

MINUTE ITEM

This Calendar Item No. 12  
was approved as Minute Item  
12 by the State Lands  
Commission by a vote of 8  
to 0 at its 6/81  
meeting.

CALENDAR ITEM

5. C 12

6/81  
N 0292  
Bjornsen  
JTI 7

AUTHORIZATION FOR EXECUTION OF AGREEMENT  
FOR THE TRANSFER OF CONTROL AND POSSESSION  
OF STATE-OWNED REAL PROPERTY  
BETWEEN DEPARTMENT OF TRANSPORTATION  
AND STATE LANDS COMMISSION

BACKGROUND:

Under Application No. 5536, Sacramento Land District, the Department of Public Works, Division of Highways purchased a 34.97-acre portion of State school land in the SW $\frac{1}{4}$ , Section 16, T34N, R4W, MDM, in Shasta County. (Minute Item No. 34, meeting of December 16, 1965.) A 125.03 $\pm$  acre remainder in the said SW $\frac{1}{4}$  was retained under the jurisdiction of the Commission. The acquisition by the Department consisted of the eastern portion of this SW $\frac{1}{4}$  through which an existing highway, scheduled to become Interstate 5 freeway, traversed. The patent conveying the 34.97 $\pm$  acres issued May 12, 1966 to the Department contained the following clause: "This conveyance is made for the purpose of a freeway, and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights, appurtenant to the grantor's remaining property in and to said freeway." This relinquishment of the abutter's rights left the remaining 125.03 $\pm$  acres of school land in a landlocked condition without road access. However, prior to Commission authorization of the 34.97 $\pm$  acre sale, negotiations with Division of Highways resulted in an assurance that its Redding District office would secure an easement over and across adjacent privately-owned lands, thereby affording road access to the remaining 125.03 $\pm$  acres of school land at no cost to the Commission.

CURRENT SITUATION:

File N 0292 was opened September 23, 1968 for processing and control of the Division of Highways' access road easement conveyance serving the remaining school land in the

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SW $\frac{1}{2}$ , Section 16, T34N, R4W, MDM. Unanticipated easement acquisition problems delayed the Division's presentation of a proposed road access conveyance until August, 1974. In the interim, the Department of Public Works, Division of Highways, became the Department of Transportation. A document entitled "Agreement for the Transfer of Control and Possession of State-owned Real Property" was received from the Department's office of Right-of-Way on August 13, 1974. The Agreement provided, pursuant to the provisions of Section 14673 of the Government Code, for the transfer of control and possession of a non-exclusive easement for road purposes lying within a strip of land 60 feet in width over and across a portion of the N $\frac{1}{2}$ , Section 21, T34N, R4W, MDM, in Shasta County. Subsequently, staff of the Commission investigated such matters as land titles, easement description, legal aspects, road easement condition, use by other landowners in the locality, etc. After a full review of all pertinent matters allied to the subject non-exclusive easement, Commission staff has concurred that this road access to the remaining 125.03 $\pm$  acres of school land in the SW $\frac{1}{2}$ , Section 16, T34N, R4W, MDM, is acceptable. A copy of the proposed Agreement for the Transfer of Control and possession of State-owned real property by and between the Department of Transportation and the State Lands Commission is attached hereto and, by reference, made a part hereof.

AB 884 DEADLINE:

N/A.

OTHER PERTINENT INFORMATION:

This activity is exempt from CEQA because it is not a project, pursuant to PRC 21065, 14 Cal. Adm. Code 15037 and 15060 and 2 Cal. Adm. Code 2903(d).

EXHIBITS:

- A. Agreement for the Transfer of Control and Possession of State-owned Real Property.
- B. Location Map.

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IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY, AS SUCH DOCUMENT IS NOT REQUIRED UNDER PROVISIONS OF PRC 21065, 14 CAL. ADM. CODE 15037 AND 15060 AND 2 CAL. ADM. CODE 2903(d).
2. AUTHORIZE THE EXECUTION OF AN AGREEMENT FOR THE TRANSFER OF CONTROL AND POSSESSION OF STATE-OWNED REAL PROPERTY, COMPRISING A NON-EXCLUSIVE ROAD EASEMENT TO PROVIDE LEGAL ACCESS TO A LANDLOCKED PARCEL OF SCHOOL LAND IN THE SW $\frac{1}{4}$ , SECTION 16, T34N, R4W, MDM, IN SHASTA COUNTY, AS DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

AGREEMENT FOR THE TRANSFER OF CONTROL  
AND POSSESSION OF STATE-OWNED REAL PROPERTY

The Agreement entered into this 12<sup>th</sup> day of August 1974, by and between the Department of Transportation, hereinafter called Transferor and the State Lands Commission, hereinafter called Transferee, with the approval of the Director of General Services,

W I T N E S S E T H :

WHEREAS, Transferor has control and possession of the hereinafter described access road easement, and,

WHEREAS, Transferee desires to acquire control and possession of said access road easement and Transferor is willing to transfer said control and possession;

NOW THEREFORE, pursuant to the provisions of Section 14673 of the Government Code of the State of California, Transferor hereby transfers unto Transferee and Transferee accepts the control and possession of the access road easement situated in the County of Shasta, State of California, described as follows:

A non-exclusive easement for road purposes, over and across that portion of the N. 1/2 of Section 21, T. 34 N., R. 4 W., M.D.M., lying within a strip of land 60.00 feet in width, the centerline thereof being described as follows:

Beginning at a point in a road from which that certain monument identified as "BN" 973+95.440 B.C. on the map entitled "Survey of a Control Line for State Highway Purposes", recorded July 26, 1961 in Book 26 of Land Surveys at page 58, Shasta County Records, bears N. 68°06'48" E., 1689.87 feet;

thence, following said road, as it exists this date, in a northwesterly direction to the Point of Termination of this centerline in the North line of said Section 21.

EXCEPTING THEREFROM that portion of said 60.00-foot-wide strip relinquished to the County of Shasta by relinquishment recorded March 21, 1973 in Book 1162 of Official Records at page 289, Shasta County Records.

The bearings and distances used in the above description are on the California Coordinate System, Zone 1. Multiply distances shown by 1.00016710 to obtain ground level distances.

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Said transfer is in accordance with agreement between the Department of Transportation, previously referred to as the Department of Public Works, Division of Highways and the State Lands Commission.

IN WITNESS WHEREOF, the parties hereto have executed this agreement the date first above written.

STATE OF CALIFORNIA  
DEPARTMENT OF TRANSPORTATION  
HOWARD G. ULLRICH  
By *H. Ullrich*  
DEPUTY DIRECTOR FOR OPERATIONS

APPROVED: *H*

Director of General Services

by \_\_\_\_\_

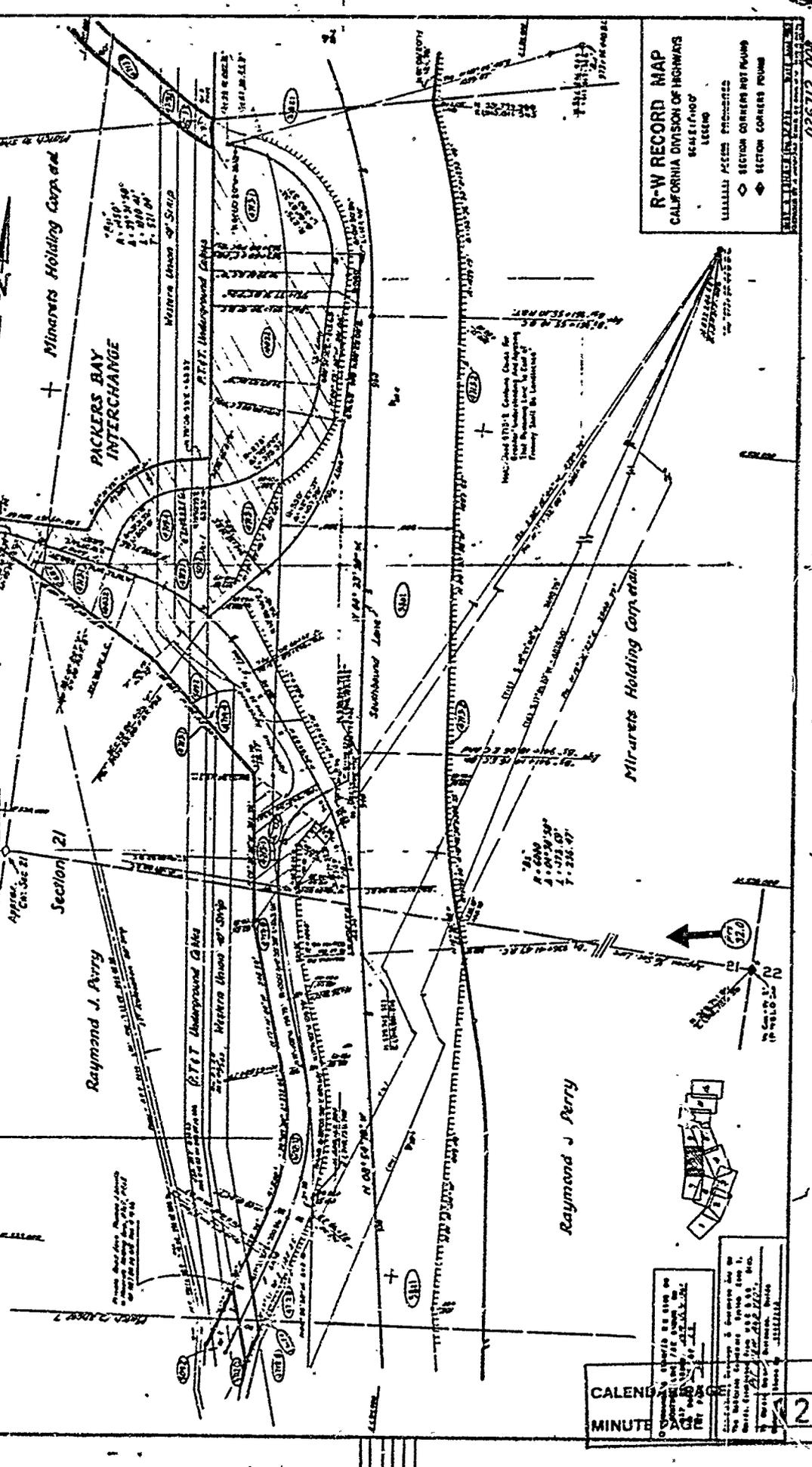
STATE LANDS COMMISSION

By \_\_\_\_\_

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T. 34 N., R. 4 W., M.D.M.

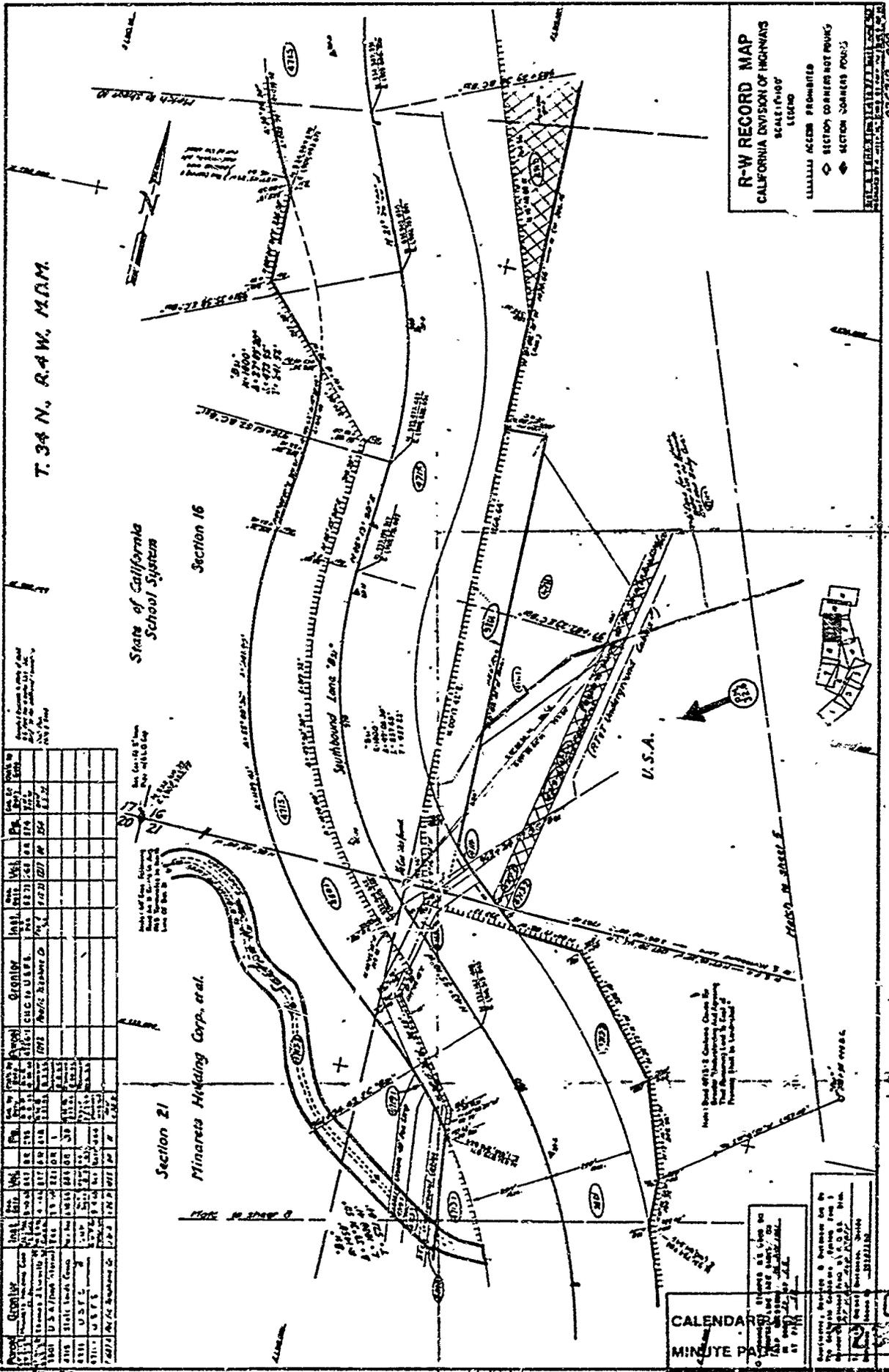
Section	Sub-section	Area	Acres	Owner	Remarks
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21	2	1.00	1.00	Raymond J. Perry	
21	3	1.00	1.00	Raymond J. Perry	
21	4	1.00	1.00	Raymond J. Perry	
21	5	1.00	1.00	Raymond J. Perry	
21	6	1.00	1.00	Raymond J. Perry	
21	7	1.00	1.00	Raymond J. Perry	
21	8	1.00	1.00	Raymond J. Perry	
21	9	1.00	1.00	Raymond J. Perry	
21	10	1.00	1.00	Raymond J. Perry	
21	11	1.00	1.00	Raymond J. Perry	
21	12	1.00	1.00	Raymond J. Perry	
21	13	1.00	1.00	Raymond J. Perry	
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21	15	1.00	1.00	Raymond J. Perry	
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21	19	1.00	1.00	Raymond J. Perry	
21	20	1.00	1.00	Raymond J. Perry	
21	21	1.00	1.00	Raymond J. Perry	
21	22	1.00	1.00	Raymond J. Perry	
21	23	1.00	1.00	Raymond J. Perry	
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21	96	1.00	1.00	Raymond J. Perry	
21	97	1.00	1.00	Raymond J. Perry	
21	98	1.00	1.00	Raymond J. Perry	
21	99	1.00	1.00	Raymond J. Perry	
21	100	1.00	1.00	Raymond J. Perry	



**R-W RECORD MAP**  
 CALIFORNIA DIVISION OF HIGHWAYS  
 SCALE 1"=100'  
 LEGEND  
 SECTION CORNER POINTS  
 SECTION CORNER PUMPS

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T. 34 N., R. 4 W., M. 4 N.

Point	Gravities	Dist.	Mag.										
1111	1111	1111	1111	1111	1111	1111	1111	1111	1111	1111	1111	1111	1111
1112	1112	1112	1112	1112	1112	1112	1112	1112	1112	1112	1112	1112	1112
1113	1113	1113	1113	1113	1113	1113	1113	1113	1113	1113	1113	1113	1113
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1120	1120	1120	1120	1120	1120	1120	1120	1120	1120	1120	1120	1120	1120

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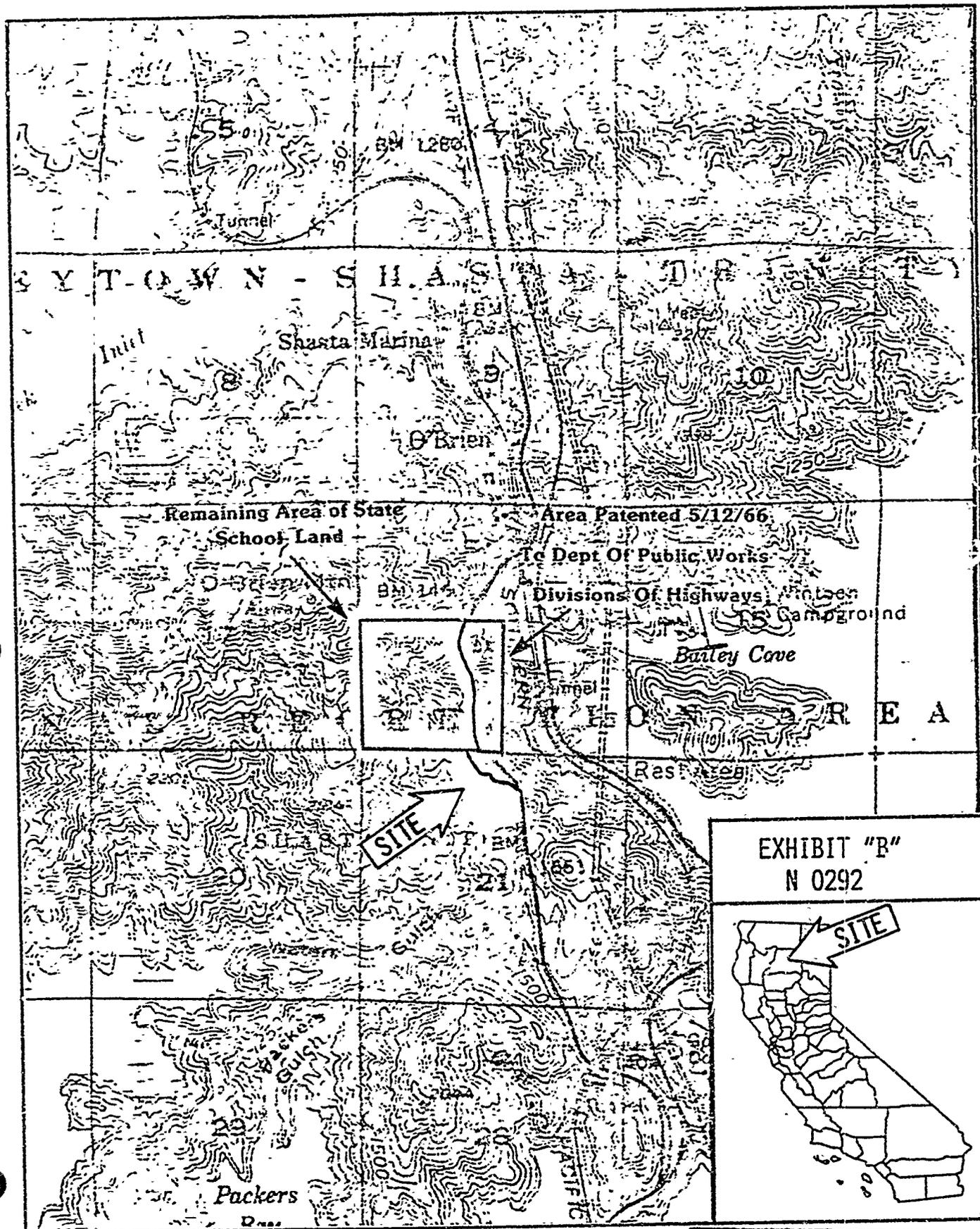


EXHIBIT "B"  
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