

3. 49-YEAR PUBLIC AGENCY PERMIT, SOVEREIGN LAND IN BED OF KINGS RIVER NEAR LATON, KINGS COUNTY, TO FORM PART OF A PUBLIC PARK; COUNTY OF KINGS - N-0359, P.R.C. 4256.9.

After consideration of Calendar Item 9 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE ISSUANCE TO THE COUNTY OF KINGS OF A 49-YEAR PUBLIC AGENCY PERMIT FROM OCTOBER 1, 1968, IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT, FOR USE AS A PUBLIC PARK, ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF; PROVIDED THAT THE STATE SHALL RESERVE THE RIGHT TO REVIEW THE CONSIDERATION AT ANY TIME AND TO SET A REASONABLE MONETARY RENTAL IF IT IS FOUND THAT A CHARGE IS MADE FOR PUBLIC ACCESS TO OR USE OF ANY FACILITY LOCATED ON THE DEMISED LAND.

Attachment

Calendar Item 9 (2 pages)

9.

PUBLIC AGENCY PERMIT

APPLICANT: County of Kings.

LOCATION: A 2.9-acre parcel of sovereign land in the original natural bed of Kings River near Laton, Kings County.

PROPOSED USE: To form part of a public park.

TERM: 49 years, from October 1, 1968.

CONSIDERATION: No charge (the public use and benefit - to apply only for as long as public use and access are free).

PREREQUISITE ITEM:
Applicant is in process of acquiring the upland.

STATUTORY AND OTHER REFERENCES:
a. Public Resources Code: Div. 6, Pt. 2, Ch. 1, Secs. 6501-6509.
b. Administrative Code: Title 2, Div. 3, Arts. 1 & 2 as amended effective May 10, 1969.

OTHER PERTINENT INFORMATION:
1. The project, to be known as Laton-Kingston Park, will be located along Kings River in Fresno and Kings counties. The County of Fresno has already been granted a permit. The projects are being funded by the State Department of Parks and Recreation.

2. The State land will not be developed to any great extent in the near future. It will be used primarily in its natural state, for swimming, picnicking, fishing, nature study, etc.

3. The annual rental value is estimated to be \$174.

4. A nonmonetary consideration for this permit is justified on the basis of a policy that availability of the recreational area to the general public contributes to the public benefit and protects the State's monetary investment in the facility.

EXHIBITS: A. Land description. B. Location map.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE ISSUANCE TO THE COUNTY OF KINGS OF A 49-YEAR PUBLIC AGENCY PERMIT FROM OCTOBER 1, 1968, IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT, FOR USE AS A PUBLIC PARK, ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF; PROVIDED THAT THE STATE SHALL RESERVE THE RIGHT TO REVIEW THE CONSIDERATION AT ANY TIME AND TO SET A REASONABLE MONETARY RENTAL IF IT IS FOUND THAT A CHARGE IS MADE FOR PUBLIC ACCESS TO OR USE OF ANY FACILITY LOCATED ON THE DEMISED LAND.

Attachment: Exhibit "A"

EXHIBIT "A"

All that certain submerged land in the original natural bed of the Kings River lying within Section 27, Township 17 South, Range 21 East, Mount Diablo Base and Meridian described as follows:

BEGINNING at a point from which the West quarter corner of Section 27, Township 17 South, Range 21 East, M.D.B. & M., bears S. 84° 47' 20" E., 30 feet; thence the following four courses:

N. 84° 47' 20" W., 947.66 feet,
 S. 57° 55' W., 118.69 feet,
 N. 01° 36' 30" E., 311.04 feet,
 N. 11° 01' 15" E. to the intersection with the center line of the original natural bed of the Kings River; thence along said center line following the meanderings of said river in an easterly direction to the intersection with the center line of 12-3/4 Avenue, a county road; thence leaving the center line of said river S. 00° 06' 41" E., 633.81 feet along the center line of said road; thence leaving the center line of said road the following twelve courses:

N. 89° 53' 19" W., 30.00 feet,
 N. 08° 44' 18" W., 100.00 feet,
 N. 00° 06' 41" W., 363.57 feet,
 S. 81° 09' 05" W., 153.13 feet,
 N. 89° 50' 55" W., 303.47 feet,
 N. 79° 23' 55" W., 390.13 feet,
 S. 50° 11' 50" W., 35.78 feet,
 S. 05° 22' 45" W., 304.95 feet,
 S. 21° 24' 45" W., 161.22 feet,
 S. 38° 39' 25" W., 240.07 feet,
 S. 55° 08' 30" W., 178.96 feet,
 S. 22° 51' 56" W., 128.37 feet to the point of beginning.

EXCEPTING any land lying above or landward of the ordinary low water mark of the Kings River.