MINUTE ITEM

This Calendar Item No. 23 was approved as Minute Item No. 23 by the State Lands Commission by a vote of 3 to 0 at its 8/20/81 meeting.

CALENDAR ITEM

23

8/20/81
SA 5636
Childress
PRC 5532

SALE OF STATE SCHOOL LAND
AND CANCELLATION OF EXISTING LEASE

APPLICANT: State of California
Department of Transportation
P. O. Box 847
Bishop, California 93514

AREA, TYPE LAND AND LOCATION:
19.38 acres, more or less, of State school land in Inyo County.

LAND USE: Existing State Highway.

PREREQUISITE TERMS, FEES AND EXPENSES:
The filing fee, Secretary of State fee, and patent fee have been received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Adm. Code: Title 2, Div. 3.; Title 14, Div. 6.

BACKGROUND: The California Department of Transportation on May 1, 1981, submitted an application to purchase the above referenced lands, located in Section 36, T18S, R36E, MDM.

The Department of Transportation submitted an offer of $13,400 for the 19.38± acres for an average offer of $691 per acre. The offer was based upon the fee value, as determined by an appraisal. Said appraisal has been reviewed and approved by a staff appraiser.

A staff review shows that the land is not suitable for cultivation and therefore may be sold under the rules and regulations and at a price fixed by the Commission.

AB 884: 6/15/82.

A 34

S 16

CALENDAR PAGE 124
MINUTE PAGE 1710

OTHER PERTINENT INFORMATION:

1. An EIR is not required. This transaction is within the purview of 14 Cal. Adm. Code, Div. 6, Section 15101(c), which exempts operation, repair, maintenance, or minor alteration of existing highways.

2. State land in the vicinity of this project is identified as possessing significant environmental vaules pursuant to P.R.C. 6370.1, and is classified in a use category, Class "A", which authorizes Restricted Use. However, the right-of-way upon which this project is situated is excluded from this classification, and is considered to be unnominated.

3. In compliance with Section 6373 of the P.R.C., a General Plan SCH #81060453, has been prepared and adequately circulated.

4. Continental Telephone Company has an existing lease (PRC 5532.2) within the strip to be sold. Paragraph 23 of said lease provides that the lease can be cancelled upon notice in writing to the lessee of not less than ninety (90) days prior to the date such cancellation shall become effective.

   The Continental Telephone Company currently has an encroachment permit from Cal-Trans for the continued use of said right-of-way.

   Lease No. PRC 5532.2 will be cancelled after Commission approval and simultaneously with the issuance of the patent to Cal-Trans.

EXHIBITS:

A. Land Description.
B. Location Map.
C. General Plan.

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 THE PROVISIONS OF P.R.C. 21084, 14 CAL. ADM. CODE 15100 ET SEQ.

2. FIND THAT A GENERAL PLAN FOR THE USE OF THE SUBJECT PROPERTY HAS BEEN PREPARED BY THE COMMISSION'S STAFF AND ADEQUATELY CIRCULATED THROUGH THE STATE CLEARING HOUSE UNDER SCH #81060453, APPROVE THE GENERAL PLAN FOR THE PROPOSED USE AND AUTHORIZE THE TRANSMITTAL OF SAID REPORT TO THE LEGISLATURE PURSUANT TO P.R.C. 6373.

3. FIND THAT THE STATE SCHOOL LAND DESCRIBED IN EXHIBIT "A" ATTACHED HERETO, IS NOT SUITABLE FOR CULTIVATION WITHOUT ARTIFICIAL IRRIGATION.

4. AUTHORIZE THE SALE OF THE LANDS DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF TO THE STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION; SUBJECT TO ALL STATUTORY AND CONSTITUTIONAL RESERVATIONS, INCLUDING RESERVATION OF ALL GEOTHERMAL AND MINERAL RESOURCES FOR $13,400 CASH, WITHOUT ADVERTISING.

5. AUTHORIZE THE CANCELLATION OF LEASE NO. PRC 5532.2, TO CONTINENTAL TELEPHONE COMPANY, SIMULTANEOUSLY WITH THE ISSUANCE OF THE PATENT FOR THE ABOVE-REFERENCED SALE.

EXHIBIT "A"

LAND DESCRIPTION SA 5636

That portion of the northeast quarter of Section 36, T18S, R36E, MDM, in the County of Inyo, described as follows:

Said portion is a strip of land 300.00 feet in uniform width, the sidelines of which lie 100.00 feet westerly and 200.00 feet easterly, measured at right angles, from the highway centerline described as follows:

> BEGINNING at a point on the south line of said NE-1/4 which lies distant N 89° 26' 29" E 1021.07 feet from the 1-1/2 inch iron pipe in a rock mound marking the center of said Section 36, said point being engineers station "J4" 170+19.11 on the centerline of the existing state highway, road 9-Ker-58-PM 38.0/38.6; thence from said point of beginning N 19° 46' 52" E 2814.33 feet to a point on the north line of said NE-1/4 which lies distant S 89° 41' 34" W 648.41 feet from the 2 inch iron pipe in a rock mound marking the northeast corner of said NE-1/4, said point being engineers station "J4" 198+33.44 on said highway centerline. Containing 16.80 acres, more or less, in addition to 2.58 acres, more or less, in and to a 40.00 foot wide strip of land included within the above 300.00 foot wide strip. Said 40.00 foot strip is now used and acknowledged as existing state highway.

The sidelines of said 300.00 foot wide strip are to be lengthened or shortened so as to terminate on the north and south lines of said northeast quarter.

Bearings herein are grid bearings of the California Coordinate System, Zone 4. Distances are ground distances. Conversion factor is 0.9997808.

END OF DESCRIPTION

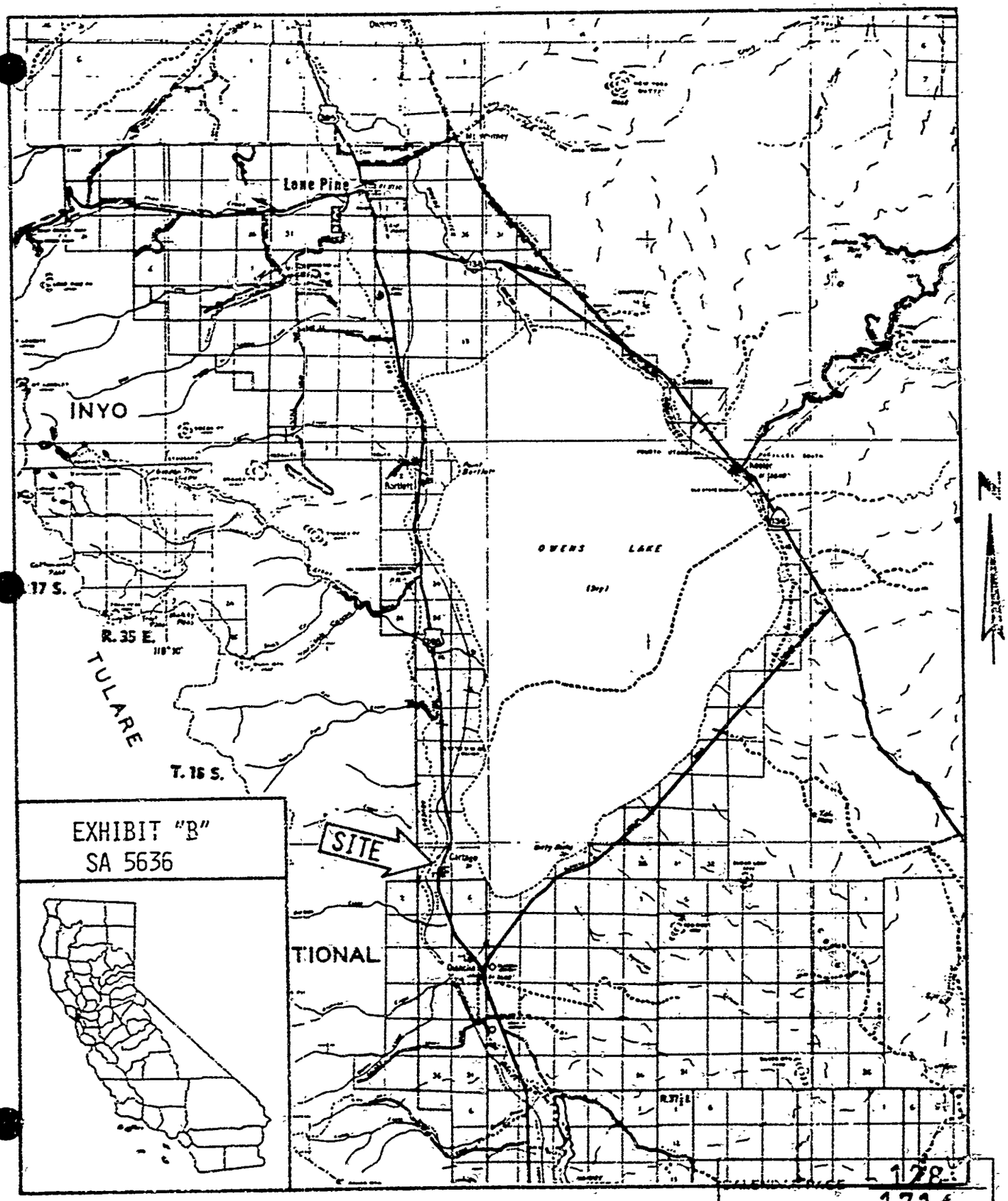
Lone Pine
INYO
OWENS LAKE
(Dry)
17 S.
R. 35 E.
TULARE
T. 16 S.
SITE
TIONAL
EXHIBIT "B"
SA 5636

EXHIBIT "C"

SA5636

GENERAL PLAN

The State of California, through the Department of Transportation, proposes to acquire a right-of-way across the northeast quarter of Section 36, Township 18 south, Range 36 east, MDM in Southern Inyo County. This right-of-way contains existing State Highway 395 for which there is no proposed construction. This general plan is submitted in conformance with Section 6373 of the Public Resources Code.

The proposed purchase is a strip of land approximately 300 feet in width and 2,814.33 feet in length with a total acreage of 19.33 acres. The existing highway is a portion of the State highway system, which was constructed without obtaining permission from the State Lands Commission.

The subject is located approximately 19 miles south of Lone Pine. To the east is the dry Owens Lake, to the west is the Sierra Nevada Mountains, and the terrain is consistent with a high desert region. The soils are generally course and sandy with boulders of all sizes, desert shrubs, and some annual grasses. The annual rainfall averages about 5 inches.