

MINUTE ITEM

6. APPLICATION TO PURCHASE MINERAL RESERVATION, SONOMA COUNTY; ADMIRAL CHARLES M. COOKE, U. S. NAVY (RET.) AND MARY L. COOKE - W.O. 4511, GEO.-SONOMA CO.

After consideration of Calendar Item 3 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE A DEED TO CHARLES M. COOKE AND MARY L. COOKE FOR THE MINERAL RESERVATION MADE BY THE GOVERNOR OF THE STATE ON JUNE 22, 1944, IN THE CONVEYANCE OF A PARCEL OF STATE PROPERTY SOLD PURSUANT TO CHAPTER 213, STATUTES OF 1943, AS RECORDED IN BOOK 611 OF OFFICIAL RECORDS, PAGE 319, SONOMA COUNTY RECORDS, AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED. THE DEED SHALL GRANT THE RESERVED MINERAL RIGHTS TO A DEPTH OF 500 FEET ONLY BELOW THE SURFACE. THE DEED IS TO BE ISSUED FOR THE ESTABLISHED FEE OF \$10, AND THE COMMISSION'S COSTS IN MAKING THE MINERAL REVIEW.

Attachment

Calendar Item 3 (4 pages)

CALENDAR ITEM

3.

APPLICATION TO PURCHASE MINERAL RESERVATION, SONOMA COUNTY; ADMIRAL CHARLES M. COOKE, U. S. NAVY (RET.) AND MARY L. COOKE - W.O. 4511.

An application for the purchase of a mineral estate previously reserved to the State has been made by Admiral Charles M. Cooke, U. S. Navy (Ret.) and Mary L. Cooke, successors in interest to a grant of State property, as recorded in Book 611 of Official Records, Page 319, Sonoma County Records, containing 205.81 acres. (See Exhibit "A" attached). This parcel was conveyed by deed of June 22, 1944, to Gerald E. Foster and Helen M. Foster, by the Director of Institutions (now the Department of Mental Hygiene), with the approval of the Director of Finance, pursuant to Chapter 213, Statutes 1943, subject to reservation to the State of all minerals.

The applicant proposes to sell the surface property. The buyer intends to develop a residential subdivision. The currently retained surface mineral rights interfere with the acquisition of the necessary developmental and improvement financing.

Chapter 1212 of the Statutes of 1949 (Section 6406 of the Public Resources Code), authorizes the Commission to sell any mineral reservations the State made prior to the effective date of Section 6403 of the Code, as added by Chapter 227 of the Statutes of 1947, in lands acquired by the State for public use, upon such conditions as the Commission may determine.

Field reconnaissance of the land and a review of the technical literature relating to the area have shown that there are no surface indications of commercially valuable mineral deposits, and no mining operations are currently being conducted in the general area. No explorations for oil and gas have been conducted in this area, and therefore it is impossible to evaluate any petroleum potential at this time. For this reason it appears advisable to continue to reserve all minerals below a depth of 500 feet below the surface.

The filing fee in the amount of \$5 and an expense deposit of \$250 have been paid by the applicant. The cost of the staff mineral review will also be borne by the applicant.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO ISSUE A DEED TO CHARLES M. COOKE AND MARY L. COOKE FOR THE MINERAL RESERVATION MADE BY THE GOVERNOR OF THE STATE ON JUNE 22, 1944, IN THE CONVEYANCE OF A PARCEL OF STATE PROPERTY SOLD PURSUANT TO CHAPTER 213, STATUTES OF 1943, AS RECORDED IN BOOK 611 OF OFFICIAL RECORDS, PAGE 319, SONOMA COUNTY RECORDS, AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED. THE DEED SHALL GRANT THE RESERVED MINERAL RIGHTS TO A DEPTH OF 500 FEET ONLY BELOW THE SURFACE. THE DEED IS TO BE ISSUED FOR THE ESTABLISHED FEE OF \$10, AND THE COMMISSION'S COSTS IN MAKING THE MINERAL REVIEW.

-1-

Attachment
Exhibit "A"

A 7
S 12

8519

EXHIBIT "A"

MINERAL DEED

THIS INDENTURE, made this day of 196 , between the PEOPLE OF THE STATE OF CALIFORNIA, the Party of the First Part, and CHARLES M. COOKE and MARY LOUISE COOKE, husband and wife as joint tenants, the Parties of the Second Part,

WITNESSETH: That whereas the following-described real property was land acquired by the State for public use, to wit: For the use and benefit of the Director of Institutions, and

WHEREAS, the surface interest in said lands was conveyed by the Director of Institutions, with the approval of the Director of Finance, by Deed of June 22, 1944, to CERALD E. FOSTER and HELEN M. FOSTER, and

WHEREAS, the Parties of the Second Part are successors in interest to the aforesaid Grantees, and

WHEREAS, the said land is exempt from the provisions of Chapter 5, Part 1, Division 6, of the Public Resources Code, and at a meeting of the State Lands Commission duly held on the 20th day of December 1962, by resolution duly adopted, it was found by said Commission to be for the best interests of the State of California that the interest of the State of California in and to any and all oil, gas and minerals from the surface to a depth of 500 feet be conveyed as hereinafter set forth,

NOW, THEREFORE, the Party of the First Part in consideration of the sum of Ten and No One-hundredths Dollars (\$10.00), paid to it by the Parties of the Second Part, does hereby remise, release and forever quitclaim unto the Parties of the Second Part and to the heirs, executors, administrators, successors and assigns of the Parties of the Second Part, all its rights in and title to all deposits of minerals, including oil, gas, and other hydrocarbons in and under and that may be produced from the surface to a depth of 500 feet from those certain lands situate in the County of Sonoma, State of California, bounded and described as follows:

All that certain real property consisting of 205.81 acres, more or less, described in Chapter 213, Statutes of 1943 as Parcel Two and the easterly portion of the land described in said Chapter as Parcel Number Three, Subdivision Fifteen (15) which real property hereby granted is situated in the County of Sonoma, State of California, and more particularly described as follows:

EXHIBIT "A" (CONTD.)

PARCEL TWO: Beginning at the most northerly corner of Lot Numbered 70, as said lot is delineated and so designated on that certain map entitled, "Map of Sonoma Mission Farms No. 5", filed in the office of the County Recorder of Sonoma County on July 13, 1914, and recorded in Book 31 of Maps, Pages 6 and 7; running thence along the northwesterly boundary line of said Lot numbered 70, to the most westerly corner thereof; thence south $74^{\circ} 20'$ East 1730.7 feet to a stake in the center of the creek; thence north $14^{\circ} 26'$ east 4650 feet to a point on the northeasterly boundary line of said Lot numbered 70, which point is 1114.56 feet south $34^{\circ} 17'$ east of the said most northerly corner of said Lot numbered 70; thence north $34^{\circ} 17'$ west along said northeasterly boundary line of said Lot numbered 70, 1114.66 feet to the point of beginning, containing 140.31 acres, more or less. Being a portion of said Lot numbered 70, of said Sonoma Mission Farms No. 5 and also included within Lot numbered 14 of the hereinafter mentioned referee's map of certain property belonging to Kate Johnson Estate Company, et al.

EASTERLY PORTION OF PARCEL NUMBER THREE, SUBDIVISION FIFTEEN (15): Beginning at a corner point on the north boundary line of Sub-division Number 15 as said Subdivision is designated upon the map entitled, "Referee's Map of Certain Property Belonging to Kate Johnson Estate Company, et al.," in Sonoma and Napa Counties, California, showing the subdivision thereof as divided and sold by the Referees in partition in the suit entitled, "Kate Johnson Estate Company, et al., vs. Clara Turnbull, et al., Superior Court in the City and County of San Francisco, California," filed in the office of the County Recorder of Sonoma County, on April 29, 1907, and recorded in Book 21 of Maps, Page 2, which point is distant 528.0 feet and bears south $85^{\circ} 0'$ west from the most westerly corner of Parcel Number Two, above described, which corner of Parcel Number 2 is also the most westerly corner of Lot numbered 70 as said Lot is delineated and so designated on that certain map entitled, "Map of Sonoma Mission Farms No. 5", filed in the office of the County Recorder of Sonoma County on July 13, 1914, and recorded in Book 31 of Maps, Pages 6 and 7; running thence north $85^{\circ} 0'$ east 528 feet along the northerly boundary line of Subdivision 15 to the most westerly corner of Parcel Number 2, above described; thence south $74^{\circ} 20'$ east 1730.7 feet along the southerly boundary line of Parcel Number 2 to a stake in the center of the creek which point is the southeasterly corner of Parcel Number 2, above described; thence down the creek which creek is the East Fork of Arroyo Seco in a southerly direction to a point which point is the northeasterly corner of Parcel 1 described in Chapter 213, Statutes of 1943, which point is also described as a corner common to Subdivisions 10, 14 and 15 as per map in Partition Suit above mentioned, and which point is further described as located on the northern boundary line of what is known

EXHIBIT "A" (CONTD.)

as "Iac" Survey of the Buena Vista extended southeasterly and south 53° distant 3710 feet from the northwest corner of said Iac Survey; thence running in a straight line northerly a distance of 3060 feet more or less to the point of beginning, containing 65.5 acres, more or less.

IN TESTIMONY WHEREOF, I, F. J. HORTIG, Executive Officer of the State Lands Commission, have hereunto set my hand and have caused the Seal of the State Lands Commission of California to be hereunto affixed.

STATE LANDS COMMISSION

F. J. HORTIG
Executive Officer

(Seal of the State Lands Commission)

State of California)
) ss.
County of Los Angeles)

On _____, 1962, before me, the undersigned, a Notary Public in and for said County and State, personally appeared F. J. Hortig, known to me to be the Executive Officer of the State Lands Commission, State of California, the political body that executed the within instrument, known to me to be the person who executed the within instrument, on behalf of the political body herein named and acknowledged to me that such political body executed the within instrument pursuant to due exercise of its powers.

WITNESS my hand and official seal.

NAME (Typed or Printed)
Notary Public in and for said
County and State.