

MINUTE ITEM

13. (SALE OF SOVEREIGN LANDS, SOVEREIGN LAND LOCATION NO. 26, HUMBOLDT COUNTY, BRACUT LUMBER COMPANY - S.W.O. 6723.)

After presentation of Calendar Item 24 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 1437, STATUTES OF 1957, THE SALE IS AUTHORIZED TO BRACUT LUMBER COMPANY, THE ABUTTING LANDOWNER, AT A CASH PRICE OF \$245.25, SUBJECT TO ALL STATUTORY RESERVATIONS INCLUDING MINERALS, OF THE FOLLOWING DESCRIBED LANDS:

ALL THAT PORTION OF SECTION 8, T. 5 N., R. 1 E., H.M., WHICH LIES EAST OF THE EASTERLY LINE OF TIDELAND LOCATION NO. 266, (BEING TIDELAND SURVEY NO. 120, HUMBOLDT COUNTY) AS DESCRIBED IN THE PATENT BY THE STATE OF CALIFORNIA TO V. SCHROEDER, DATED APRIL 5, 1934, AND RECORDED IN BOOK 24 OF PATENTS, PAGE 336, HUMBOLDT COUNTY RECORDS, AND WEST OF THE WESTERLY LINE OF THE ESTABLISHED RIGHT-OF-WAY OF THE NORTHWESTERN PACIFIC RAILROAD COMPANY, EXCEPTING THEREFROM ANY PORTION LYING WITHIN TIDELAND SURVEY NO. 18, HUMBOLDT COUNTY, AS DESCRIBED IN PATENT FROM THE STATE OF CALIFORNIA TO GEORGE CARSON AND SKIFFINGTON CARSON, DATED JANUARY 29, 1874, AND EXCEPTING ALSO THAT PORTION LYING WITHIN SWAMP AND OVERFLOWED LAND SURVEY NO. 64, HUMBOLDT COUNTY, AS DESCRIBED IN PATENT FROM THE STATE OF CALIFORNIA TO GEORGE CARSON AND SKIFFINGTON CARSON, DATED JANUARY 23, 1874 AND RECORDED IN BOOK 3 OF PATENTS, PAGE 172, HUMBOLDT COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY LINE OF THE ESTABLISHED RIGHT-OF-WAY OF THE NORTHWESTERN PACIFIC RAILROAD COMPANY LOCATED 645.2 FEET NORTH AND 976.4 FEET WEST OF THE SOUTHEAST CORNER OF SAID SECTION 8; THENCE NORTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE 245 FEET MORE OR LESS TO THE WESTERLY BOUNDARY OF SAID SURVEY NO. 64; THENCE ALONG SAID WESTERLY BOUNDARY NORTH 9° EAST 100 FEET MORE OR LESS TO ITS INTERSECTION WITH SAID RIGHT-OF-WAY LINE; THENCE ALONG SAID RIGHT-OF-WAY LINE NORTHWESTERLY 24 FEET MORE OR LESS TO AN ANGLE POINT THEREIN AND NORTHEASTERLY 64 FEET MORE OR LESS TO THE WESTERLY BOUNDARY OF SAID SURVEY NO. 64; THENCE ALONG SAID WESTERLY BOUNDARY OF SAID SURVEY NO. 64 NORTH 9° EAST 120 FEET MORE OR LESS TO AN ANGLE POINT THEREIN, NORTH 25° EAST 561 FEET AND NORTH 44° EAST 138 FEET MORE OR LESS TO THE INTERSECTION WITH SAID RIGHT-OF-WAY LINE; THENCE ALONG SAID RIGHT-OF-WAY LINE NORTHEASTERLY 118 FEET MORE OR LESS TO AN ANGLE POINT THEREIN AND SOUTHEASTERLY 50 FEET MORE OR LESS TO THE INTERSECTION WITH SAID WESTERLY BOUNDARY OF SURVEY NO. 64; THENCE ALONG SAID WESTERLY BOUNDARY OF SURVEY NO. 64 NORTH 44° EAST 35 FEET MORE OR LESS TO THE INTERSECTION WITH SAID RIGHT-OF-WAY LINE; THENCE ALONG SAID RIGHT-OF-WAY LINE NORTHEASTERLY 855 FEET MORE OR LESS TO A POINT WHICH BEARS DUE EAST FROM THE NORTHEAST CORNER OF TIDELAND LOCATION NO. 266; THENCE WEST 5 FEET MORE OR LESS TO SAID NORTHEAST CORNER OF TIDELAND LOCATION NO. 266; THENCE ALONG THE WESTERLY LINE OF SAID TIDELAND LOCATION NO. 266, SOUTH 21° 35' WEST 400 FEET, SOUTH 25° 05' WEST 657 FEET, SOUTH 23° 50' WEST 680 FEET, AND SOUTH 26° 30' WEST 1000 FEET

MORE OR LESS TO THE INTERSECTION WITH SAID WESTERLY RIGHT-OF-WAY
LINE; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE NORTHEASTERLY
552 FEET MORE OR LESS TO THE POINT OF BEGINNING, CONTAINING 3.27
ACRES MORE OR LESS.

FURTHER, THE RESOLUTION OF AUGUST 8, 1957, MINUTE PAGES 3415-16, IS AMENDED
TO PROVIDE THAT ALL MINERALS SHALL BE RESERVED BY THE STATE.

Attachment

Calendar Item 24 (2 pages)

CALENDAR ITEM

SUPPLEMENTAL

24.

(SALE OF SOVEREIGN LANDS, SOVEREIGN LAND LOCATION NO. 26, HUMBOLDT COUNTY, BRACUT LUMBER COMPANY - S.W.O. 6723.)

Pursuant to the provisions of Chapter 1437, Statutes of 1957, the Commission is authorized to sell a parcel of sovereign land situated within Arcata Bay in Section 8, T. 5 N., R. 1 E., H.M., which lies east of the easterly line of State Tideland Survey No. 120 and west of the westerly line of the established right-of-way of Northwestern Pacific Railroad Company. The parcel comprises an area of 3.27 acres, more or less.

The aforesaid act provides that the owner or owners of the land abutting to that described above, shall, upon application to the State Lands Commission be the preferred purchasers for a period of one year. By resolution adopted at its meeting held August 8, 1957, Minute Pages 5413-16, the Commission authorized the Acting Executive Officer to proceed with the sale of the land described in Chapter 1437, Statutes of 1957, at the appraised fair market value subject to all statutory reservations, except that mineral rights shall be conveyed with the surface rights and subject to final approval by the Commission of any sale.

In view of the fact that the act is silent with respect to disposal of the mineral rights, the reservation of all minerals by the State under any sale is considered mandatory, pursuant to applicable sections of the Public Resources Code.

Pursuant to the aforesaid act, an application to purchase has been received from Bracut Lumber Company (Sovereign Lands Location No. 26, S.W.O. 6723) as an abutting land owner. A review of the records indicates that A and F Lands, Inc., is an abutting land owner to the extent of approximately 300 feet on the northerly portion of the parcel authorized to be sold. A waiver of the preferred right to purchase, by reason of being an abutting land owner, has been obtained from A and F Lands, Inc., by letter dated March 17, 1958.

An inspection and appraisal by a member of the Commission's staff on October 22, 1957 establishes the value of the subject land at \$75 per acre, for a total value of \$245.25. The applicant has deposited the required amount to meet the appraised value.

IT IS RECOMMENDED THAT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 1437, STATUTES OF 1957, THE COMMISSION AUTHORIZE THE SALE TO BRACUT LUMBER COMPANY, THE ABUTTING LANDOWNER, AT A CASH PRICE OF \$245.25, SUBJECT TO ALL STATUTORY RESERVATIONS INCLUDING MINERALS, OF THE FOLLOWING DESCRIBED LANDS:

ALL THAT PORTION OF SECTION 8, T. 5 N., R. 1 E., H.M., WHICH LIES EAST OF THE EASTERLY LINE OF TIDELAND LOCATION NO. 266, (BEING TIDELAND SURVEY NO. 120, HUMBOLDT COUNTY) AS DESCRIBED IN THE PATENT BY THE STATE OF CALIFORNIA TO V. SCHROEDER, DATED APRIL 5, 1934, AND RECORDED IN BOOK 24 OF PATENTS, PAGE 336, HUMBOLDT COUNTY RECORDS,

SUPPLEMENTAL 24. (CONTD.)

AND WEST OF THE WESTERLY LINE OF THE ESTABLISHED RIGHT-OF-WAY OF THE NORTHWESTERN PACIFIC RAILROAD COMPANY, EXCEPTING THEREFROM ANY PORTION LYING WITHIN TIDELAND SURVEY NO. 18, HUMBOLDT COUNTY, AS DESCRIBED IN PATENT FROM THE STATE OF CALIFORNIA TO GEORGE CARSON AND SKIFFINGTON CARSON, DATED JANUARY 29, 1874, AND EXCEPTING ALSO THAT PORTION LYING WITHIN SWAMP AND OVERFLOWED LAND SURVEY NO. 64, HUMBOLDT COUNTY, AS DESCRIBED IN PATENT FROM THE STATE OF CALIFORNIA TO GEORGE CARSON AND SKIFFINGTON CARSON, DATED JANUARY 23, 1874 AND RECORDED IN BOOK 3 OF PATENTS, PAGE 172, HUMBOLDT COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY LINE OF THE ESTABLISHED RIGHT-OF-WAY OF THE NORTHWESTERN PACIFIC RAILROAD COMPANY LOCATED 645.2 FEET NORTH AND 976.4 FEET WEST OF THE SOUTHEAST CORNER OF SAID SECTION 8; THENCE NORTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE 245 FEET MORE OR LESS TO THE WESTERLY BOUNDARY OF SAID SURVEY NO. 64; THENCE ALONG SAID WESTERLY BOUNDARY NORTH 9° EAST 100 FEET MORE OR LESS TO ITS INTERSECTION WITH SAID RIGHT-OF-WAY LINE; THENCE ALONG SAID RIGHT-OF-WAY LINE NORTHWESTERLY 24 FEET MORE OR LESS TO AN ANGLE POINT THEREIN AND NORTHEASTERLY 64 FEET MORE OR LESS TO THE WESTERLY BOUNDARY OF SAID SURVEY NO. 64; THENCE ALONG SAID WESTERLY BOUNDARY OF SAID SURVEY NO. 64 NORTH 9° EAST 120 FEET MORE OR LESS TO AN ANGLE POINT THEREIN, NORTH 25° EAST 561 FEET AND NORTH 44° EAST 138 FEET MORE OR LESS TO THE INTERSECTION WITH SAID RIGHT-OF-WAY LINE; THENCE ALONG SAID RIGHT-OF-WAY LINE NORTHEASTERLY 118 FEET MORE OR LESS TO AN ANGLE POINT THEREIN AND SOUTHEASTERLY 50 FEET MORE OR LESS TO THE INTERSECTION WITH SAID WESTERLY BOUNDARY OF SURVEY NO. 64; THENCE ALONG SAID WESTERLY BOUNDARY OF SURVEY NO. 64 NORTH 44° EAST 35 FEET MORE OR LESS TO THE INTERSECTION WITH SAID RIGHT-OF-WAY LINE; THENCE ALONG SAID RIGHT-OF-WAY LINE NORTHEASTERLY 855 FEET MORE OR LESS TO A POINT WHICH BEARS DUE EAST FROM THE NORTHEAST CORNER OF TIDELAND LOCATION NO. 266; THENCE WEST 5 FEET MORE OR LESS TO SAID NORTHEAST CORNER OF TIDELAND LOCATION NO. 266; THENCE ALONG THE WESTERLY LINE OF SAID TIDELAND LOCATION NO. 266, SOUTH 21° 35' WEST 400 FEET, SOUTH 25° 05' WEST 667 FEET, SOUTH 23° 50' WEST 680 FEET, AND SOUTH 26° 30' WEST 1000 FEET MORE OR LESS TO THE INTERSECTION WITH SAID WESTERLY RIGHT-OF-WAY LINE; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE NORTHEASTERLY 552 FEET MORE OR LESS TO THE POINT OF BEGINNING, CONTAINING 3.27 ACRES MORE OR LESS.

IT IS FURTHER RECOMMENDED THAT THE COMMISSION AMEND THE RESOLUTION OF AUGUST 8, 1957, MINUTE PAGES 3415-16, TO PROVIDE THAT ALL MINERALS SHALL BE RESERVED BY THE STATE.