.
- B. Location Maps (2).
- C. General Plan of Use of the Land.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTION BECAUSE, BEING AN EXISTING HIGHWAY FACILITY, IT IS CATEGORICALLY EXEMPT FROM CEQA PURSUANT TO PUBLIC RESOURCES CODE SECTION 21084; 14 CAL. ADM. CODE 15101; AND 2 CAL. ADM. CODE 2910(a).
2. FIND THAT THE SALE HEREIN DESCRIBED IS NECESSARY FOR THE HEALTH, WELFARE OR SAFETY OF THE PEOPLE OF THE STATE OF CALIFORNIA.
3. FIND THAT THE PORTIONS OF SECTION 36, T 8 N, R 15 E, SBM, AND SECTION 16, T 8 N, R 13 E, SBM, AS DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, ARE NOT SUITABLE FOR CULTIVATION WITHOUT ARTIFICIAL IRRIGATION.
4. AUTHORIZE THE SALE OF THE SCHOOL LANDS DESCRIBED IN EXHIBIT "A" SUBJECT TO ALL STATUTORY AND CONSTITUTIONAL RESERVATIONS INCLUDING MINERALS AND GEOTHERMAL RESOURCES, TO THE DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS, FOR THE TOTAL APPRAISED PRICE OF \$6,507.00, WITHOUT ADVERTISING, AS AUTHORIZED BY SECTION 2302(a) OF THE COMMISSION'S REGULATIONS.
5. AUTHORIZE ACCEPTANCE OF RENTAL IN THE AMOUNT OF \$1,431.20 FOR USE AND OCCUPANCY OF PORTIONS OF SECTION 16, T 8 N, R 15 E, SBM, AND SECTION 36, T 8 N, R 13 E, SBM, AUTHORIZED BY PRC 4424.0 FOR THE PERIOD OF FEBRUARY 2, 1970, THROUGH APRIL 4, 1974.

CALENDAR ITEM NO. 20. (CONTD)

6. AUTHORIZE THE TERMINATION OF PRC 4424.O, EFFECTIVE APRIL 4, 1974.

Attachment: Exhibit "A"

EXHIBIT "A"

RA 174

PARCEL 1:

That portion of Section 16, T 8 N, R 15 E, SBM, according to the Official Plat of said land approved by the Surveyor General, dated October 6, 1856, lying northwesterly of the following described line:

BEGINNING at a point 350 feet right of Engineer's Station 3171+18.35 B.C. Centerline of Improvement as shown on Sheet 28 of Right of Way Maps of State Road 8-SBd-40 (Post Mile 92.9/93.4) on file in Book 10 of State Highway Maps, page 71, in the Office of the County Recorder of said County; thence northeasterly along a 10,350-foot radius curve to the left, tangent to a line parallel with and distant 350 feet southeasterly, measured at right angles from the tangent portion of said centerline as shown on said Sheet 28, through an angle of $16^{\circ} 07' 45''$, a distance of 2913.60 feet to a point 350 feet right of Engineer's Station 3199+33.42 Centerline of Improvement as shown on Sheet 29-A of Right of Way Maps of said State Road 8-SBd-40 (Post Mile 93.4/94.0) on file in Book 11 of State Highway Maps, page 30, in the Office of said County Recorder; thence N $59^{\circ} 21' 38''$ E, 500 feet.

47.36 acres

PARCEL 2:

That portion of said Section 16 described as follows:

COMMENCING at the southwest corner of said Section 16; thence N $89^{\circ} 03' 00''$ E, 2795.41 feet along the south line of said Section; thence N $0^{\circ} 57' 00''$ W, 418.31 feet to the TRUE POINT OF BEGINNING; thence N $5^{\circ} 54' 48''$ E, 906.44 feet; thence S $84^{\circ} 05' 12''$ E, 200 feet; thence S $5^{\circ} 54' 48''$ W, 906.44 feet; thence N $84^{\circ} 05' 12''$ W, 200 feet to the point of beginning.

4.16 acres

PARCEL 3:

That portion of Section 36, T 8 N, R 13 E, SBM, County of San Bernardino, State of California, according to the Official Plat of said land approved by the Surveyor General, lying southerly of the following described line:

COMMENCING at the east quarter corner of Section 31 of T 8 N, R 14 E, marked by a rock mound as shown on page 57 of Right of

EXHIBIT "A" (CONTD)

Way Maps of State Road 8-SBd-40 on file in Book 10 of State Highway Maps, in the Office of the County Recorder of said County; thence along the east line of said Section 31 N 1° 10' 09" W, 166.31 feet to the Centerline of Improvement as shown on said page 57; thence along said centerline S 63° 59' 15" W, 1957.99 feet to Engineer's Station 2757+90.60 P.O.T. & Imp. Bk. = 2756+86.23 P.O.T. & Imp. Ahd., as shown on said page 57; thence continuing along said centerline S 63° 59' 15" W, 2078.06 feet to Engineer's Station 2737+12.54 E.C. in said centerline, as shown on page 56 of said Book 10; thence southwesterly along a tangent curve to the right in said centerline, having a radius of 9000 feet through an angle of 4° 51' 16", a distance of 762.54 feet to Engineer's Station 2729+50 of said Centerline of Improvement as shown on page 56 of said Book 10; thence N 21° 09' 29" W, 350.00 feet to a point opposite said Engineer's Station 2729+50, being the TRUE POINT OF BEGINNING; thence westerly along a curve to the right having a radius of 8650 feet and being concentric with said curve having a radius of 9000 feet, from a tangent bearing S 68° 50' 31" W, through an angle of 17° 43' 58", a distance of 2677.14 feet to a point 351.42 feet left of Engineer's Station 2701+70.92 of said Centerline of Improvement as shown on page 55 of said Book 10; thence S 86° 34' 29" W, 2671.37 feet to a point 400 feet left of Engineer's Station 2675+00 of said Centerline of Improvement as shown on page 54 of said Book 10; thence S 83° 21' 43" W, 1610.90 feet to a point 350 feet left of Engineer's Station 2659+03.37 of said Centerline of Improvement as shown on page 53 of said Book 10.

72.96 acres

PARCEL 4:

That portion of said Section 36 included within the following described lines:

BEGINNING at said point 350 feet left of said Engineer's Station 2729+50 as shown on said page 56 of Book 10; thence N 66° 27' 50" W, 361.05 feet to a point 600 feet left of Engineer's Station 2726+75 of said centerline; thence S 89° 01' 27" W, 1205.50 feet to a point 900 feet left of Engineer's Station 2714+00 of said Centerline as shown on page 55 of said Book 10; thence N 11° 17' 25" W, 325.00 feet to a point 1225 feet left of said Engineer's Station 2714+00; thence N 89° 39' 56" E, 1572.14 feet to a point 780 feet left of Engineer's Station 2731+00 of said centerline; thence S 77° 14' 20" E, 717.02 feet to a point 350 feet left of said Engineer's Station 2737+12.54 E.C.; thence northwesterly along the southeasterly continuation of said curve having a radius of 8650 feet to the point of beginning.

5.66 acres

EXHIBIT "A" (CONTD)

The conveyance of those portions of Parcel Nos. 1 and 3, described herein-above, lying within the right of way designated on Right of Way Maps of State Road 8-SBd-40 on file in Books 10 and 11 of State Highway Maps, in the Office of the County Recorder of San Bernardino County, 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 shall abut upon and have access, as hereinafter provided, to said frontage roads which 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 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.

END OF DESCRIPTION