MINUTE ITEM

This Calendar Item No. 19 was approved as Minute Item No. 22 by the State Lands Commission by a vote of 3 to 0 at its 7/22/82 meeting.

CALENDAR ITEM

19

7/22/82
W 22831
Childress
JTI 8

EXECUTION AND ACCEPTANCE OF AGREEMENT
FOR THE TRANSFER OF CONTROL AND POSSESSION
BETWEEN THE CALIFORNIA DEPARTMENT OF FORESTRY
AND THE STATE LANDS COMMISSION

In June 1957, an 80-acre parcel of Bureau of Land Management (BLM) land was clear listed to the State and sold to the Department of Forestry to accomodate the Fredonyer Peak Lookout Station in Lassen County. The parcel was described utilizing inadequate information at the time of the title transfer. In 1972, a resurvey disclosed that the Lookout Station is actually about one quarter mile distant from the parcel that was acquired from BLM. In order to correct the description of the land actually occupied by the Station, it is necessary that the original clear list be reformed. In order to do so, the land described in the clear list must first be transferred back to the State Lands Commission from the Department of Forestry and then transferred in turn back to the Bureau of Land Management. BLM will then transfer title to the State of the properly described parcel by reformed clear list.

A fully executed "Agreement for the Transfer of Control and Possession of State-owned Real Property" has been received from CDF. A copy of the proposed agreement is attached hereto and by reference made a part hereof.

AB 884: N/A.

OTHER PERTINENT INFORMATION:
This activity is exempt from CEQA because it is not a project pursuant to P.R.C. 21065, 14 Cal. Adm. Code 15037 and 15060.

EXHIBITS: A. Land Descriptions.

B. Location Map.

A 1

S 1

C. Agreement for the Transfer of Control and Possession of State-owned Real Property.

D. Preliminary Title Reports.

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. 21065, 14 CAL. ADM. CODE 15037 and 15060.

2. AUTHORIZE THE EXECUTIVE OFFICER TO ENTER INTO AND EXECUTE THE "AGREEMENT FOR THE TRANSFER OF CONTROL AND POSSESSION OF STATE-OWNED REAL PROPERTY", CONTAINING THE ERRONEOUSLY CONVEYED LANDS.

3. AUTHORIZE THE STAFF TO ENTER INTO THE REFORMATION OF CLEAR LIST 267 WITH THE BUREAU OF LAND MANAGEMENT. THE COMMISSION SHALL RETURN TITLE TO THE W½ OF THE SW¼ OF SECTION 26 IN EXCHANGE FOR THE TITLE TO THE E½ OF THE SW¼ OF SECTION 26, T33N, R12E, MDM, IN LASSEN COUNTY, AS DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF. THE ENTIRE FEE INTEREST SHALL BE SUBJECT TO THE EXCHANGE.

W 22831

EXHIBIT "A"

LAND DESCRIPTIONS

PARCEL 1

The W½ of the SW¼ of Section 26, T33N, R12E, MDM. Title is vested in the State of California.

Parcel 2

The E½ of the SW¼ of Section 26, T33N, R12E, MDM. Title is vested in the United States of America.

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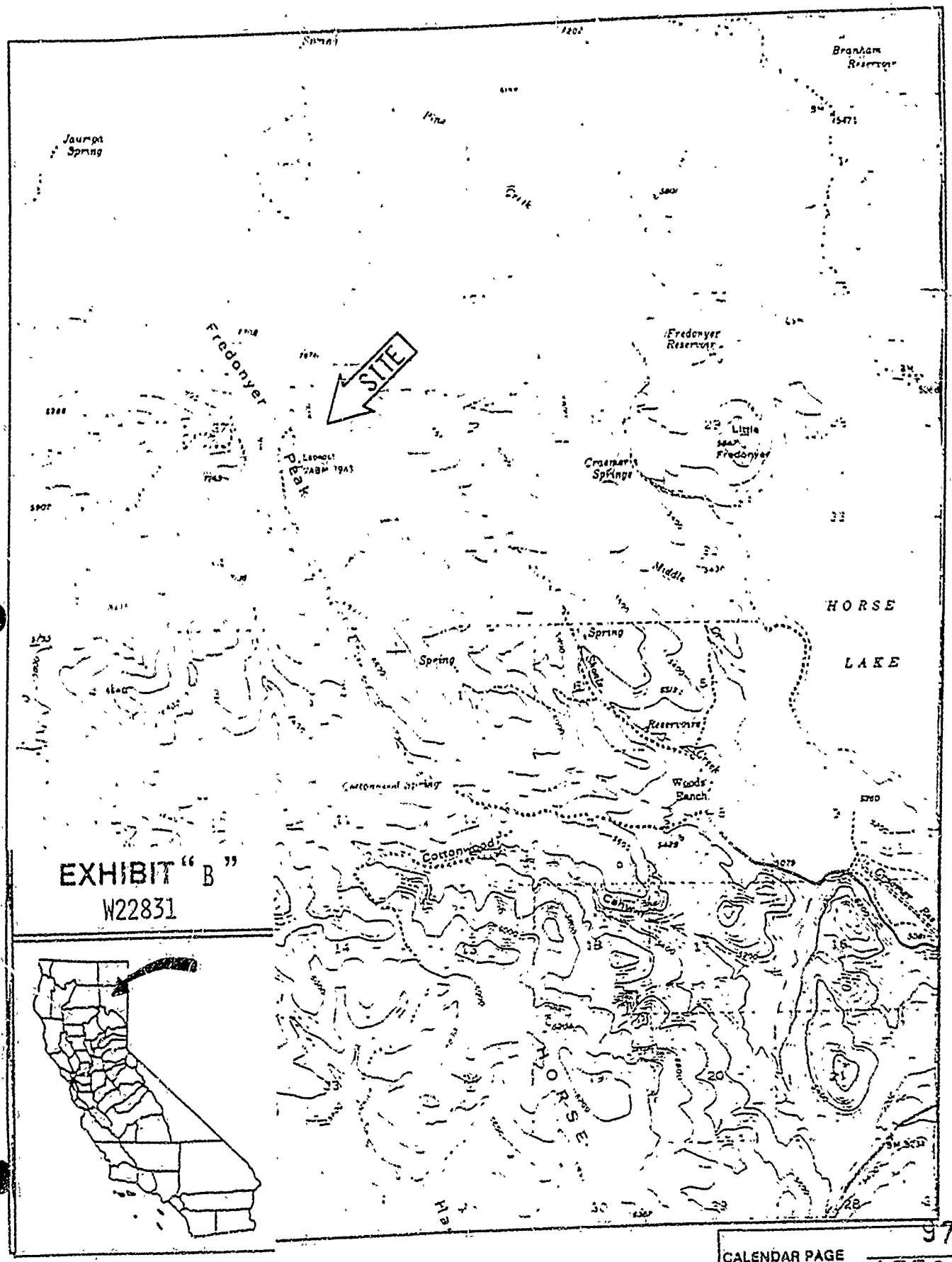

EXHIBIT "B"
W22831

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

THIS AGREEMENT entered into this 3rd day of June, 1982, by and between the Department of Forestry "Forestry", 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 real property and desires to exchange said property for the E 1/2 of the SW 1/4 of Section 26 Township 33 North Range 12 E, MDM.

WHEREAS, Transferee desires to acquire control and possession of said real property in order to assist Transferor to obtain the above property.

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 real property situated in the County of Lassen, State of California, described as follows:

Township 33 North, Range 12 East, Mount Diablo Meridian, according to the official plat thereof.

Section 26: The W 1/2 of the SW 1/4

It is understood that Transferor does not have ownership or control of any of the mineral rights and will not have any such interest in the property acquired through the exchange.

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

Transferor

By _____
DEPUTY DIRECTOR for
MANAGEMENT SERVICES

Transferee

By _____

APPROVED:

Director of General Services

By _____

RE-117

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PRELIMINARY REPORT

WESTERN TITLE INSURANCE COMPANY

145 SOUTH LASSEN
SUSANVILLE, CALIFORNIA 96130
TELEPHONE (916) 257-4168

State of California
R.E. Service
650 Howe Ave.
Sacramento, CA 95825
Attn: J. K. Mickelson

Your No.

Our No. 28163

In response to the above referenced application for a policy of title insurance, WESTERN TITLE INSURANCE COMPANY hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a California Land Title Association Standard Coverage form Policy of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said policy form.

This report (and any supplements or amendments thereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

Dated at 8:00 a.m. on April 9, 1982

Vice President

Michael T. Harston bw/sw 2

The estate or interest in the land described herein and which is covered by this report is:

A fee.

Title to said estate or interest at the date hereof is vested in:

UNITED STATES OF AMERICA

Said land is situated in the City of County of Lassen,
State of California, and is described as follows:

Township 33 North, Range 12 East, Mount Diablo Meridian, according to the official plat thereof.

Section 26: The E 1/2 of the SW 1/4.

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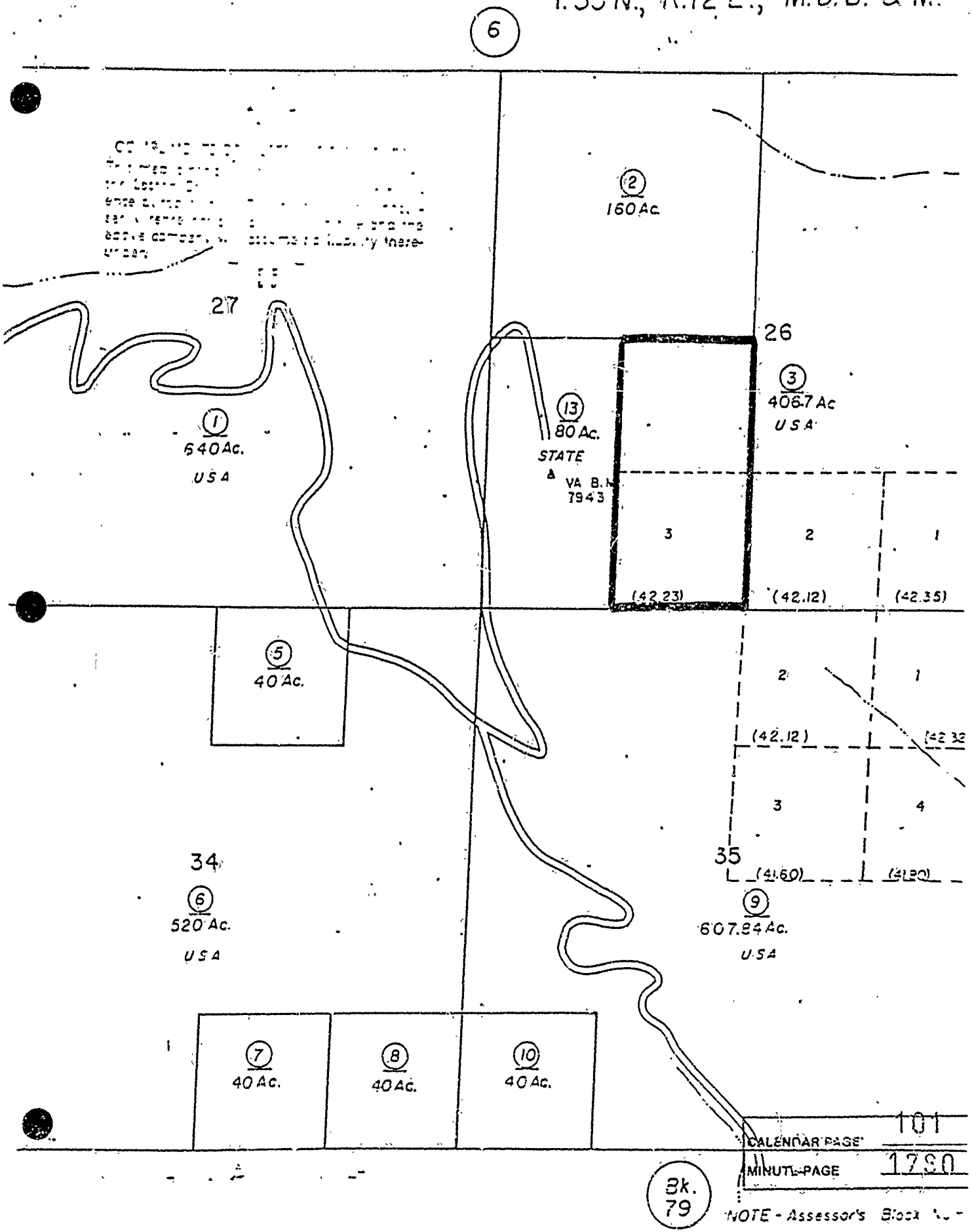
MINUTE PAGE 1758

SEE PAGE TWO FOR EXCEPTIONS

At the date hereof exceptions to coverage in addition to the printed exceptions and exclusions contained in said policy form would be as follows:

None

T.33 N., R.12 E., M.D.B. & M.



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NOTE - Assessor's Block No.

Assessor's Parcel No.

PRELIMINARY REPORT

WESTERN TITLE INSURANCE COMPANY

145 SOUTH LASSEN
SUSANVILLE, CALIFORNIA 96130
TELEPHONE (916) 257-4168

State of California
R.E. Service
650 Howe Ave.
Sacramento, CA 95825
Attn: J. K. Mickelson

Your No

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This report (and any supplements or amendments thereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

Dated at 8:00 a.m. on April 9, 1982

Vice President

Michael T. Harston sw/sw 2

The estate or interest in the land described herein and which is covered by this report is:

A fee.

Title to said estate or interest at the date hereof is vested in:

STATE OF CALIFORNIA,
acting by and through the State Public Works Board,
by Patent recorded August 13, 1957, in Book 134, Page 30 of Official Records.

Said land is situated in the City of County of Lassen, State of California, and is described as follows:

Township 33 North, Range 12 East, Mount Diablo Meridian, according to the official plat thereof.

Section 26: The W 1/2 of the SW 1/4.

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SEE PAGE TWO FOR EXCEPTIONS

At the date hereof exceptions to coverage in addition to the printed exceptions and exclusions contained in said policy form would be as follows:

None.

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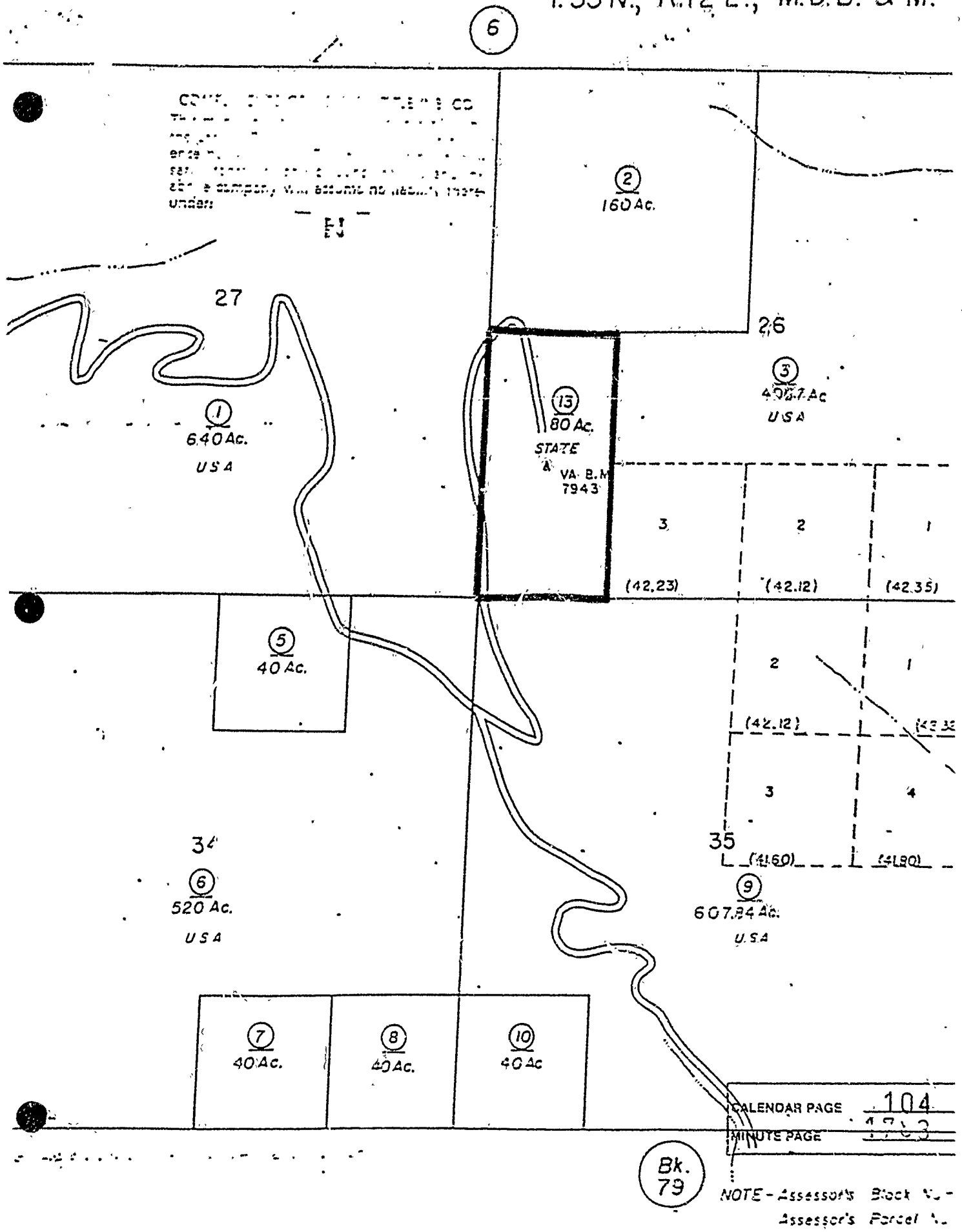
T. 33 N., R. 12 E., M.D.B. & M.



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NOTE - Assessor's Block No.
Assessor's Parcel No.