MINUTE ITEM

This Calendar Item No. 43 was approved as Minute Item No. 43 by the State Lands Commission by a vote of 3 to 0 at its 10/30/81 meeting.

CALENDAR ITEM

43

10/30/81
W 503.1184
Hadly

AUTHORIZATION TO FILE DISCLAIMER REGARDING
UNITED STATES OF AMERICA V. 280 ACRES
OF LAND, MORE OR LESS, ET. AL.,
UNITED STATES DISTRICT COURT, EASTERN DISTRICT,
DISTRICT OF CALIFORNIA, CIVIL NO. S-81-558 MLS,
TRINITY COUNTY

The State Lands Commission is a party to a United States condemnation action brought by the United States Attorney entitled, United States of America v. 49.21 Acres of Land, More or Less, etc., et al., filed in the United States District Court, Eastern District of California, Civil No. S-81-535 MLS involving land in Trinity County to be used in connection with the development, protection, administration and utilization of public lands for the Vitzthum Gulch access road. The taking is for an easement.

Upon examination of the Commission's records pertinent to the area, it has been ascertained that although there may be the possibility of an interest held by the State Lands Commission as to the tract of land described in the notice of condemnation based on a small creek that crosses the subject parcel the amount of compensation that would be due the State would be minimal, assuming that the State could in fact prove a compensable interest.

It is recommended that a disclaimer of right or compensation but not in interest be filed on behalf of the State Lands Commission disclaiming any right of compensation in the tract of the subject condemnation but not of any title or interest.

AB 884: N/A.

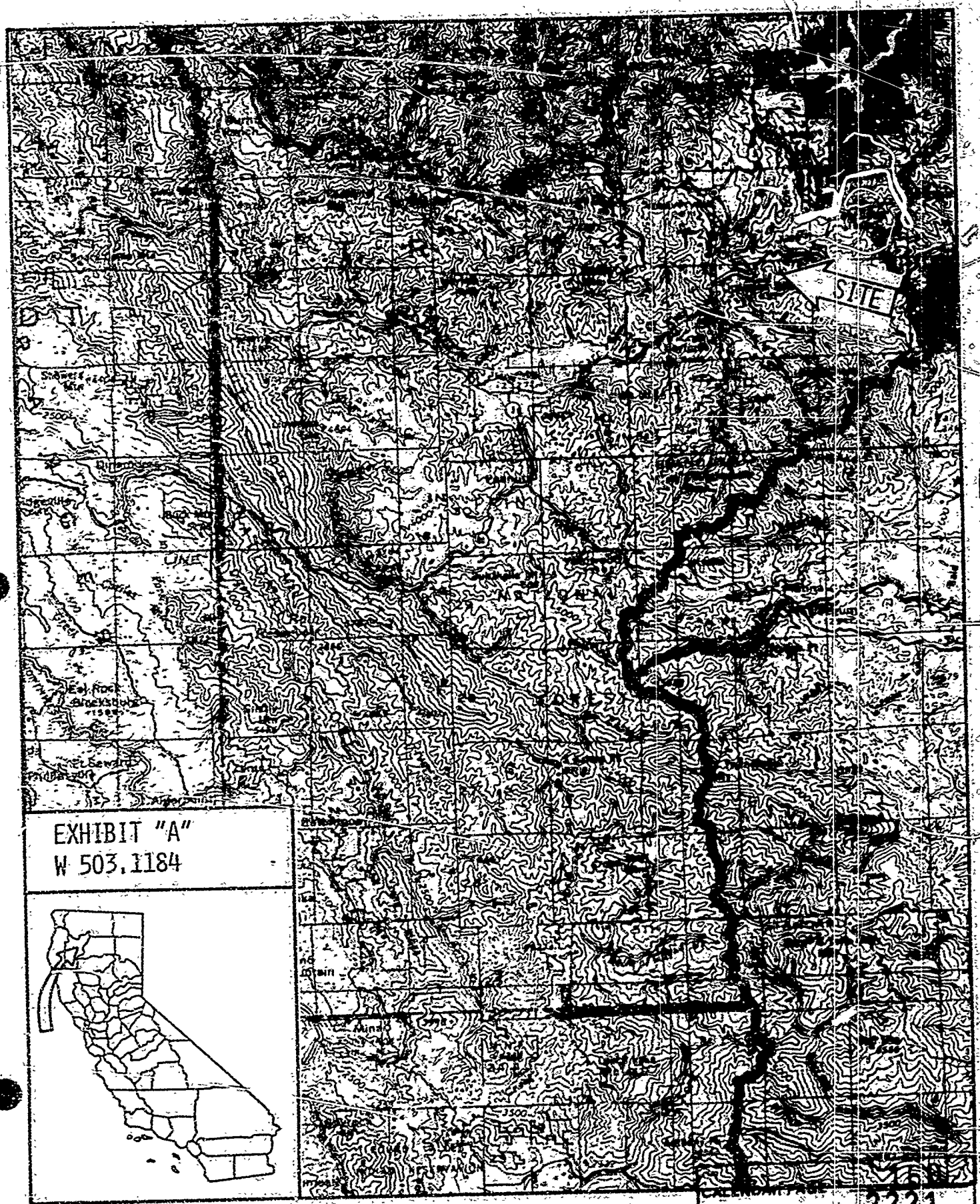
EXHIBIT: A. Site Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. AUTHORIZE THE ATTORNEY GENERAL TO FILE A DISCLAIMER OF ANY RIGHT OF COMPENSATION ON BEHALF OF THE STATE LANDS COMMISSION IN THE CASE OF UNITED STATES OF AMERICA V. 280 ACRES OF LAND, MORE OR LESS, IN THE COUNTY OF TRINITY, STATE OF CALIFORNIA, ETC., ET AL., UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF CALIFORNIA, CIVIL NO. S-81-558 MLS.

A 1

S 1



CALENDAR PAGE

MINUTE PAGE 2221