MINUTE ITEM
This Calendar Item No. C17 was approved as Minute Item No. 17 by the California State Lands Commission by a vote of 3 to 0 at its 9-3-99 meeting.

CALENDAR ITEM
C17

A 2

S 4

09/03/99
SA 5752
J. Frey
D. Reese

AUTHORIZE, AS SCHOOL LAND TRUSTEE, THE SALE AND SUBSEQUENT ISSUANCE OF A PATENT TO THE CITY OF SHASTA LAKE FOR 135 ACRES MORE OR LESS OF STATE SCHOOL LAND IN SHASTA COUNTY

PURCHASER:

City of Shasta Lake
c/o: Mr. Jim Cain
Assistant to the City Manager
P.O. Box 777
Shasta Lake, CA 96019

AREA, LAND TYPE, AND LOCATION:

135 acres, more or less, of State School Lands near the city of Shasta Lake, Shasta County.

STATUTORY AND OTHER REFERENCES:

A. Public Resources Code Division 6, parts 1 and 2; Division 7.7; Division 13.
B. California Code of Regulations Title 3, Division 3; Title 14, Division 6.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because it involves an action taken pursuant to the School Land Bank Act, Public Resources Code, sections 8700, et seq.

   Authority: Public Resources Code section 8710.

2. The city of Shasta Lake proposes to acquire the State's land to maintain its existing water distribution lines that run through the property and to own the easement areas, for the facilities with the southern most parcel

possibly developed as a future park area. City ownership of the property will eliminate potential illegal use and trespass activities.

3. Based on a Summary Report - Complete Appraisal prepared by Ryan and Associates, Real Estate Appraisers and Consultants of Redding, California, the fair market value of the subject parcels are estimated to be $275,000.00. Staff has reviewed and approved the appraisal report. In addition to the $275,000.00 purchase price, patent fee and staff costs will also be paid by the city of Shasta Lake.

4. The consideration of $275,000.00 will be deposited into the School Land Bank to: 1) facilitate the management of school lands; 2) generate revenue, and 3) carry out the goals of the School Land Bank Act. The California State Lands Commission will be acting as trustee for the School Land Bank, pursuant to Division 7.7 of the Public Resources Code for this transaction.

5. The proposed terms of the sale to the City are generally as follows:

   a. Purchase price is $275,000.00.
   b. $27,500.00 remitted into escrow as a non-refundable earnest money deposit and down payment.
   c. California State Lands Commission to carry a note in the amount of $247,500.00 at an annual rate of seven percent (7%) for a period of seven years. The note shall be secured by a deed of trust.
   d. The city of Shasta Lake will make biannual payments of $22,663.76 for seven years.

6. Staff has filed a General Plan for this activity with the Legislature pursuant to the Public Resources Code section 6373.

EXHIBITS:

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

RECOMMENDED ACTION:
IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A STATUTORILY EXEMPT PROJECT PURSUANT TO PUBLIC RESOURCES CODE SECTION 8710, AN ACTION TAKEN PURSUANT TO THE SCHOOL LAND BANK ACT, PUBLIC RESOURCES CODE SECTIONS 8700 ET SEQ.

2. FIND THAT A GENERAL PLAN FOR THIS ACTIVITY WAS FILED WITH THE LEGISLATURE PURSUANT TO PUBLIC RESOURCES CODE 6373.

3. AUTHORIZE THE EXECUTIVE OFFICER, OR HIS DESIGNEE, TO EXECUTE THOSE CERTAIN DOCUMENTS ENTITLED "OFFER TO PURCHASE REAL ESTATE AND ACCEPTANCE"; "JOINT ESCROW INSTRUCTIONS"; IN SUBSTANTIALLY THE SAME FORM AS ON FILE WITH THE COMMISSION, AND TO TAKE WHATEVER STEPS NECESSARY TO CONSUMMATE THE SALE.

4. AUTHORIZE ISSUANCE OF A PATENT TO THE CITY OF SHASTA LAKE, SUBJECT TO APPLICABLE STATUTORY AND CONSTITUTIONAL RESERVATIONS, FOR THE LAND DESCRIBED IN EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF.

5. AUTHORIZE THE DEPOSIT OF THE NET PROCEEDS INTO THE SCHOOL LAND BANK FUND.

August 6, 1999
SA 5752

EXHIBIT A
LAND DESCRIPTION

All that real property situate in the Unincorporated Area, County of Shasta, State of California, described as follows:

PARCEL #1

The Northeast one-quarter of Section 26, Township 33 North, Range 5 West, M.D.M.

EXCEPTING THEREFROM that portion conveyed to Churntown Elementary School District, by Deed recorded July 23, 1951, in Book 350 of Official Records at Page 319, Shasta County Records.

ALSO EXCEPTING THEREFROM that portion conveyed to County of Shasta by Grant Deed dated September 17, 1958, and recorded October 7, 1958, in Book 579 of Official Records at Page 34, Shasta County Records.

FURTHER EXCEPTING THEREFROM that portion conveyed to Summit City Public Utility District by Deed recorded September 17, 1969, in Book 1005 of Official Records at Page 29, Shasta County Records.

FURTHER EXCEPTING THEREFROM that portion conveyed the County of Shasta by Quit Claim Deed recorded August 9, 1971, in Book 1079 of Official Records, at Page 84, Shasta County Records.

FURTHER EXCEPTING THEREFROM that portion conveyed to the State of California by Quit Claim Deed recorded July 23, 1971, in Book 1077 of Official Records, at Page 124, Shasta County Records.

FURTHER EXCEPTING THEREFROM those lands conveyed to the Shasta Dam Area Utility District on March 3rd, 1983, by certificate of the California State Lands Commission No. 20664, described as follows:

BEGINNING from an iron pin (R.E. #4603) marking the center of Section 26; thence N 0° 04' 58" E 1,172.29 feet to the center of State Highway Route 151; thence along centerline of said highway S 75° 20' 35" E 387.92 feet; thence along a curve to the left with a radius of 2,000 feet, through a central angle of 13° 22'-45" for an arc distance of 467.02 feet; thence S 88° 43' 20" E 336.76 feet to the intersection of the centerline of Sacramento Street extended; thence S 3° 50' 11" -

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W 986.13 feet to a point on the southerly line of the NE ¼ of Section 26; thence S 89° 03' 54" W 1,109.37 feet along Rose Avenue, to the point of beginning.

FURTHER EXCEPTING THEREFROM the following lands known as the Toyon Camp transferred to the Bureau of Indian Affairs on April 2, 1971, described as follows:

A portion of the East one-half of the Northeast one-quarter of Section 26 and a portion of the West one-half of the Northwest one-quarter of Section 25, both said sections being within Township 33 North, Range 5 West, M.D.M., and described as follows:

Commencing at the section corner common to Sections 23, 24, 25, and 26, Township 33 North, Range 5 West, M.D.M., and running thence on and along the section line common to said Sections 25 and 26, South 7° 28' 23" West 526.51 feet to the true point of beginning of this description; thence, from said point of beginning West 926.95 feet; thence, South 1372.89 feet to a point in the northerly boundary of the State Highway Route 151; thence on and along said northerly boundary from a tangent that bears South 87° 59' 41" East, along a tangent curve to the left with a radius of 910 feet, through an angle of 2° 03' 24" for a distance of 32.67 feet; thence, North 89° 56' 55" East 224.92 feet; thence, along a tangent curve to the right with a radius of 1040 feet, through an angle of 10° 26' 00" for a distance of 189.38 feet; thence South 79° 37' 05" East 296.50 feet to a point on the section line common to said Sections 25 and 26 from which the quarter section corner common to said Sections 25 and 26 thereof bears South 7° 28' 23" West 720.61 feet; thence, continuing South 79° 37' 05" East 309.33 feet, thence, along a tangent curve to the right with a radius of 1040 feet, through an angle of 56° 02' 04" for a distance of 1016.79 feet to a point on the east boundary of the West one-half of the Northwest one-quarter of said Section 25; thence, leaving the said northerly boundary of State Highway Route 151, on and along the said east boundary North 4° 27' 49" East 1228.50 feet; thence, leaving said east boundary North 85° 32' 10" West 80.00 feet, thence, North 215.93 feet; thence, North 43°-59' 20" West 615.38 feet; thence North 216.65 feet; thence, West 469.05 feet to the point of beginning.

PARCEL #2

All that portion of the Northeast one-quarter of the Northwest one-quarter of Section 26, Township 33 North, Range 5 West, M.D.M., lying east of the easterly boundary of Shasta County Highway 66-D as recited in the that certain 0.64-acre easement to the County of Shasta, recorded August 9, 1971, in Book 1079 of Official Records at Page 84, Shasta County Records and northerly of that parcel of land conveyed to Churntown School District by deed recorded July 23, 1951, in Book 350 of Official Records at Page 319, Shasta County Records.

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PARCEL #3

The Northwest one-quarter of the Northwest one-quarter of Section 25, Township 33 North, Range 5 West, M.D.M.

EXCEPTING THEREFROM the following lands known as the Toyon camp transferred to the Bureau of Indian Affairs on April 2, 1971, described as follows:

A portion of the East one-half of the Northeast one-quarter of Section 26 and a portion of the West one-half of the Northwest one-quarter of Section 25, both said sections being within Township 33 North, Range 5 West, M.D.M., and described as follows:

Commencing at the section corner common to Sections 23, 24, 25, and 26, Township 33 North, Range 5 West, M.D.M., and running thence on and along the section line common to said Sections 25 and 26. South 7° 28' 23" West 526.51 feet to the true point of beginning of this description; thence, from said point of beginning West 926.95 feet; thence, South 1372.89 feet to a point in the northerly boundary of the State Highway Route 151; thence on and along said northerly boundary from a tangent that bears South 87° 59' 41" East, along a tangent curve to the left with a radius of 910 feet, through an angle of 2° 03' 24" for a distance of 32.67 feet; thence, North 89° 56' 55" East 224.92 feet; thence, along a tangent curve to the right with a radius of 1040 feet, through an angle of 10° 26' 00" for a distance of 189.38 feet; thence South 79° 37' 05" East 296.50 feet to a point on the section line common to said Sections 25 and 26 from which the quarter section corner common to said Sections 25 and 26 thereof bears South 7° 28' 23" West 720.61 feet; thence, continuing South 79° 37' 05" East 309.33 feet, thence, along a tangent curve to the right with a radius of 1040 feet, through an angle of 56° 02' 04" for a distance of 1016.79 feet to a point on the east boundary of the West one-half of the Northwest one-quarter of said Section 25; thence, leaving the said northerly boundary of State Highway Route 151, on and along the said east boundary North 4° 27' 49" East 1228.50 feet; thence, leaving said east boundary North 85° 32' 10" West 80.00 feet, thence, North 215.93 feet; thence, North 43°-59' 20" West 615.38 feet; thence North 216.65 feet; thence, West 469.05 feet to the point of beginning.

SUBJECT TO existing rights in favor of the public and third parties for roads, railroads, telegraph, telephone and electrical transmission lines, canals, laterals, ditches, flumes, siphons, pipelines, water tanks, filtration plants and incidents thereto, on, over and across the land herein described.

Containing 134.44 acres, more or less.

END OF DESCRIPTION

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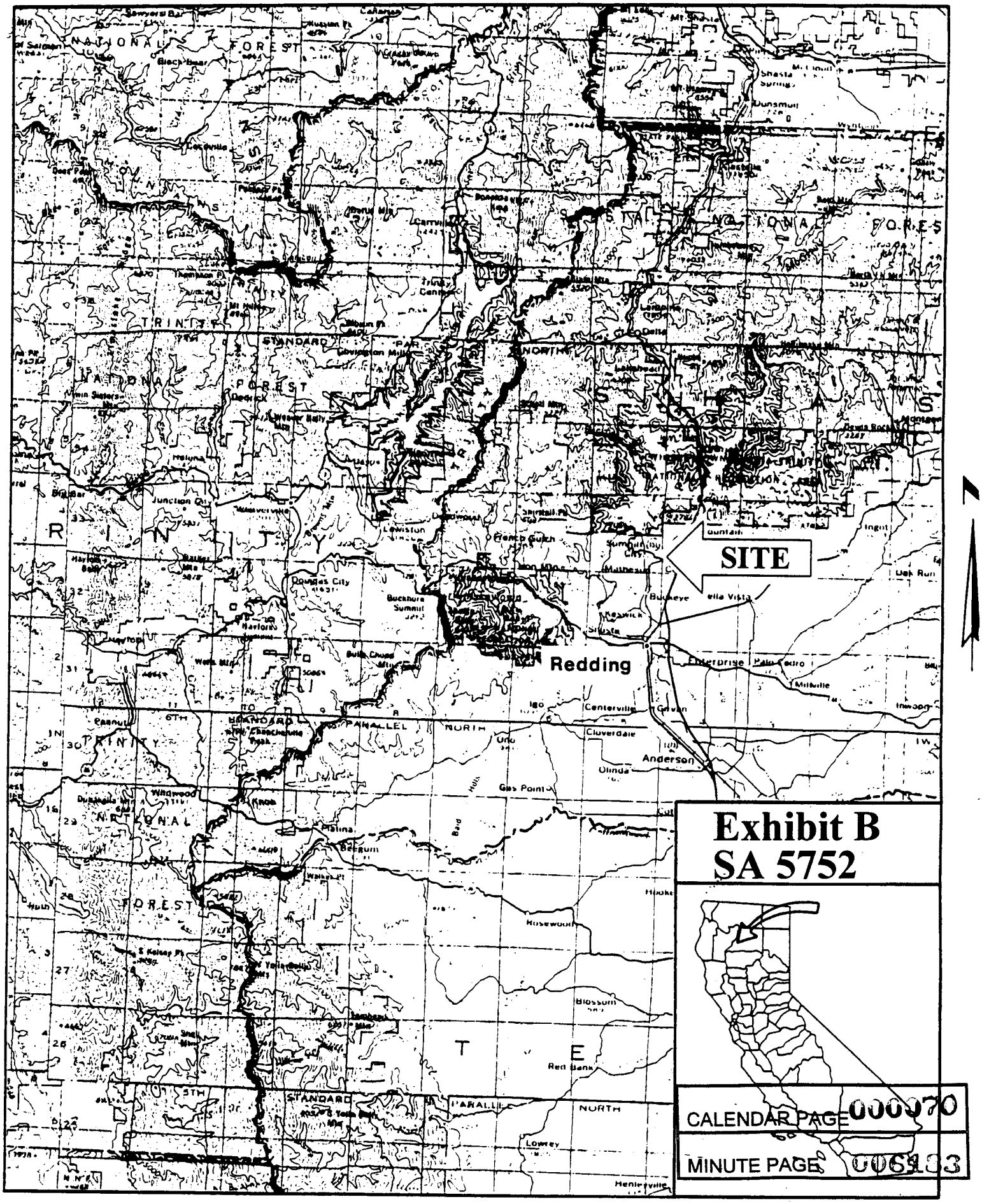
SITE
Redding
Anderson
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EXHIBIT "C"

GENERAL PLAN

PROPOSED TRANSACTION

The city of Shasta Lake proposes to purchase 135 acres, more or less, of State School Land.

PROPERTY LOCATION INFORMATION

The subject parcels of State School Land are located in a portion of the W2NW4 of Section 25 and portions of the NE4 and NE4NW4 of Section 26, both in T33N, R5W, MDM about eight miles north of the city of Redding , Shasta County.

LAND USE

The vacant subject property is split north south by Shasta Dam Blvd. within the city of Shasta Lake and is currently zoned unclassified. County zoning prior to the incorporation of the city of Shasta Lake called for a designation of RA, Rural Agriculture (2 acre minimum lot size) or SR, Suburban Residential (three units per acre maximum density). The proposed general plan alternatives call for various combinations of RA and SR designations north of Shasta Dam Blvd. and NP, Neighborhood Park south of Shasta Dam Blvd. A portion of the subject property is located in the F.E.M.A. designated flood plain with an automatic general plan designation of open space. The neighborhood surrounding the subject property generally is in some type of government ownership with some rural residential ownership occurring to the extreme southwest, to the northeast and along most of the north boundary with some of the lots occupied by homes.

PROPOSED USE

The city of Shasta Lake proposes to acquire the State's land to maintain its existing water distribution lines that run through the property, to own the easement areas for the lines and for possible expansion of existing regional parks. City ownership of the property will eliminate potential illegal use and trespass activities.