

MINUTE ITEM

30. SALE OF VACANT SCHOOL LAND, APPLICATION NO. 11096, LOS ANGELES LAND DISTRICT, SAN BERNARDINO COUNTY, STANFORD C. SHAW - S.W.O. 6621.

After consideration of Calendar Item 15 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION FINDS THAT THE LANDS DESCRIBED BELOW ARE NOT SUITABLE FOR CULTIVATION WITHOUT ARTIFICIAL IRRIGATION, AND AUTHORIZES THE SALE OF SAID LANDS, SUBJECT TO ALL STATUTORY RESERVATIONS INCLUDING MINERALS, AT A TOTAL CASH PRICE OF \$12,926.28, TO STANFORD C. SHAW, THE FIRST APPLICANT, WHO WAS THE SOLE BIDDER ON THE LANDS IN SECTION 16 AND WHO MET THE HIGHEST BONA-FIDE BID WITHIN THE PRESCRIBED PERIOD FOR THE LANDS IN SECTION 36:

THE SE $\frac{1}{4}$ OF SW $\frac{1}{4}$, THE E $\frac{1}{2}$ OF NE $\frac{1}{4}$, THE SW $\frac{1}{4}$ OF SE $\frac{1}{4}$, AND THE E $\frac{1}{2}$ OF SE $\frac{1}{4}$ OF SECTION 36, T. 11 N., R. 4 E., S.B.M., CONTAINING 240 ACRES IN SAN BERNARDINO COUNTY,

AND

SECTION 16, T. 12 N., R. 7 E., S.B.M., EXCEPTING THEREFROM 12.81 ACRES EMBRACED IN A RIGHT-OF-WAY HERETOFORE LEASED BY THE COMMISSION OVER AND ACROSS THE S $\frac{1}{2}$ OF SAID SECTION WHICH IS TO BE RESERVED IN FEE BY THE STATE PURSUANT TO THE PROVISIONS OF SECTION 6210.4(a) OF THE PUBLIC RESOURCES CODE, CONTAINING, AFTER SAID EXCEPTION, 627.19 ACRES IN SAN BERNARDINO COUNTY.

Attachment

Calendar Item 15 (2 pages)

CALENDAR ITEM

15.

SALE OF VACANT SCHOOL LAND, APPLICATION NO. 11096, LOS ANGELES LAND DISTRICT, SAN BERNARDINO COUNTY, STANFORD C. SHAW - S.W.O. 6621.

An offer has been received from Stanford C. Shaw of Ontario, California, to purchase, among other lands, the SE $\frac{1}{4}$ of SW $\frac{1}{4}$, E $\frac{1}{2}$ of NE $\frac{1}{4}$, SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 36, T. 11 N., R. 4 E., S.B.M., containing 240 acres, and Section 16, T. 12 N., R. 7 E., S.B.M., containing 640 acres, for a total of 880 acres in San Bernardino County. The applicant made an offer of \$2,400, or \$10 per acre, for lands in Section 36, T. 11 N., R. 4 E., S.B.M., the minimum value established by a prior appraisal, and \$7,200, or \$11.25 per acre, for lands in Section 16, T. 12 N., R. 7 E., S.B.M.

The Commission, at its meeting of February 24, 1959, authorized the deposit by the applicant of funds to meet the appraised values, and the subsequent processing by the staff, in three separate steps, of the lands designated by the applicant. It was stipulated that all funds were to be deposited by 5 p.m., April 19, 1959, on lands on which the applicant desired to meet the appraised values.

Pursuant to Section 6210.4(a) of the Public Resources Code, 12.81 acres across the S $\frac{1}{2}$ of Section 16, T. 12 N., R. 7 E., S.B.M., embraced in a right-of-way leased by the Commission by instrument dated September 7, 1956, to the California Electric Power Company, must be reserved from sale, thereby leaving 627.19 acres, more or less, salable in the section.

A staff appraisal shows that the land is not suitable for cultivation without artificial irrigation, and establishes the value for lands in Section 36, T. 11 N., R. 4 E., S.B.M., at \$22 per acre, or a total of \$5,280, and the value for lands in Section 16, T. 12 N., R. 7 E., S.B.M., at \$12 per acre, or a total of \$7,526.28. The applicant deposited the necessary amount to meet the appraised values.

The lands were then advertised for sale with a stipulation that bids must be in excess of \$5,280 for lands in Section 36, T. 11 N., R. 4 E., S.B.M., and in excess of \$7,526.28 for lands in Section 16, T. 12 N., R. 7 E., S.B.M. Said notice further provided that bids could be submitted to purchase all of said land, or that separate bids could be submitted on all lands in any parcel above described. Pursuant to advertising, no bids were received for lands in Section 16, T. 12 N., R. 7 E., S.B.M.

Prior to advertising, the application of Louis J. Manion of San Gabriel, California (11236, Los Angeles Land District, S.W.O. 6815), was received for lands in Section 36, T. 11 N., R. 4 E., S.B.M. An offer of \$2,400, or \$10 per acre, was submitted. Pursuant to advertising, said offer was increased to a total of \$5,400, or \$23.50 per acre.

Under Section 2302(d) of the Rules and Regulations of the State Lands Commission, the first applicant was allowed 20 days from date of opening of bids (March 18, 1959) within which to submit the additional amount of \$120 to

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meet the highest bid received for lands in Section 36, T. 11 N., R. 4 E., S.B.M. The first applicant, Stanford C. Shaw, met the high bid within this period.

The Commission, at its meeting held February 24, 1959, requested clarification of the legal right of Stanford C. Shaw to purchase the above-described lands from the State. By an opinion dated March 9, 1959, the office of the Attorney General indicated that there is no legal barrier to the proposed purchase by Stanford C. Shaw.

IT IS RECOMMENDED THAT THE COMMISSION FIND THAT THE LANDS DESCRIBED BELOW ARE NOT SUITABLE FOR CULTIVATION WITHOUT ARTIFICIAL IRRIGATION, AND AUTHORIZE THE SALE OF SAID LANDS, SUBJECT TO ALL STATUTORY RESERVATIONS INCLUDING MINERALS, AT A TOTAL CASH PRICE OF \$12,926.28, TO STANFORD C. SHAW, THE FIRST APPLICANT, WHO WAS THE SOLE BIDDER ON THE LANDS IN SECTION 16 AND WHO MET THE HIGHEST BONA-FIDE BID WITHIN THE PRESCRIBED PERIOD FOR THE LANDS IN SECTION 36:

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