

36. (SALE OF VACANT SCHOOL LAND, APPLICATION NO. 4712, SACRAMENTO LAND DISTRICT, SONOMA COUNTY - JOHN T. SINK - SAC. W.O. 197) The Commission was informed that an offer of \$2720.45 or \$5.00 per acre has been received from Mr. Sink of Cloverdale, California, to purchase Lots 1, 2, 3, 4, 5, SE $\frac{1}{4}$  of NW $\frac{1}{4}$ , E $\frac{1}{2}$  of SW $\frac{1}{4}$ , S $\frac{1}{2}$  of NE $\frac{1}{4}$  and SE $\frac{1}{4}$  of Section 3, T. 11 N., R. 9 W., M.D.M., containing 544.09 acres in Sonoma County.

The Sonoma County assessment records show that adjoining lands are assessed at from \$2.50 to \$3.50 per acre, under classification of brush and open land, with the brush having the lower assessed valuation. An appraisal by the Commission's staff indicates that the offer as made is adequate.

The land is situated on the south slope of Squaw Creek where the topography is moderate to steep. The elevation of the land varies from 1900 to 2700 feet. The vegetation consists of a dense growth of chamise with occasional stands of manzanita. The area is deeply trenched, contains steep slopes, with rocky soil and, therefore, has no value for agriculture purposes. There are 3 small springs located on the S $\frac{1}{2}$  of NE $\frac{1}{4}$  of Section 3 which flow approximately a gallon per minute. The land is entirely surrounded by deeded lands and is accessible only through locked gates. There is no indication of minerals and the principal value of the land is for hunting purposes.

The land was advertised for sale with a stipulation that no offer of less than \$2720.45 would be accepted. Mr. Sink bid \$2720.45.

Upon motion duly made and unanimously carried, a resolution was adopted authorizing the sale of Lots 1, 2, 3, 4, 5, SE $\frac{1}{4}$  of NW $\frac{1}{4}$ , E $\frac{1}{2}$  of SW $\frac{1}{4}$ , S $\frac{1}{2}$  of NE $\frac{1}{4}$  and SE $\frac{1}{4}$  of Section 3, T. 11 N., R. 9 W., M.D.M., to the single bidder Mr. John T. Sink at a cash price of \$2720.45, subject to all statutory reservations, including minerals.

37. (PROCEDURE FOR SALE OF STATE LANDS) The Commission was informed that it has been the practice to obtain specific authority from the Commission in each case to make application to the Bureau of Land Management for the listing to the State of selected Federal lands and then later on to obtain an approval of each sale by the Commission after appraisal.

In the case of sale of school lands it has been the practice to proceed with advertising and the Commission takes action only once when the bids are submitted for approval. If a similar procedure were followed in the case of scrip applications only one action by the Commission would be required.

Upon motion duly made and unanimously carried, a resolution was adopted authorizing the Executive Officer to advertise State lands for sale and to file for selections whenever applications are received, the Commission taking action only when all preliminaries have been completed and sales are ready for final approval or disapproval.

38. (DISPOSITION OF RESERVED MINERAL RIGHTS IN ESCHEATED LANDS) W.O. 362 The Commission was informed that Chapter 1222 of the Statutes of 1949 provides, in part, as follows:

"The Commission is hereby authorized to sell, exchange, rent, lease, or otherwise manage the property represented by all mineral reservations to the State made prior to the effective date of Section 6403 of this Code, as added by Chapter 227

of the Statutes of 1947, with respect to any lands of the classes specifically exempt from this Chapter under the provisions of that section, in such manner and upon such conditions as the Commission may determine;\*\*\*\*The Commission, through its Executive Officer shall have the power to sign, on behalf of the State and the Commission, all deeds, leases, or other documents required in connection with the exercise by the Commission of the powers vested in it by this section."

The classes of lands referred to include lands which have escheated to the State, or which have been distributed to the State by a Court decree in estates of deceased persons. Two applications are now pending in the State Lands Division whereunder the purchasers or successors in interest to the purchasers of escheated lands acquired from the State with a mineral reservation are now desirous of purchasing the estate represented by such mineral reservation, as authorized by Chapter 1212, Statutes of 1949, in order that the purchasers may have fee simple absolute title to the subject properties.

Upon motion duly made and unanimously carried, a resolution was adopted authorizing the following procedures to permit the disposition and sale, pursuant to Chapter 1212 of the Statutes of 1949, of the mineral reservations retained heretofore by the State in the sales by the Controller of escheated lands:

1. Former escheated lands not known to contain minerals where a determination has currently been made that there is no known mineral value as shown by appraisal of the State Lands Division:
  - (a) Application to purchase the mineral reservation shall be accepted only from the purchaser of the escheated lands (surface) and application so received shall be filed upon payment of the statutory \$5.00 filing fee. In case it is necessary to expend money to make the determination of non-mineral character, the applicant shall deposit with the Commission such reasonable sums of money as shall be estimated to be expended by the Commission in such determination.
  - (b) Sale of the estate represented by the mineral reservation shall be made to applicant by Grant Deed from the State, acting through the Commission, and approved by the Governor, for a price of \$10.00, pursuant to a specific resolution by the State Lands Commission.
2. Former escheated lands known to contain minerals where a determination has been made that the lands do contain minerals and mineral values have been estimated:
  - (a) Upon receipt of application accompanied by statutory \$5.00 filing fee and a deposit of a sufficient amount to cover cost of publication and mineral value appraisal from the owner of the escheated land (surface), the mineral reservation shall be sold to the highest bidder in accordance with published notice of intention to receive bids. The owner of the surface shall have preferential right to meet the highest bid made. Said notice to contain the provision that successful purchaser shall pay the costs of publication and the Commission's costs in appraising the land for mineral values.

- (b) Sale of the estate represented by the mineral reservation shall be made to the successful bidder or preferential bidder by Grant Deed from the State, acting through the Commission, and approved by the Governor, for the bid price, plus costs, pursuant to specific resolution by the State Lands Commission.

39. (ALLOWED OVERTIME PURSUANT TO DEPARTMENT OF FINANCE RULING) The Commission was informed that a purely technical deficiency has occurred in the overtime records of Assistant Executive Officer, J. Stuart Watson, as shown by Division of Audits report:

"In so far as the Assistant Executive Officer, J. Stuart Watson, is concerned, his overtime is shown on the card as of June 8, 1949, as 417 hours. The records indicate that 742½ hours had been cancelled prior to that date because of the departmental two-year ruling. Subsequent to June 9, 1943, 43 hours have been cancelled for the same reason.

"If the latter is to be applied against the amount due at the base date, his accumulation would be 374 hours."

In order to clear this technical deficiency, the requirements are:

1. A signed attendance report, Form 681, by authorization of the Commission because of the technical deficiency in the authorization for Mr. Watson's overtime, in that Forms 681 are in most cases signed by him as Assistant Executive Officer;

As of January 1, 1945, Mr. Watson had a balance of 238½ hours overtime, which, brought forward in accordance with the Division of Audits report, results in a net accumulated overtime of 374 hours.

Upon motion duly made and unanimously carried, a resolution was adopted authorizing the Executive Officer to satisfy himself as to the correctness of this overtime record, certify on behalf of the Commission therefor, sign pertinent documents and if such defects apply to other overtime allowances he is likewise authorized to certify to their correctness.

40. (APPROVAL OF CONTRACTS IN CONNECTION WITH TORRENS TITLE SURVEY AND REPORT -- No. 252) At its meeting in Sacramento on December 21, 1949, the Commission authorized the entering into of contracts covering the services of Nathaniel B. Bidwell and James C. Short, in the amounts of \$5,300 and \$1,000, respectively. Contracts were thereupon prepared and subsequently were approved by the Department of Finance. Upon being furnished with copy of approved contract, the State Controller's office raised a question with relation to the submission of the contracts to the State Personnel Board. The State Controller explained that, since no showing was made that the contracts had been approved by the State Personnel Board, it was incumbent upon the Controller's office to reject any claims presented pursuant to such contracts. He indicated that it would be in order for the Commission to request the Personnel Board to approve the contracts on the basis that no such specialized assistance could be obtained through the State civil service procedure.