

MINUTE ITEM

23. SELECTION OF VACANT FEDERAL LAND, LIEU LAND APPLICATION NO. 3, RIVERSIDE LAND DISTRICT, SAN BERNARDINO COUNTY; JAMES E. CRAM - S.W.O. 7521.

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

THE COMMISSION:

1. APPROVES THE SELECTION FROM THE UNITED STATES OF THE $E\frac{1}{2}$ OF $SW\frac{1}{4}$ OF SECTION 11, T. 5 N., R. 2 W., S.B.M. (CONTAINING A TOTAL OF 80 ACRES), SAN BERNARDINO COUNTY;
2. FINDS THAT SAID LAND IS NOT SUITABLE FOR CULTIVATION; AND
3. AUTHORIZES THE ISSUANCE OF A PATENT IN FAVOR OF JAMES E. CRAM, THE APPLICANT, UPON THE LISTING (CONVEYANCE) OF SAID LAND TO THE STATE BY THE UNITED STATES, WITH SURRENDERED SCRIP CERTIFICATES TO CONSTITUTE THE FULL PURCHASE PRICE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 7413 OF THE PUBLIC RESOURCES CODE.

Attachment

Calendar Item 24 (2 pages)

CALENDAR ITEM

24.

SELECTION OF VACANT FEDERAL LAND, LIEU LAND APPLICATION NO. 3, RIVERSIDE LAND DISTRICT, SAN BERNARDINO COUNTY; JAMES E. CRAM - S.W.O. 7521.

An application was received from James E. Cram of Mentone, California, to purchase the E $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 11, T. 5 N., R. 2 W., S.B.M. (containing a total of 80 acres), San Bernardino County. Pursuant to the provisions of Section 7416 of the Public Resources Code, the applicant surrendered two Indemnity Certificates of Location, or Scrip, totaling 80 acres, for which the sum of \$7.10 per acre was paid by the applicant at the time of purchase on May 1, 1922. Section 7413 of the Public Resources Code recites that surrendered scrip certificates shall constitute the full purchase price of the federal land designated by the applicant to be selected by the State for his benefit.

For further verification of the fact that the surrendered scrip certificates constitute the full purchase price of the land applied for, even though the current market value may be considerably in excess of the \$7.10 per acre price paid at the time of purchase of such scrip in 1922, a letter opinion has been obtained from the office of the Attorney General. The opinion, attached hereto as Exhibit "C" points out that, pursuant to statutes governing the purchase and surrender of State scrip, the surrendered certificates must be accepted as the full purchase price. It is noted that this is also supported by several judicial determinations.

In accordance with applicable statutes and regulations, the sum of \$105 was submitted as an expense deposit and filing fee.

THE PROPERTY

Location: 9 $\frac{1}{2}$ miles northeast of Apple Valley on Highway No. 18.

Access: There are unimproved dirt roads to the southwest and to the northeast corners of said land.

No appraisal of the land has been made, nor is one required to determine the fair market value in view of the provisions of Section 7413 of the Public Resources Code above referred to, which provides that the surrendered certificates of scrip shall constitute the full purchase price.

Based upon an inspection for the purpose of preparing certain affidavits required by the United States Bureau of Land Management to accompany the formal application of the State to select the land involved, it has been determined that the land is not suitable for cultivation.

IT IS RECOMMENDED THAT THE COMMISSION:

1. APPROVE THE SELECTION FROM THE UNITED STATES OF THE E $\frac{1}{2}$ OF SW $\frac{1}{4}$ OF SECTION 11, T. 5 N., R. 2 W., S.B.M. (CONTAINING A TOTAL OF 80 ACRES),

CALENDAR ITEM 24. (CONTD.)

SAN BERNARDINO COUNTY;

2. FIND THAT SAID LAND IS NOT SUITABLE FOR CULTIVATION; AND
3. AUTHORIZE THE ISSUANCE OF A PATENT IN FAVOR OF JAMES E. CRAM, THE APPLICANT, UPON THE LISTING (CONVEYANCE) OF SAID LAND TO THE STATE BY THE UNITED STATES, WITH SURRENDERED SCRIP CERTIFICATES TO CONSTITUTE THE FULL PURCHASE PRICE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 7413 OF THE PUBLIC RESOURCES CODE.