

MINUTE ITEM

This Calendar Item No. 40
was approved as Minute Item
No. 40 by the State Lands
Commission by a vote of 3
2 at its 6-26-80
meeting.

CALENDAR ITEM

40.

6/80
W 503.1035
Stevenson

AUTHORIZATION TO FILE DISCLAIMER RE
UNITED STATES OF AMERICA V. 0.36 ACRES, PLACER COUNTY,
CALIFORNIA, DEAN O. BERENS, ET AL., AND UNKNOWN OWNERS
UNITED STATES DISTRICT COURT, EASTERN
DISTRICT OF CALIFORNIA, CIVIL NO. S79-501-PCW,
PLACER COUNTY

The State Lands Commission has been notified of a United States condemnation action brought by the United States Attorney entitled United States of America v. 0.36 Acre of Land, etc., et al., filed in the United States District Court, Eastern District of California, Civil No. S79-501-PCW involving land in Placer County to be used in connection with the Foresthill water pipeline, Central Valley Project. Neither the State Lands Commission nor the State of California was named as a party in this action.

Upon examination of the Commission's records pertinent to the area, it has been ascertained that there is no interest held by the State Lands Commission as to the tract of land described in the Notice of Condemnation.

Inasmuch as this suit involves land over which the Commission has no jurisdiction, it is recommended that a disclaimer be filed on behalf of the State Lands Commission disclaiming any compensable right, title, or interest in the tract of the subject condemnation.

EXHIBIT: A. Description. B. Site Map.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE ATTORNEY GENERAL TO FILE A DISCLAIMER ON BEHALF OF THE STATE LANDS COMMISSION IN THE CASE OF UNITED STATES OF AMERICA V. 0.36 ACRE OF LAND, PLACER COUNTY, CALIFORNIA, ETC., ET AL., UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF CALIFORNIA, CIVIL NO. S79-501-PCW.

A 3

S 1

CALENDAR PAGE 327
MINUTE PAGE 1473

EXHIBIT "A"

SCHEDULE "B"

PARCEL AD-970

Two tracts of land in Section Six (6), Township Thirteen (13) North, Range Ten (10) East, Mount Diablo Base and Meridian, also being portions of those certain parcels of land designated as Parcel "A" and Parcel "B" on that certain map filed in Book 5 of Parcel Maps at Page 94, records of Placer County, said tracts have a combined area of 0.36 acre, more or less, and are separately described as follows:

TRACT ONE

Beginning at a point in the south boundary of said Parcel "B" that bears North 88°29'03" East 239.71 feet from the southwest corner of said parcel which is marked by a found 1/2-inch iron pipe stamped L.S. 3728; thence leaving said boundary North 73°51'17" East 42.11 feet; thence North 19°06'22" West 10.00 feet; thence North 70°23'18" East 82.53 feet; thence North 61°29'57" East 55.87 feet; thence North 50°26'50" East 5.53 feet to a point tangent to the following curve; thence along a curve to the right with a radius of 209.97 feet an arc distance of 82.82 feet to a point; last said point bears North 61°44'49" East a chord distance of 82.28 feet from the beginning of said curve; tangent to the preceding, and following curves at last said point bears North 73°02'48" East; thence along a second curve to the right having a radius of 1369.92 feet an arc distance of 135.08 feet to a point in the east boundary of said Parcel "A"; last point bears North 75°52'18" East a chord distance of 135.03 feet from the beginning of last said curve; tangent to last said curve at last said point bears North 76°41'48" East, thence along said east boundary of Parcel "A" South 00°05'51" East 10.20 feet to the engineers centerline of the proposed Foresthill pipeline; last said point bears South 78°43'48" East 2368.74 feet from the west quarter corner of said Section 6 marked by a found stamped brass cap; thence continuing along said east boundary South 00°05'51" East 10.20 feet to a point; tangent to the following curve at last said point bears South 78°21'44" West; thence along a curve to the left having a radius of 1349.82 feet an arc distance of 129.15 feet to a point; last said point bears South 75°47'16" West a chord distance of 129.10 feet from the beginning of said curve; tangent to the preceding and following curves at last said point bear South 73°02'48" West; thence along a second curve to the left having a radius of 189.97 feet an arc distance of 74.93 feet to a point; last said point bears South 61°44'49" West a chord distance of 74.45 feet from the beginning of last said curve thence tangent to last said curve, South 50°26'50" West 37.00 feet; thence South 39°25'06" East 45.66 feet to a point in the south boundary of said Parcel "A"; thence along said south boundary South 88°29'03" West 106.72 feet to the southwest corner of said Parcel "A" also being the southeast corner of Parcel "B"; thence continuing South 88°29'03" West 74.81 feet, along the south boundary of said Parcel "B" to the point of beginning; said Tract One contains an area of 0.24 acre, more or less.

TRACT TWO

Beginning at the southwest corner of said Parcel "B" marked by a found 1/2-inch iron pipe stamped LS 3728; thence North 86°58'18" East 204.82 feet; thence North 78°24'37" East 60.23 feet; thence North 19°06'22" West 10.00 feet; thence North 67°20'08" East 148.44 feet; thence North 50°26'50" East 5.53 feet to a point tangent to the following curve; thence along a curve to the right having a radius of 219.97 feet an arc distance of 86.76 feet to a point, last said point bears North 61°44'49" East a chord distance of 86.20 feet from the beginning of said curve; tangent to the preceding and the following curves at last said point bears North 73°02'48" East; thence along a second curve to the right having a radius of 1379.82 feet an arc distance of 138.05 feet to a point in the east boundary of said Parcel "A"; last said point bears North 73°54'47" East a chord distance of 137.99 feet from the beginning of last said curve; tangent to last said curve at last said point bears North 78°46'46" East; thence along the east boundary of said Parcel "A" South 00°05'51" East 20.40 feet to the engineers centerline of the proposed Foresthill pipeline; thence continuing along said east boundary South 00°05'51" East 20.40 feet to a point; tangent to the following curve at last said point bears South 78°26'34" West; thence leaving said east boundary and along a curve to the left having a radius of 1339.82 feet an arc distance of 126.18 feet to a point; last said point bears South 75°44'41" West a chord distance of 126.13 feet from the beginning of said curve; tangent to last said curve and the following curve at last said point bears South 73°02'48" West; thence along another curve to the left having a radius of 179.98 feet, an arc distance of 70.99 feet to a point; last said point bears South 61°44'49" West a chord distance of 70.53 feet from the beginning of last said curve; thence tangent to the preceding curve South 50°26'50" West 27.00 feet; thence South 39°25'06" East 44.44 feet to a point in the south boundary of said Parcel "A", thence along the south boundaries of Parcel "A" and Parcel "B" South 88°29'03" West 423.88 feet back to the point of beginning; BUT EXCEPTING THEREFROM all of the hereinabove described Tract One; said Tract Two contains an area of 0.12 acre, more or less, after said exception has been made.

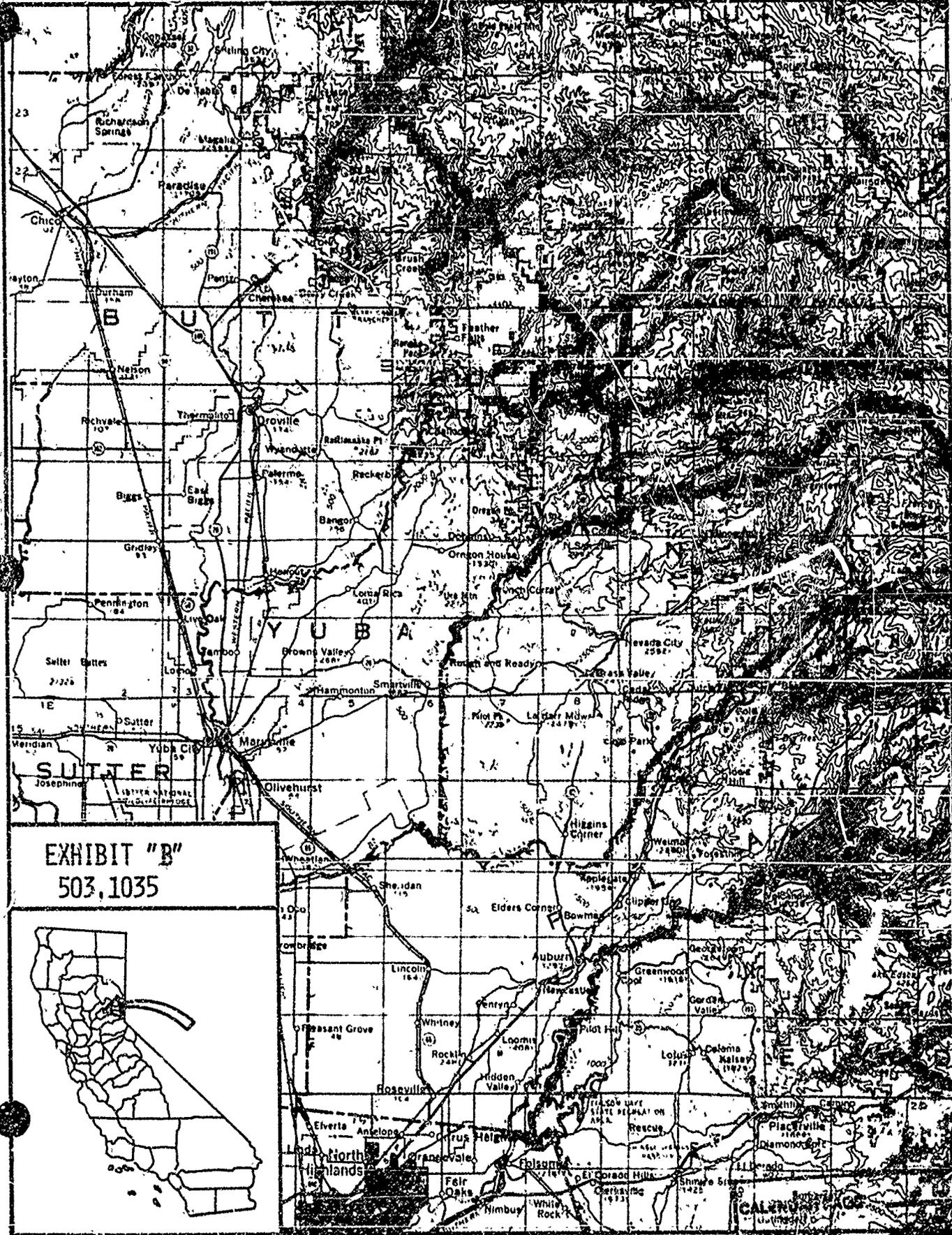


EXHIBIT "B"
503,1035



CALIFORNIA
UNITED STATES
1925