

**MINUTE ITEM**

This Calendar Item No. C73 was approved as Minute Item No. 73 by the California State Lands Commission by a vote of 3 to 0 at its 08/21/96 meeting.

**CALENDAR SUMMARY**

**C73**

A 3  
S 1

08/21/96  
W 503.1832  
L. Kiley  
D. Siegel

**CONSIDER AUTHORIZATION TO FILE A DISCLAIMER IN CASE OF  
ROGER D. WATTS V. STATE OF CALIFORNIA, ET AL.,  
MODOC COUNTY SUPERIOR COURT NO. C96-027**

**PARTY:**

State Lands Commission  
100 Howe Avenue, Suite 100 South  
Sacramento, California 95825

**BACKGROUND:**

Roger D. Watts brought an action against the State of California and others, to quiet title to certain rural real property in Modoc County. The staff has conducted an investigation of the title to the parcel in question, and has determined that the State has no interest administered by the Commission in the parcel. It appears that the only interest the State ever had in the parcel was by virtue of a tax deed; the parcel was subsequently conveyed to a private party at public auction pursuant to law.

Inasmuch as this suit involves land over which the Commission exercises no jurisdiction, it is recommended that a disclaimer be filed on behalf of the State Lands Commission disclaiming any right, title, or interest in the lands described in the quiet title action.

**OTHER PERTINENT INFORMATION:**

1. Pursuant to the Commission's delegation of authority and 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 21605 and 14 Cal. Code Regs. 15378.

**AB 884:**

N/A

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**CALENDAR ITEM NO. C73 (CONT'D)**

**EXHIBITS:**

- A. Land Description
- B. Location Map
- C. Site Map

**IT IS RECOMMENDED THAT THE COMMISSION:**

1. FIND THAT THIS 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 OFFICE OF THE ATTORNEY GENERAL TO FILE A DISCLAIMER ON BEHALF OF THE STATE LANDS COMMISSION IN THE CASE OF ROGER D. WATTS V. THE STATE OF CALIFORNIA, ET AL., MODOC COUNTY SUPERIOR COURT CASE NO. C96-027.
3. AUTHORIZE THE STAFF AND THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL FURTHER STEPS NECESSARY TO CONCLUDE THE SUBJECT LITIGATION ON BEHALF OF THE COMMISSION, INCLUDING BUT NOT LIMITED TO RECORDATION OF DOCUMENTS AND APPEARANCE IN ANY JUDICIAL PROCEEDING.

EXHIBIT "A"

RECORDED AT THE REQU OF  
Ruby Goulden

AUG 29 1967

at 40 minutes past 4  
o'clock P.M. in Room 202  
Official Records, Page 18  
Records of Modoc Co. Calif.

INDEXED M.E. Cusler  
COUNTY RECORDER

File No. 295 Fee 2.00

This Deed made this 29th day of August, 1967, between Ruby Goulden, Tax Collector of the County of Modoc State of California, first party, and Mary Colter Callan and Thomas J. Callan each & Interest of the County of Modoc, State of California, second part, witnesseth:

That Whereas, the real property hereinafter described was duly sold and conveyed to the State of California for non-payment of taxes which had been legally levied and were a lien upon said property;

And Whereas, the State of California, acting through said first party, did offer said property hereinafter described for sale and has sold same at public auction to the highest bidder, at which sale second part, became the purchaser of the whole thereof for the sum of \$2,305.00 dollars inclusive of advertising and recording costs;

And Whereas, no taxing agency objected to the sale;

Now, Therefore, in accordance with law the first party hereby grants to the second part, that certain real property hereinbefore referred to, and situated in the County of Modoc, State of California, described as follows:

Fall River Joint Unified School District  
X NE 1/4 of SW 1/4, SE 1/4 of NW 1/4, and that portion of the NW 1/4 of SE 1/4 lying Southwesterly of a line running diagonally through said NW 1/4 of the SE 1/4, from the Southeast corner to the Northwest corner thereof. Sec. 9 Twp. 39 N. R. 5 E. M. D. H. X  
(Formerly a portion of 11-250-20) 100 acres

Parcel 11-250-2h

In Witness Whereof said first party has hereunto set her hand the day and year first above written.

*Ruby Goulden*  
Tax Collector of the County of Modoc, State of California.

State of California }  
County of Modoc } ss.

(Space below for Recorder's use only)

On August 29, 1967, before me, Iris B. Turner, County Clerk and ex-officio Clerk of the Superior Court of the State of California in and for the County of Modoc, personally appeared Ruby Goulden, known to me to be the Tax Collector of said County and the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same as such Tax Collector.



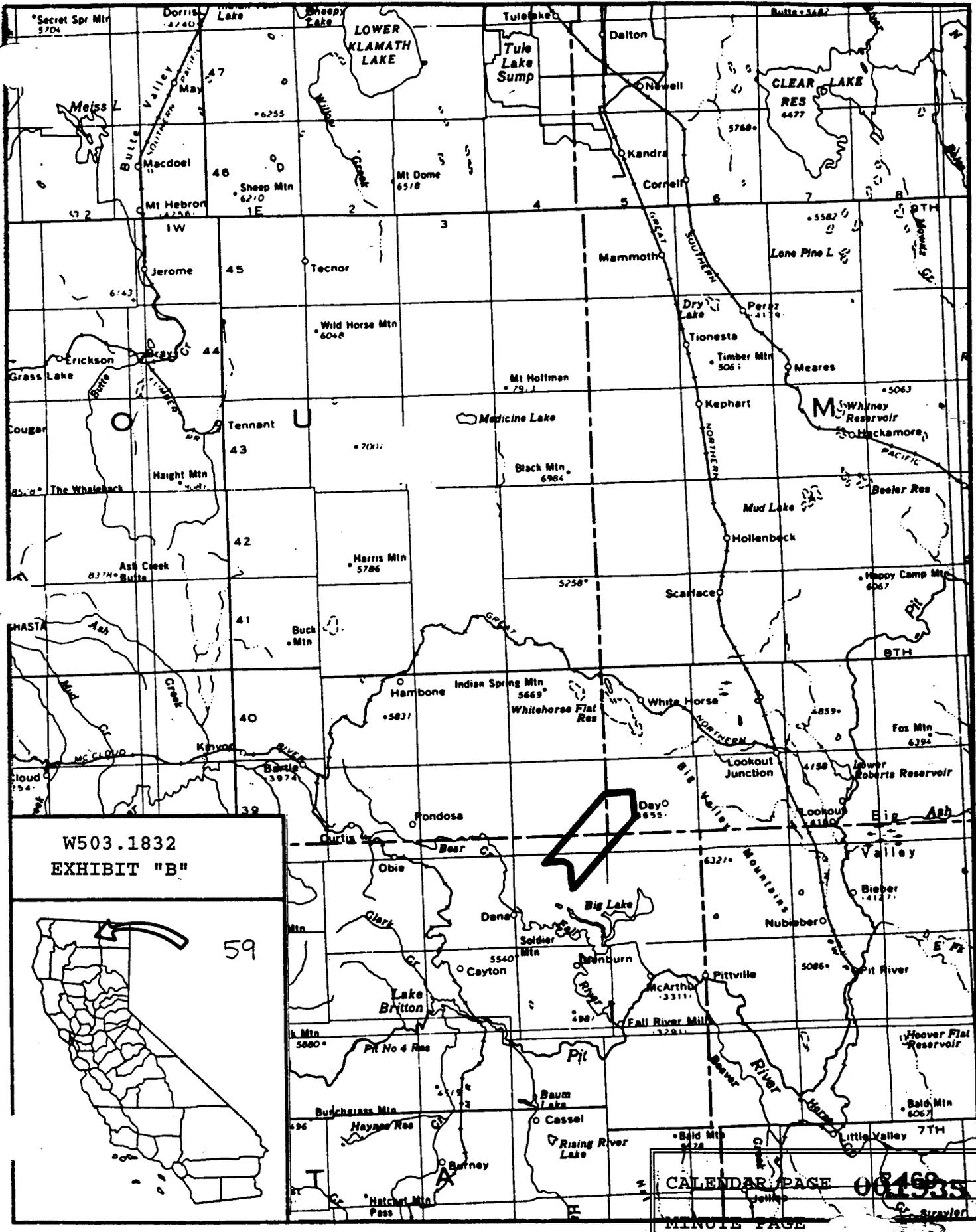
IRIS B. TURNER  
County Clerk of said County and ex-officio Clerk of the said Superior Court.

By *Valerie Madison*, Deputy

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\*If no taxing agency objected to the sale insert here the word "no" and complete the word "agency", and if any taxing agency objected to the sale insert the words "the following," complete the word "agency" or "agencies" and set forth following the word "sale:" the full name of each agency which objected thereto.  
Form 503—Deed, Tax Collector, Controllers' Form No. 22B. (Rev. and Tax Code, Secs. 3708-3710)

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W503.1832  
EXHIBIT "B"

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