

MINUTE ITEM

8/28/69

4. ONE-YEAR RIGHT-OF-ENTRY PERMIT, STATE SCHOOL LANDS, SAN BERNARDINO COUNTY, RIGHT-OF-WAY FOR STATE HIGHWAY ROUTE 40; STATE DIVISION OF HIGHWAYS - W-7400, P.R.C. 4294.9.

After consideration of Calendar Item 38 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE ISSUANCE TO THE DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS, OF A ONE-YEAR RIGHT-OF-ENTRY PERMIT, IN CONSIDERATION OF THE PUBLIC BENEFIT, FOR A RIGHT-OF-WAY FOR AND FOR THE PROTECTION OF STATE HIGHWAY ROUTE 40, SAN BERNARDINO COUNTY.

Attachment

Calendar Item 38 (2 pages)

CALENDAR ITEM

8/69
W-7400

38.

PUBLIC AGENCY PERMIT (RIGHT-OF-ENTRY)

APPLICANT: State of California, Division of Highways.

LOCATION: Approximately 18 miles east of Ludlow, San Bernardino County.

PROPOSED USE: Right-of-way for and for the protection of State Highway Route 40.

TERMS: Initial period: 1 year, from August 28, 1969.

CONSIDERATION: The public benefit.

STATUTORY AND OTHER REFERENCES:

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

OTHER PERTINENT INFORMATION:

A right-of-entry is requested, pending completion of negotiations for purchase of the land by the Division of Highways for freeway purposes. The rental value of the site is \$150 per year.

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

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE ISSUANCE TO THE DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS, OF A ONE-YEAR RIGHT-OF-ENTRY PERMIT, IN CONSIDERATION OF THE PUBLIC BENEFIT, FOR A RIGHT-OF-WAY FOR AND FOR THE PROTECTION OF STATE HIGHWAY ROUTE 40, SAN BERNARDINO COUNTY.

Attachment: Exhibit "A"

EXHIBIT "A"

Legal Description

That portion of Section 36, Township 8 North, Range 10 East, SAN BERNARDINO MERIDIAN, according to the Official Plat of said land approved by the Surveyor General, dated January 16, 1913, described as follows:

BEGINNING at the South Quarter corner of said Section marked by a U.S.G.L.O. cap on a three quarter inch iron pipe; thence along the South line of said Section, North 88° 51' 09" East 140.38 feet to a point on a non-tangent curve to the right concave Southerly, having a radius of 6800 feet and an initial tangent bearing of North 68° 17' 18" East; thence Easterly, along said curve, through an angle of 21° 24' 39", a distance of 2541.09 feet to the East Section line; thence along said Section line North 1° 11' 42" West 1283.10 feet to a point on a non-tangent curve to the left concave Southeasterly, having a radius of 7310 feet, and an initial tangent bearing of South 82° 20' 49" West; thence Westerly along said curve, through an angle of 18° 51' 49" a distance of 2406.69 feet; thence South 63° 29' 00" West 1345.42 feet to the beginning of a tangent curve concave Northwesterly having a radius of 19,690 feet; thence Southwesterly along said curve through an angle of 3° 29' 42" a distance of 1201.08 feet to the South Section line; thence along said Section line North 88° 51' 23" East 1991.38 feet to the POINT OF BEGINNING.

This conveyance is made for the purposes of a freeway and adjacent frontage roads and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights, including access rights, appurtenant to grantor's remaining property, in and to said freeway; provided, however, that such remaining property shall abut upon and have access to said frontage roads which will be connected to the freeway only at such points as may be established by public authority. The construction of said frontage roads may be deferred and said remaining property will have no access in and to said freeway except as herein provided. Grantee shall have no obligation to provide any other access to said remaining property or maintain the frontage road areas until the frontage roads are constructed and accepted for maintenance by a public agency.