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7/12/84

CALENDAR ITEM

A 32
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011

07/12/84
SA 5659
Atkins

SALE OF A RIGHT-OF-WAY EASEMENT

APPLICANT: U.S. Department of Agriculture
Forest Service
1130 "O" Street
Room 3017
Fresno, California 93721

AREA, TYPE LAND AND LOCATION: A 0.928-acre parcel of school land near Fresno,
Fresno County.

LAND USE: Road right-of-way.

CONSIDERATION: \$1,200.

BASIS FOR CONSIDERATION: Pursuant to 2 Cal. Adm. Code 2032.

APPLICANT STATUS: N/A.

PREREQUISITE CONDITIONS, FEES AND EXPENSES: Filing fee has been received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
B. Cal. Adm. Code: Title 2, Div. 3; Title 14,
Div. 6.

AB 884: 04/16/85.

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OTHER PERTINENT INFORMATION:

1. The Forest Service's application to purchase an easement across State school land was certified complete April 16, 1984. The staff of the Commission has reviewed an appraisal submitted by the applicant and the purchase price of \$1,200 is based on that appraisal. A staff review indicates that the land is not suitable for cultivation and therefore a right-of-way may be sold under the rules and regulations at a price fixed by the Commission.
2. In compliance with Section 5373 of the PRC a General Plan has been prepared and filed.
3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA under the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The staff believes there is no possibility that this project may have a significant effect on the environment. Authority: 14 Cal. Adm. Code 15061 (b)(3).

APPROVALS OBTAINED:

None.

FURTHER APPROVALS REQUIRED:

None.

EXHIBITS:

- A. Land Description.
- B. Location Map.
- C. General Plan.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 BECAUSE THERE IS NO POSSIBILITY THAT THE ACTIVITY MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT. (14 CAL. ADM. CODE 15061 (b)(3)).

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2. FIND THAT A GENERAL PLAN FOR THE USE OF THE SUBJECT PROPERTY HAS BEEN PREPARED BY THE COMMISSION'S STAFF AND FILED WITH THE LEGISLATURE, PURSUANT TO P.R.C. 6373.
3. FIND THAT THE STATE SCHOOL LAND, DESCRIBED IN EXHIBIT "A" ATTACHED HERETO, IS NOT SUITABLE FOR CULTIVATION WITHOUT ARTIFICIAL IRRIGATION.
4. AUTHORIZE THE SALE, OF A RIGHT-OF-WAY EASEMENT WITHOUT ADVERTISING, OF THE LAND DESCRIBED ON EXHIBIT "A" AND BY REFERENCE MADE A PART HEREOF, TO THE U.S. DEPARTMENT OF AGRICULTURE, FOREST SERVICE; SUBJECT TO ALL STATUTORY AND CONSTITUTIONAL RESERVATIONS FOR \$1,200 CASH.

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EXHIBIT "A"

LAND DESCRIPTION

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Three strips of California State school lands 30 feet in width in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 36, T9S, R23E, MDM, Fresno County, California; the centerlines of which are described as follows:

PARCEL A

BEGINNING at a point on the east line of said Section 36 from which the southeast corner thereof bears southerly 346.70 feet; thence N 53° 00' 12" W 32.31 feet to a point from which the southeast corner of said Section 36 bears S 4° 01' 53" E 367.05 feet, said point being the beginning of a tangent curve concave to the southeast and having a radius of 142.20 feet; thence along said curve through a central angle of 94° 55' 57" an arc distance of 235.61 feet; thence tangent to said curve S 32° 03' 51" W 84.92 feet to the beginning of a tangent curve concave to the east and having a radius of 113.67 feet; thence along said curve through a central angle of 47° 22' 42" an arc distance of 93.99 feet; thence tangent to said curve S 15° 18' 51" E 17.46 feet to the beginning of a tangent curve concave to the northwest and having a radius of 48.03 feet; thence along said curve through a central angle of 158° 46' 06" an arc distance of 177.11 feet to a point designated "B" from which the southeast corner of said Section 36 bears S 73° 43' 28" E 385.88 feet; thence tangent to said curve N 36° 32' 45" W 87.59 feet to the beginning of a tangent curve concave to the southeast and having a radius of 38.69 feet; thence along said curve through a central angle of 141° 14' 27" an arc distance of 95.38 feet; thence tangent to said curve S 2° 12' 48" W 117.12 feet to the beginning of a tangent curve concave to the northwest and having a radius of 63.89 feet; thence along said curve through a central angle of 35° 01' 49" an arc distance of 39.06 feet to a point on the south line of said Section 36 from which the southeast corner thereof bears easterly 510.07 feet, last said point being the end of the herein described line.

PARCEL B

BEGINNING at the point designated "B" in Parcel "A" above; thence S 16° 56' 24" W 62.87 feet; thence S 01° 40' 59" W 46.57 feet to a point on the south line of said Section 36 from which the southeast corner thereof bears easterly 390.28 feet; last said point being the end of the herein described line.

EXCEPTING THEREFROM any portion thereof described in Parcel "A" above.

PARCEL C

BEGINNING at a point on the south line of said Section 36 from which the southeast corner thereof bears easterly 758.88 feet; thence N 35° 10' 12" W 25.00 feet to a point from which said southeast corner bears S 88° 21' 18" E 773.58 feet; thence continuing N 35° 10' 12" W 113.62 feet to the beginning of a tangent

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curve concave to the southeast and having a radius of 32.16 feet; thence along said curve through a central angle of $151^{\circ} 47' 41''$ an arc distance of 85.20 feet; thence tangent to said curve S $06^{\circ} 57' 53''$ E 12.42 feet to the beginning of a tangent curve concave to the west and having a radius of 340.00 feet; thence along said curve through a central angle of $13^{\circ} 12' 52''$ an arc distance of 78.42 feet to a point on the south line of said Section 36 from which the southeast corner thereof bears easterly 894.94 feet; last said point being the end of the herein described line.

END OF DESCRIPTION

REVIEWED MAY 2, 1984 BY BOUNDARY AND TITLE UNIT, LEROY WEED, SUPERVISOR.

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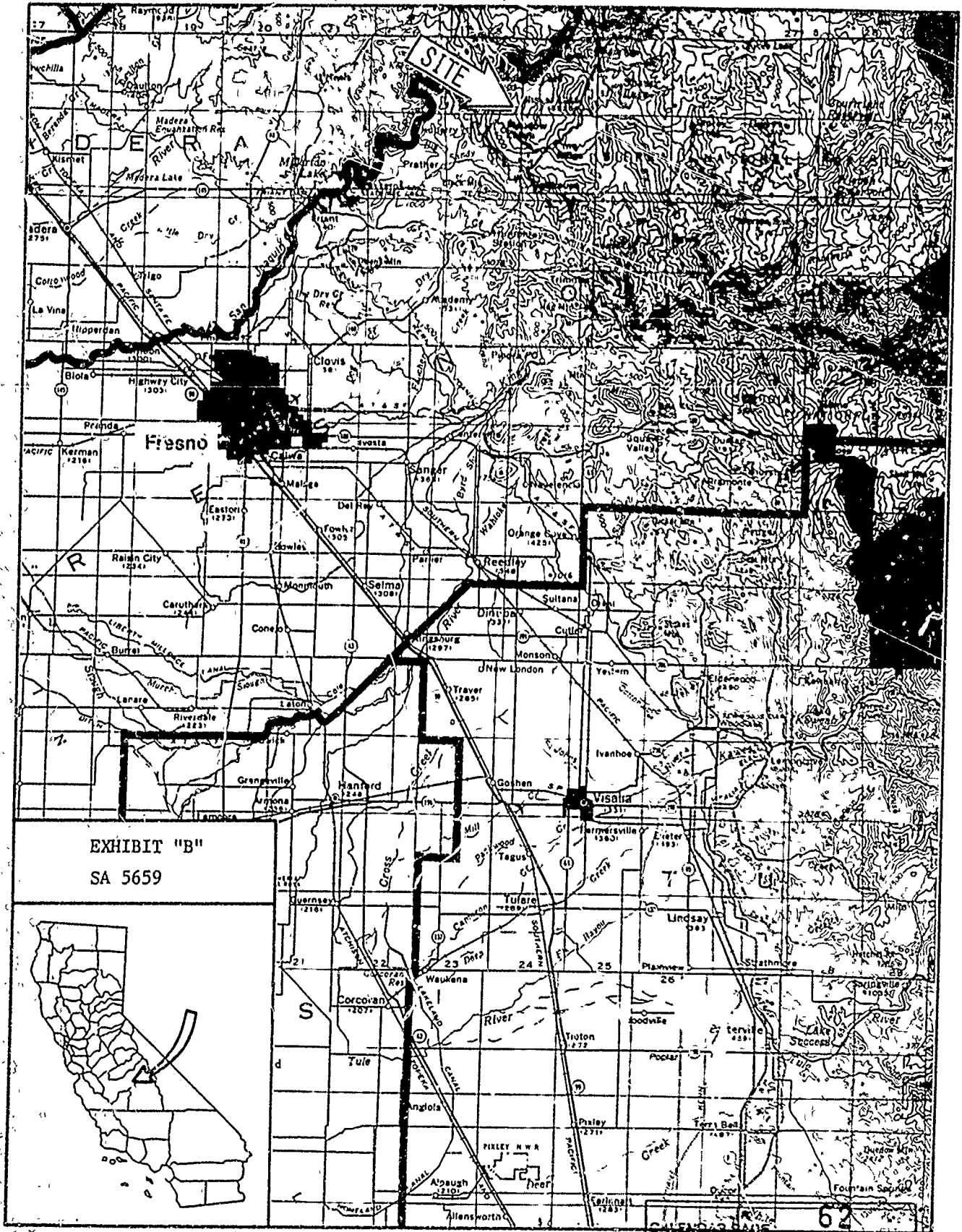


EXHIBIT "B"
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"EXHIBIT "C"

GENERAL PLAN

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The U. S. Department of Agriculture, Forest Service, proposes to purchase a road right of way, containing 0.928 acre, from the State Lands Commission. The right of way involves two roadways 30 feet wide in the SE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 36, T96, R23E, MDM, north-east of Fresno, in Fresno County.

The Forest Service plans to utilize this existing roadway primarily for removing timber from adjacent National Forest Land. Some minor reconstruction and periodic maintenance will be done on the roads. Any road improvements subsequent to this sale will be subject to environmental review pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines. This purchase involves an activity having no significant effect on the environment and is, therefore, exempt from CEQA 14 Cal. Adm. Code 15061(b) (3).

This General Plan is submitted in conformance with Section 6373 of the Public Resources Code.

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