

MINUTE ITEM

5. (SALE OF VACANT SCHOOL LAND, APPLICATION NO. 11006, LOS ANGELES LAND DISTRICT, KERN COUNTY, RAYMOND N. JACKSON - S.W.O. 6485.)

Following presentation of the attached Calendar Item 13 by the Supervising Land Title Abstractor, the Executive Officer informed the Commission that he had conferred with the office of the Attorney General and had been informed by that office that the only proper recourse would be to reject all bids in view of the confusion.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, THE FOLLOWING RESOLUTION WAS ADOPTED:

THE COMMISSION REJECTS ALL BIDS AND APPLICATIONS RECEIVED FOR THE S $\frac{1}{2}$ OF SECTION 16, T. 9 N., R. 15 W., S.B.M., CONTAINING 322.80 ACRES IN KERN COUNTY, SET FORTH IN THE ATTACHED TABULATION, DIRECTS THE RETURN OF ALL BIDS AND APPLICATIONS RECEIVED WITH NO RELEASE OF INFORMATION WITH RESPECT TO THE PRICES BID, AND AUTHORIZES REPUBLICATION FOR RECEIPT OF NEW BIDS.

Attachment
Calendar Item 13 (3 pages)

CALENDAR ITEM

SALE OF VACANT SCHOOL LAND

13.

(SALE OF VACANT SCHOOL LAND, APPLICATION NO. 11006, LOS ANGELES LAND DISTRICT, KERN COUNTY, RAYMOND N. JACKSON - S.W.O. 6485.)

An application has been received from Raymond N. Jackson of Los Angeles, California, offering to purchase the S $\frac{1}{2}$ of Section 16, T. 9 N., R. 15 W., S.B.M., containing 322.80 acres in Kern County for \$645.60, the minimum amount required to qualify an application.

The Assessor of Kern County has assessed contiguous land at \$1.25 to \$3 per acre.

An inspection and appraisal by a member of the Commission's staff on October 23, 1956 establishes the value of the subject land at \$8 per acre, or a total of \$2,582.40. This appraisal also indicated that the land is not suitable for cultivation without artificial irrigation.

The land was advertised for sale with a stipulation that no offer of less than \$2,582.40 would be accepted.

Due to noncompliance by the Mojave Desert News with publication instructions, the paper published the first notice of offer of sale on February 21, 1957 instead of February 25, 1957 as ordered. Under these circumstances the bid closing date became 4 p.m., March 23, 1957. Several bids were also submitted on the basis of information conveyed to the bidders that the date of first publication was February 25, 1957. On this basis the bidding period would have closed 4 p.m., March 27, 1957.

The Rules and Regulations of the State Lands Commission provide for submission of bids by 4 p.m. of the 30th day following date of first publication. Therefore, it is apparent that the bidders submitted their bids in good faith and in due time, but based on two different sets of bid information furnished. Applications and bids received were as hereafter tabulated on Exhibit "A" attached.

In view of the confusion created by the error in publication, the equitable recourse appears to be a recommendation for rejection of all bids and for authorization for republication of the offer.

IT IS RECOMMENDED THAT THE COMMISSION REJECT ALL BIDS AND APPLICATIONS RECEIVED FOR THE S $\frac{1}{2}$ OF SECTION 16, T. 9 N., R. 15 W., S.B.M., CONTAINING 322.80 ACRES IN KERN COUNTY, SET FORTH IN THE ATTACHED TABULATION, DIRECT THE RETURN OF ALL BIDS AND APPLICATIONS RECEIVED WITH NO RELEASE OF INFORMATION WITH RESPECT TO THE PRICES BID, AND AUTHORIZE REPUBLICATION FOR RECEIPT OF NEW BIDS.

EXHIBIT "A"

<u>Application Number</u>	<u>Applicant</u>	<u>Offer Received Prior to Advertising</u>	<u>Offer Received Pursuant to Advertising</u>	<u>Remarks</u>
11006 L.A. (SWO 6485)	Raymond N. Jackson	X		Cancelled prior to advertising.
11025 L.A. (SWO 6516)	Roy Repovich & James C. Churchill	X		Cancelled prior to advertising.
11066 L.A. (SWO 6569)	Niki O'Chamis	X		Cancelled prior to advertising.
11075 L.A. (SWO 6593)	Don V. Stull	X		Cancelled during advertising period.
11092 L.A. (SWO 6617)	A. S. Haines & Orville A. Jordet		X	Bid proper in all respects. Received within 30-day period from date of first publication on 2-21-57. Opened 4 p.m. 3-27-57 as specified in published notice.
11093 L.A. (SWO 6618)	Charles Mathewson		X	Bid received 3-26-57 in proper form.
11094 L.A. (SWO 6619)	Max Morgenbesser & Sidney Martin		X	Bid form not sealed in envelope marked "SCHOOL LAND BID - OFFER NO. 110" per published notice and therefore opened 3-27-57 upon receipt.
11095 L.A. (SWO 6620)	Mednick Bros.		X	Bid form incomplete - not sworn to before a notary public, nor sealed in an envelope marked "SCHOOL LAND BID - OFFER NO. 110" per published notice and therefore opened 3-27-57 upon receipt.

EXHIBIT "A"
(Continued)

<u>Application Number</u>	<u>Applicant</u>	<u>Offer Received Prior to Advertising</u>	<u>Offer Received Pursuant to Advertising</u>	<u>Remarks</u>
	Ben Mednick & Abe Dell		X	Bid form incomplete - not sworn to before a notary public, nor sealed in an envelope marked "SCHOOL LAND BID - OFFER NO. 110" per published notice and therefore opened 3-25-57 upon receipt. Bid and offer returned per applicant's letter request of 3-25-57. New bid apparently substituted under Application No. 11095.