

~~MINUTE ITEM~~  
This Calendar Item No C25 was approved as  
Minute Item No 25 by the California State Lands  
Commission by a vote of 2 to 0 at its  
12-20-05 meeting.

**CALENDAR ITEM  
C25**

A 34  
S 18

10/20/05  
IND 2850  
J. Porter  
J. Frey

**CONSIDER AUTHORIZATION OF THE PREPARATION AND  
PROCESSING OF A STATE PATENT TO BE ISSUED TO P. J. GIRAUD FOR  
SCHOOL LANDS LOCATED IN INYO COUNTY**

**APPLICANTS:**

Daniel E. Ames and Kathryn M. Ames  
Philip A Spinaio and Susan Spinaio  
c/o Thomas M. Frame  
Attorney at Law  
700 La Sierra Drive  
Sacramento, CA 95864

**AREA, LAND TYPE, AND LOCATION:**

Northeast ¼ of the southeast ¼ of Section 8, Township 20 South, Range 37  
East, Mount Diablo Base and Meridian, containing 40 acres, more or less, of  
school lands in Inyo County.

**BACKGROUND INFORMATION:**

The Applicants have requested a State patent be issued for 40 acres, more or  
less, of former State-owned school land in Inyo County. An application for the  
purchase of the parcel (Independence Land District 2850) was filed by P. J.  
Giraud, on January 17, 1906, and approved by the Surveyor General on  
July 5, 1906. A Certificate of Purchase No. 16145 was issued on July 16, 1906,  
and payment in full was received on June 30, 1943. The original Certificate of  
Purchase is beyond the control of the present owners of the land and an affidavit  
pursuant to Public Resources Code Section 7729 has been provided. No state  
patent has yet been issued to complete the chain of title on the parcel.

Staff has examined the file and other information submitted on behalf of the  
Applicants and has concluded that the laws' requirements relating to issuance of  
a patent for the described land have been met and the person to be named in the

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state patent (P. J. Giraud) is entitled to it. The Applicants are the successors-in-interest to P. J. Giraud.

**PREREQUISITE CONDITIONS, FEES AND EXPENSES:**

Processing and patent fees have been received.

**STATUTORY AND OTHER REFERENCES:**

- A. Public Resources Code: Division 6, Parts 1 and 2; 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 as a ministerial project.

Authority: Public Resources Code section 21080 (b) (1), Title 14, California Code of Regulations, section 15268 (c) and Title 2, California Code of Regulations, section 2904.

**EXHIBITS:**

- A. Land Description
- B. Location Map

**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 21080 (b)(1) AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15268 (c), AND TITLE 2 CALIFORNIA CODE OF REGULATIONS, SECTION 2904, A MINISTERIAL PROJECT.
- 2. FIND THAT THE LAWS' REQUIREMENTS IN RELATION TO THE ISSUANCE OF A STATE PATENT HAVE BEEN MET, THAT PAYMENT IN FULL HAS BEEN MADE FOR SUCH PARCEL, AND THAT THE PERSON NAMED IN SUCH PATENT (P. J. GIRAUD) IS ENTITLED TO IT.

CALENDAR ITEM NO. C25 (CONT'D)

3. AUTHORIZE STAFF AND THE OFFICE OF THE ATTORNEY GENERAL TO PREPARE AND PROCESS A STATE PATENT TO BE ISSUED IN THE NAME OF P. J. GIRAUD TO THE 40 ACRES, MORE OR LESS, OF FORMER STATE SCHOOL LAND IN INYO COUNTY, AS DESCRIBED IN EXHIBIT A AND SHOWN ON EXHIBIT B AND BY THIS REFERENCE MADE A PART THEREOF.

EXHIBIT A

IND 2850

LAND DESCRIPTION

Those State-owned school lands near the town of Olancho, County of Inyo, State of California, described as follows:

NE ¼ of SE ¼ of Section 8, T20S, R37E, MDM according to the official Government plat approved August 13, 1856; said land being a portion of those lands embraced in Certificate of Purchase No. 16145.

END OF DESCRIPTION

Prepared 09/07/2005 by the California State Lands Commission Boundary Unit



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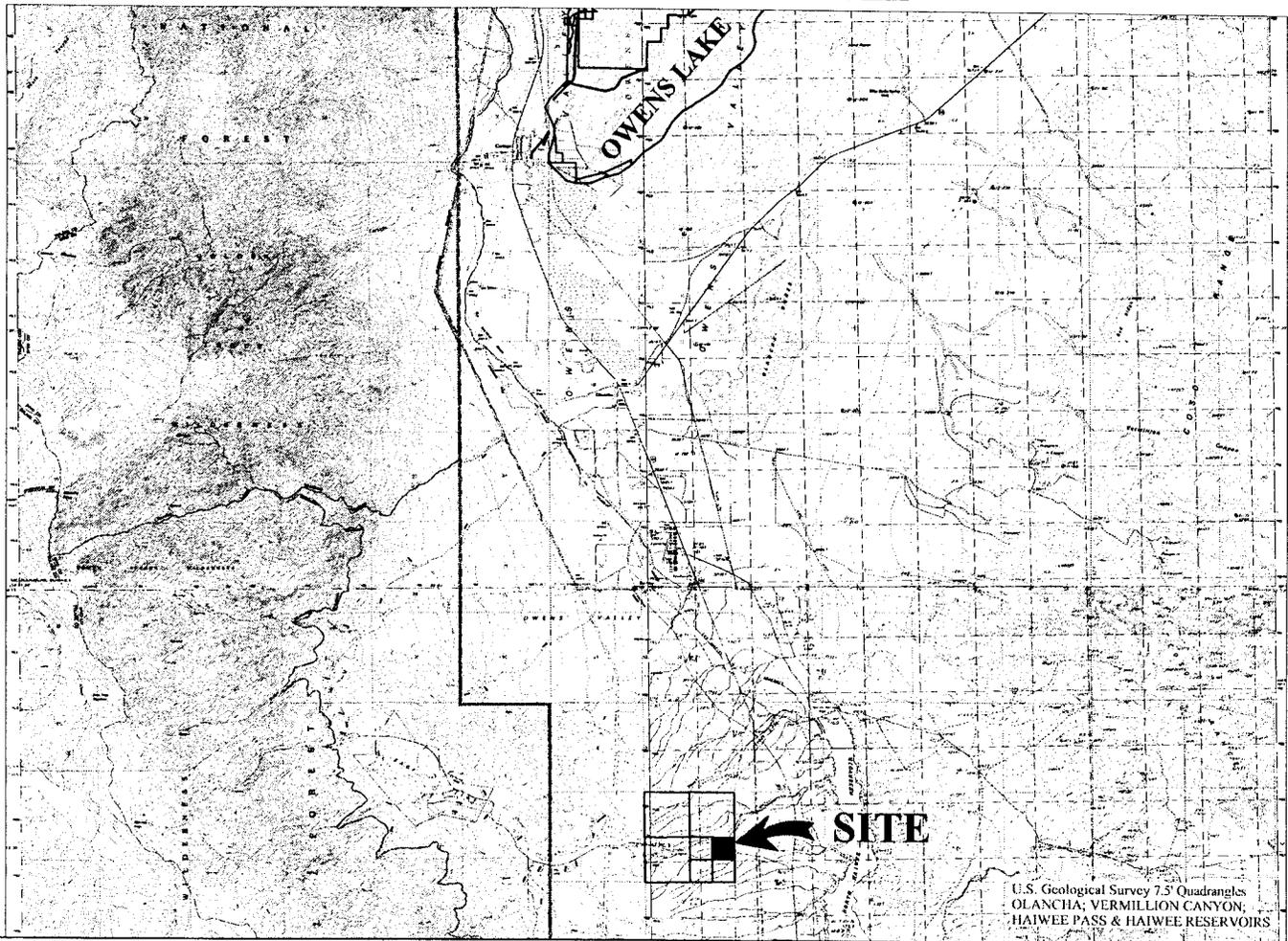
CALENDAR PAGE

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NO SCALE

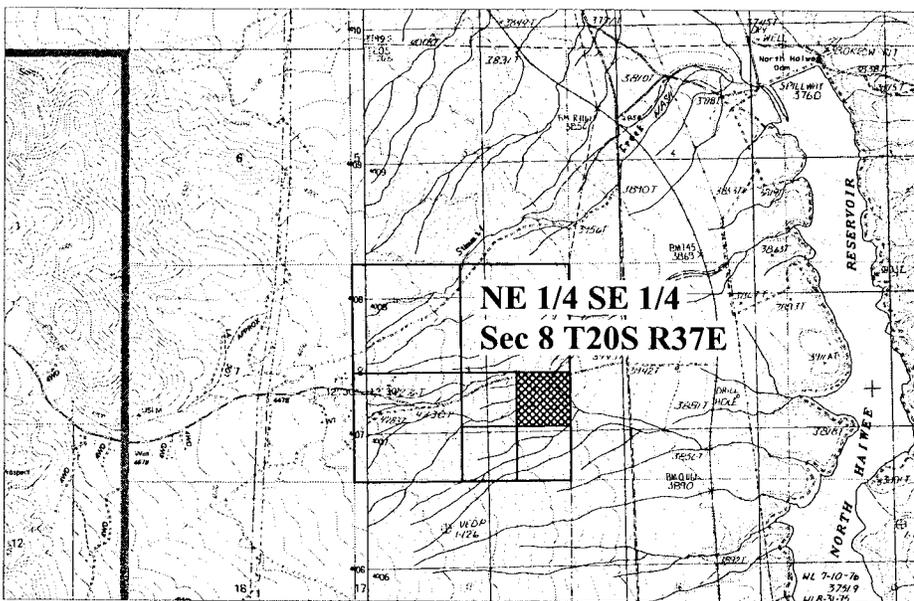
# LOCATION MAP



**SCHOOL INDEMNITY LANDS**  
A Portion of Location 2850 Independence Land District

NO SCALE

## SITE MAP



## EXHIBIT B

### IND 2850

APN 033-220-02  
Spinaio and Ames  
Patent Application  
Inyo County



This Exhibit is solely for purposes of generally defining area to be patented, is based on unverified information provided by Patentee or other parties, and is not intended to be, nor shall it be construed as a waiver or limitation of any state interest in the subject or any other property.

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DWC 09-07-2005