

MINUTE ITEM

This Calendar Item No. C47 was approved as Minute Item No. 47 by the California State Lands Commission by a vote of 3 to 0 at its 08/21/96 meeting.

**CALENDAR ITEM
C47**

A 34

S 17

08/21/96
AD 259
PRC 7311
J. Smith

**AUTHORIZE SALE AND SUBSEQUENT ISSUANCE OF A
TRANSFER OF CONTROL AND POSSESSION DOCUMENT
TO THE CALIFORNIA DEPARTMENT OF TRANSPORTATION
FOR 5.74 ACRES, MORE OR LESS, OF PROPRIETARY LAND
NEAR BARTLETT, INYO COUNTY**

PURCHASER:

California Department of Transportation - District 9
500 S. Main Street
Bishop, California 93514
Attention: Robert Pingel

AREA, TYPE LAND AND LOCATION:

5.74-acres, more or less, of proprietary land, within State Route 395, near Bartlett, Inyo County.

LAND USE:

Land acquisition for the existing State Route 395.

PURCHASE PRICE:

\$4,300.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

The California Department of Transportation has agreed to reimburse the Commission for all costs to complete this transaction.

STATUTORY AND OTHER REFERENCES:

A. Public Resources Code: Div. 6, Parts 1 and 2; Div. 13.

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- B. Cal. Code Regs.: Title 2, Div. 3; Title 14, Div. 6.
- C. Government Code Section 14673.

AB 884:

N/A

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority: Public Resources Code Section 21065 and 14 Cal. Code Regs. 15378.

2. Commission files reflect an existing right of way easement (Lease No. PRC 738) issued in 1952 for State Route 395 as it crosses sovereign lake lands.
3. The land which is the subject of this item is "proprietary land" which was donated to the Commission by PPG Industries, Inc., in 1983 (SLL 99).
4. At the time of the widening project, the Commission and the City of Los Angeles Department of Water and Power were negotiating an exchange agreement involving a majority of the land involved. As a result, by its action on July 10, 1989, Minute Item 17, the Commission authorized the execution of a right-of-entry permit (Lease No. PRC 7311) to the California Department of Transportation to allow the widening project to go forward. The project was completed in 1990.
5. A Negative Declaration (SCH 87051106) was prepared and adopted for the widening project by the Department of Transportation and the Federal Highway Administration. The Commission's staff has reviewed such document.

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6. Staff has reviewed and approved an appraisal submitted by the California Department of Transportation as to the fair market value of the land to be acquired.

EXHIBITS:

- A. Land Description
- B. Location Map

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND 14 CAL. CODE REGS. 15378.
2. AUTHORIZE THE SALE AND SUBSEQUENT ISSUANCE OF A TRANSFER OF CONTROL AND POSSESSION TO THE CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.
3. AUTHORIZE THE DEPOSIT OF \$4,300 IN THE STATE GENERAL FUND.

EXHIBIT A
LAND DESCRIPTION

PRC 7311/AD 259

A parcel of land in the County of Inyo, State of California, being a portion of the fractional southwest 1/4 of Section 12, T.17S., R.36E., M.D.M. according to the Official plat thereof approved August 13, 1856 further described as being a portion of the lands conveyed to the State of California by PPG Industries, Inc., formerly known as Pittsburgh Plate Glass Company, by Deed recorded October 11, 1983 as Instrument No. 83-4719, Official Records of Inyo County, and more particularly described as follows:

Commencing at the southwest corner of said Section 12 marked by a 2 1/2 inch outside diameter iron pipe with Tag R.C.E. 10467 as depicted on the Record of Survey filed in Inyo County Record of Survey Book 13, Pages 41 to 70 inclusive on July 19, 1994; thence along the south line of said Section 12, S.89° 33' 49" W., 237.06 feet, to the TRUE POINT OF BEGINNING; thence (1), northerly along a non-tangent curve concave easterly, having a tangent bearing of N.10° 40' 50" W., a radius of 3173.44 feet, a central angle of 05° 44' 05", an arc length of 317.63 feet, to a 2 inch iron pipe with a California Dept. of Transportation brass cap as depicted on said Record of Survey; thence (2), N.58° 10' 13" E., 49.75 feet; thence (3), N.01° 41' 09" W., 121.72 feet; thence (4), N.45° 48' 39" W., 69.12 feet; thence (5), northerly along a non-tangent curve concave easterly, having a tangent bearing of N.01° 23' 59" W., a radius of 3173.44 feet, a central angle of 10° 12' 07", an arc length of 565.05 feet, to a 2 inch iron pipe with a California Dept. of Transportation brass cap as depicted on said Record of Survey ; thence (6), N.85° 01' 16" W., 46.02 feet, to a 2 inch iron pipe with a California Department of Transportation brass cap as depicted on said Record of Survey; thence (7), N.06° 06' 56"E., 824.79 feet, to a 2 inch iron pipe with a California Dept. of Transportation brass cap as depicted on said record of Survey; thence (8), N.09° 42' 00" E., 57.24 feet, to a point on the westerly line of the former 199.95 (200.00 ground distance) foot wide Southern Pacific Railroad Company right of way; thence (9), southerly along said westerly line along a non-tangent curve concave easterly, having a tangent bearing of S.23° 53' 21" W., a radius of 3373.39 feet, a central angle of 09° 52' 00", an arc length of 580.91 feet, to the northerly terminus of the 193.98 (194.02 ground distance) foot course of the Grant Deed from the Pittsburgh Plate Glass Company to the State of California recorded in Inyo County Official Records Volume 98, Page 117 on July 16, 1952; thence leaving said westerly line and proceeding along the easterly line of said Grant Deed for the following two courses, (10), S.00° 59' 45" E., 193.98 feet; (11), southerly along a non-tangent curve concave easterly, having a tangent bearing of S.10° 47' 45" W., a radius of 3328.40 feet, a central angle of 20° 57' 10", an arc length of 1217.18 feet, to said south line of Section 12; thence (12), along said south line, S.89° 33' 49" E., 157.79 feet, to the TRUE POINT OF BEGINNING

Containing 5.74 acres more or less.

The basis of all bearings herein is the California Coordinate System (1927) - Zone 4 bearing of N. 00° 03' 07" W., between said southwest corner of

Section 12 and the CALENDAR PAGE	261
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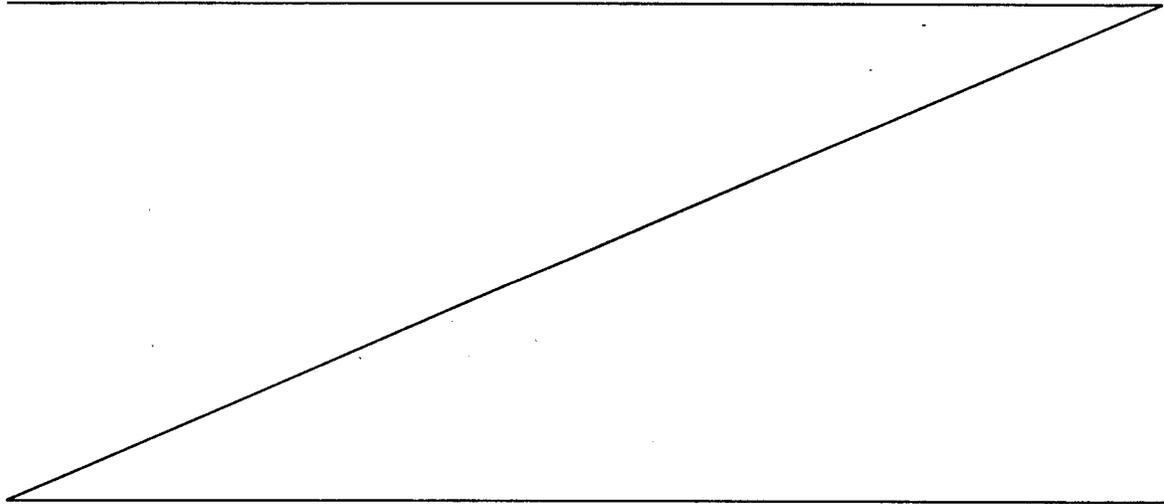
northwest corner of said Section 12 marked by a 1983 B.L.M. aluminum cap on a 2 1/2 inch outside diameter iron pipe in a stone mound.

All distances herein (unless otherwise noted) are grid distances on said Coordinate System. To obtain a ground distance, divide the grid distance by the grid factor 0.9997689.

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 including access rights, appurtenant to grantors remaining property, in and to said freeway.

EXCEPTING all oil, gas, coal, limestone, and other minerals of whatsoever nature or kind lying 2,000 feet or more beneath the surface, as reserved to PPG Industries, Inc., by Deed recorded October 11, 1983 as Instrument No. 83-4719, Official Records of Inyo County.

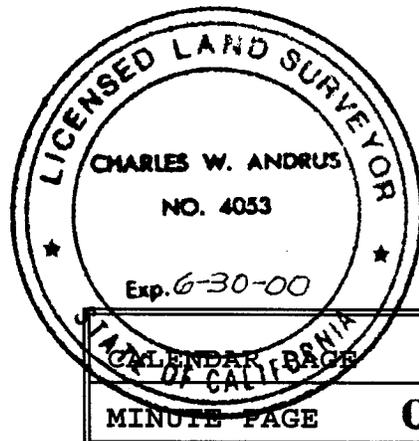
RESERVING to the State of California, State Lands Commission, in all the land described herein, any remaining minerals and mineral deposits as provided for under the provisions of Section 6401 of the California Public Resources Code.



This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature *Charles W. Andrus*
Licensed Land Surveyor

Date 8-2-96



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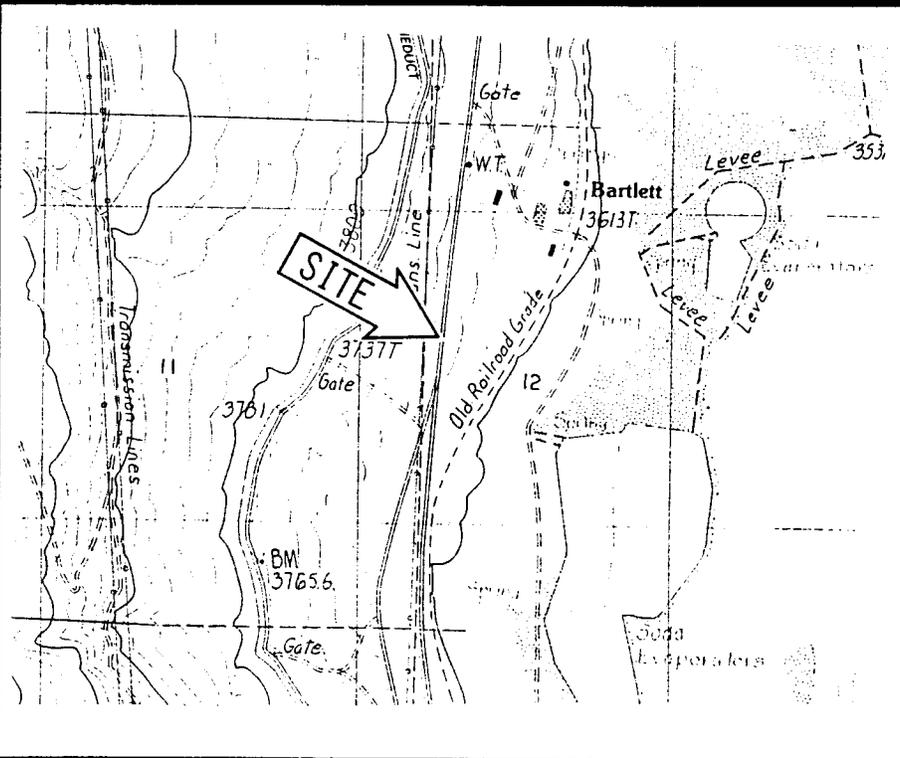
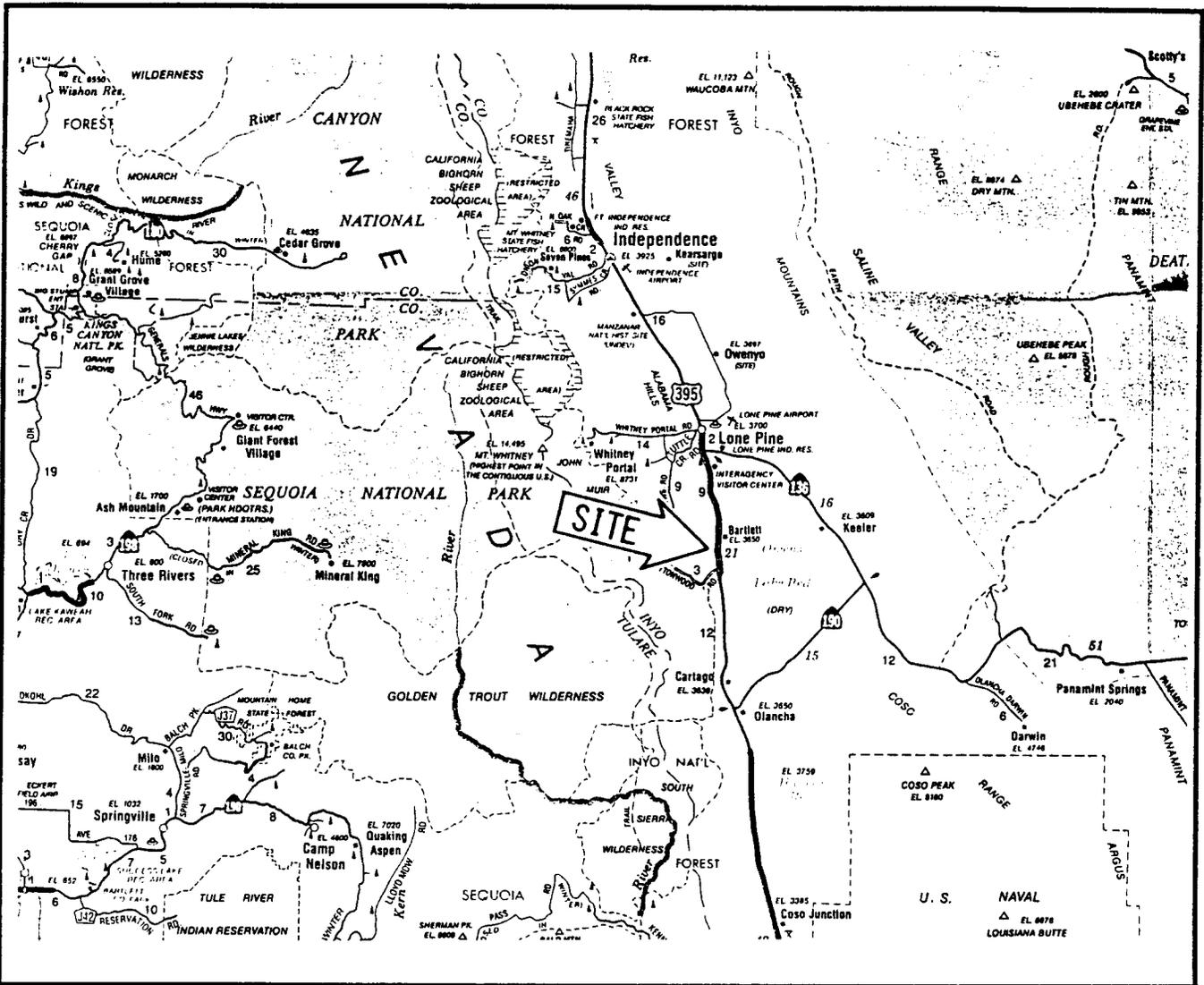


EXHIBIT "B"
SITE MAP PRC7311
HWY 395/CALTRANS
INYO COUNTY

