

4. APPLICATION TO LIST INDEPENDENCE LAKE AS OWNED BY STATE;
NEVADA AND SIERRA COUNTIES; W 20762.

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

THE COMMISSION:

1. CERTIFIES THAT NO VALID PATENT HAS EVER BEEN ISSUED FOR THE BED OF INDEPENDENCE LAKE, AND THAT THE LAND IS PUBLIC LAND OF THE STATE.
2. AUTHORIZES THE STATE LANDS DIVISION, ON BEHALF OF THE STATE LANDS COMMISSION, TO APPLY TO THE NEVADA AND SIERRA COUNTY BOARDS OF SUPERVISORS TO CANCEL ALL ASSESSMENTS FOR TAXES LEVIED ON THE BED OF INDEPENDENCE LAKE IN ACCORDANCE WITH SECTION 5026 OF THE REVENUE AND TAXATION CODE AND TO REQUEST FROM SAID BOARDS OF SUPERVISORS THAT INDEPENDENCE LAKE BE LISTED IN THEIR RESPECTIVE COUNTY ASSESSMENT RECORDS AS OWNED BY THE STATE OF CALIFORNIA.

The following amendment was made by Robert Hight, Chief Legal Counsel, and approved by the Commission:

3. AUTHORIZE THE STATE LANDS DIVISION AND/OR THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL ACTION INCLUDING LITIGATION TO HAVE THE STATE LAND COMMISSION'S TITLE AND JURISDICTION OVER THE BED OF INDEPENDENCE LAKE RECOGNIZED.

Attachment:

Calendar Item 2 (1 page)

CALENDAR ITEM

10/75
RCH
W 20762

2.

APPLICATION TO LIST INDEPENDENCE LAKE
AS OWNED BY STATE

The Assessor's Offices of Nevada and Sierra Counties have assessed the bed of Independence Lake to persons or entities other than the State of California. This lake is a navigable body of water and consequently, its bed is public land of the State of California.

Section 5026 of the Revenue and Taxation Code provides that the State Lands Commission can apply to a county Board of Supervisors to cancel all assessments for taxes levied on land certified by the Commission as public land of the State.

Exhibit: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT NO VALID PATENT HAS EVER BEEN ISSUED FOR THE BED OF INDEPENDENCE LAKE, AND THAT THE LAND IS PUBLIC LAND OF THE STATE.
2. AUTHORIZE THE STATE LANDS DIVISION, ON BEHALF OF THE STATE LANDS COMMISSION, TO APPLY TO THE NEVADA AND SIERRA COUNTY BOARDS OF SUPERVISORS TO CANCEL ALL ASSESSMENTS FOR TAXES LEVIED ON THE BED OF INDEPENDENCE LAKE IN ACCORDANCE WITH SECTION 5026 OF THE REVENUE AND TAXATION CODE AND TO REQUEST FROM SAID BOARDS OF SUPERVISORS THAT INDEPENDENCE LAKE BE LISTED IN THEIR RESPECTIVE COUNTY ASSESSMENT RECORDS AS OWNED BY THE STATE OF CALIFORNIA.

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Revised 10/24/75
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