

MINUTE ITEM

6/22/67

7. RIGHT-OF-WAY PERMIT, SACRAMENTO RIVER, YOLO COUNTY; STATE DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS - W.O. 6543, P.R.C. 3781.9.

After consideration of Calendar Item 37 attached, and upon motion duly made and carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE TO THE STATE DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS, A TEN-YEAR RIGHT-OF-WAY PERMIT, IN CONSIDERATION OF THE PUBLIC BENEFIT, FOR INSTALLATION AND MAINTENANCE OF A DREDGER PIPELINE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

SPECIAL PROVISIONS:

- A. THE PERMIT SHALL BE REVOCABLE ON 60 DAYS NOTICE IF THE COMMISSION FINDS THAT EXISTENCE OF THE PIPELINE INTERFERES WITH THE HIGHEST AND BEST USE OF THE SOVEREIGN LAND IN THE AREA.
- B. THE PERMIT SHALL PROVIDE THAT THE STATE LANDS COMMISSION MAKES NO WARRANTY OF TITLE, AND THE PERMITTEE SHALL WAIVE ANY CLAIM AS TO TITLE.

Attachment

Calendar Item 37 (3 pages)

CALENDAR ITEM

6/67
W.O. 6543

37.

RIGHT-OF-WAY-PERMIT

APPLICANT: State Department of Public Works, Division of Highways

LOCATION: Sovereign land on the westerly bank of the Sacramento River near Broderick, Yolo County

PROPOSED USE: The installation and maintenance of a 30" dredger pipeline for conveyance of sand, to be dredged from a bar at the confluence of Sacramento and American Rivers to a State-owned storage site at the southerly terminus of the easement.

TERMS: Initial Period: 10 years
Special: To be revocable upon 60 days notice if the Commission finds that existence of the pipeline as installed interferes with the highest and best use of sovereign land in the area.

CONSIDERATION: No charge. The public use and benefit.

PREREQUISITE ITEMS:

U.S.A. Corps of Engineers navigational permit is not required. This project is sponsored by the Corps. Applicant is the owner or permittee of upland at the terminus of the easement.*

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Pt. 2, Ch. 1, Secs. 6501-6509
- b. Administrative Code: Title 2, Div. 3, Secs. 2000-2011
- c. Commission policy: Minute Item 18 of November 18, 1959

OTHER PERTINENT INFORMATION:

*The pipeline lies on other State land which may be subject to adverse claims. The permit will include a clause stating that the State makes no warranty of title and the Permittee waives any claim against the State Lands Commission.

EXHIBITS:

- A. Legal Description
- B. Location Map

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO ISSUE TO THE STATE DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS, A TEN-YEAR RIGHT-OF-WAY PERMIT, IN CONSIDERATION OF THE PUBLIC BENEFIT, FOR INSTALLATION AND MAINTENANCE OF A DREDGER PIPELINE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

SPECIAL PROVISIONS:

- A. THE PERMIT SHALL BE REVOCABLE ON 60 DAYS NOTICE IF THE COMMISSION FINDS THAT EXISTENCE OF THE PIPELINE INTERFERES WITH THE HIGHEST AND BEST USE

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OF THE SOVEREIGN LAND IN THE AREA.

- B. THE PERMIT SHALL PROVIDE THAT THE STATE LANDS COMMISSION MAKES NO WARRANTY OF TITLE, AND THE PERMITTEE SHALL WAIVE ANY CLAIM AS TO TITLE.

Attachment: Exhibit "A"

EXHIBIT "A"

A strip of tide and submerged land 10 feet wide in the bed of the Sacramento River, situate near Broderick, Yolo County, California; lying 5 feet on each side of the following described centerline:

Beginning at a point on the last natural Mean High Tide Line of the right bank of the Sacramento River which bears S. $79^{\circ} 55'$ E., 1,400 feet more or less from a iron pin in concrete located at the northwesterly corner of the State of California Division of Highways Broderick Material Site, said monument has California Zone 2 coordinate values of $X = 2,139,185.86$ $Y = 338,523.04$; thence from the point of beginning N. $54^{\circ} 18'$ E., 20 feet, N., $16^{\circ} 20'$ W., 510 feet, N. $21^{\circ} 10'$ W., 220 feet and N. $42^{\circ} 08'$ E., 350 feet to the terminal point on this centerline; containing 0.252 acre more or less.

The basis of bearings is the California Coordinate System Zone 2.