

30. SALE OF VACANT STATE SCHOOL LAND, APPLICATION NO. 47, RIVERSIDE LAND DISTRICT, RIVERSIDE COUNTY; FELIX WICKER - S.W.O. 8089 (ROLAND W. WOSKOSKI, APP. 78, RIVERSIDE LAND DISTRICT - S.W.O. 8162).

After consideration of Calendar Item 13 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION:

1. FINDS THAT THE  $S\frac{1}{2}$  OF  $SE\frac{1}{4}$  OF  $SE\frac{1}{4}$  OF SECTION 11, T. 6 S., R. 22 E., S.B.M., CONTAINING 20 ACRES IN RIVERSIDE COUNTY, IS NOT SUITABLE FOR CULTIVATION WITHOUT ARTIFICIAL IRRIGATION; AND
2. CONFIRMS THE WITHDRAWAL OF THE BID OF MR. ROLAND W. WOSKOSKI IN THE SUM OF \$10,070 (\$503.50 PER ACRE) BY REASON OF SUCH BID HAVING BEEN MADE IN ERROR, AND
3. AUTHORIZES THE SALE OF SAID LAND TO THE NEXT HIGHEST QUALIFIED BIDDER, FELIX WICKER, SUBJECT TO ALL STATUTORY AND CONSTITUTIONAL RESERVATIONS, AT THE CASH PRICE OF \$3,100 (\$155 PER ACRE), SUCH AMOUNT CONSIDERED TO BE A REASONABLE AND REPRESENTATIVE BID PRICE FOR THE LAND INVOLVED.

Attachment

Calendar Item 13 (2 pages)

13.

SALE OF VACANT STATE SCHOOL LAND, APPLICATION NO. 47, RIVERSIDE LAND DISTRICT, RIVERSIDE COUNTY; FELIX WICKER - S.W.O. 8089 (ROLAND W. WOSKOSKI, APP. 78, RIVERSIDE LAND DISTRICT - S.W.O. 8162).

On February 2, 1965, a written offer was received from Mr. Felix Wicker of Riverside, California, to purchase the  $S\frac{1}{2}$  of  $SE\frac{1}{4}$  of  $SE\frac{1}{4}$  of Section 11, T. 6 S., R. 22 E., S.B.M., containing 20 acres in Riverside County, at \$5.00 per acre.

THE PROPERTY

- Location: The subject land is situated on the west edge of Palo Verde Valley, 6.3 miles northwest of Blythe.
- Access: Surfaced and dirt road from Blythe to south boundary.
- Water: There is no surface water. Well water is proven within one mile, and prospects for irrigation water from wells are reasonable, good.
- Terrain: Relatively flat; situated at lower extremity of wash, and subject to flash floods.
- Cover: Sparse desert brush, no grass or foliage. Soil is extremely sandy and of poor fertility, materially reducing agricultural potential.
- Highest Use: Limited agriculture, dependent upon water and soil development.

A staff appraisal shows that the land is not suitable for cultivation without artificial irrigation, and establishes its value at \$100 per acre for a total of \$2,000. The applicant amended his offer, in writing, concurring with the appraised value in accordance with regulations. The land was advertised for sale with the stipulation that bids must be in excess of the appraised value of \$2,000. As a result of advertised call for sealed bids, the following offers were received:

<u>Applicant</u>	<u>Offer</u>
Roland W. Woskoski Redondo Beach, California	\$10,070 (S.W.O. 8162, App. 78, Riverside Land District)
Felix Wicker Riverside, California	\$3,100 (S.W.O. 8089, App. 47, Riverside Land District)
Homer Ely Torrance, California	\$3,005 (S.W.O. 8163, App. 79, Riverside Land District)

CALENDAR ITEM 13. (CONTD.)

All bids received were in proper form, accompanied by the minimum required deposits.

On August 3, 1965, twelve days after opening of bids, a telegram was received from the highest bidder, Mr. Roland W. Woskoski, requesting withdrawal of his bid due to an error. Subsequent discussions with the Woskoskis indicated that the error was solely on their part because of misreading the description contained in the published notice. This caused them to consider and inspect a parcel of land some distance from the advertised 20 acres.

The office of the Attorney General has advised the Division on numerous occasions that any bidder may withdraw his bid at any time up to the point of formal acceptance by the Commission. It has been confirmed that such advice is applicable in this instance, particularly since it appears that an honest mistake or oversight occurred.

If all bids were to be rejected by the Commission, the Woskoskis would be required to forfeit their entire expense deposit of \$350 pursuant to Section 2302(d) of Title 2, Division 3, of the California Administrative Code. This would seem to be an unduly severe penalty in view of the circumstances involved. Furthermore, the next highest bid of \$3,100, made by Mr. Felix Wicker, is over 50% higher than the appraised value, and appears to be a truly representative bid.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE S $\frac{1}{2}$  OF SE $\frac{1}{4}$  OF SE $\frac{1}{4}$  OF SECTION 11, T. 6 S., R. 22 E., S.B.M., CONTAINING 20 ACRES IN RIVERSIDE COUNTY, IS NOT SUITABLE FOR CULTIVATION WITHOUT ARTIFICIAL IRRIGATION; AND
2. CONFIRM THE WITHDRAWAL OF THE BID OF MR. ROLAND W. WOSKOSKI IN THE SUM OF \$10,070 (\$503.50 PER ACRE) BY REASON OF SUCH BID HAVING BEEN MADE IN ERROR, AND
3. AUTHORIZE THE SALE OF SAID LAND TO THE NEXT HIGHEST QUALIFIED BIDDER, FELIX WICKER, SUBJECT TO ALL STATUTORY AND CONSTITUTIONAL RESERVATIONS, AT THE CASH PRICE OF \$3,100 (\$155 PER ACRE), SUCH AMOUNT CONSIDERED TO BE A REASONABLE AND REPRESENTATIVE BID PRICE FOR THE LAND INVOLVED.