

MINUTE ITEM

This Calendar Item No. 26
was approved as Minute Item
No. 26 by the State Lands
Commission by a vote of 3
to 0 at its 3/27/90
meeting.

CALENDAR ITEM

26

03/27/90
PRC 6928
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SALE OF A RIGHT-OF-WAY EASEMENT

PARTY: Surprise Valley Electrification Corp.
P. O. Box 691
Alturas, California 96101

AREA, TYPE LAND AND LOCATION:
A 1.38-acre parcel of State lieu land located
near the town of Termo, Sec. 6, T34N R13E, MDM,
Lassen county.

LAND USE: Existing electrical transmission line.

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. 7.7;
Div. 13.
- B. Cal. Code Regs.: Title 2, Div. 3;
Title 14, Div. 6.

AB 884: N/A.

BACKGROUND:

Surprise Valley has an existing right-of-way lease which was
issued August 8, 1985 for a period of 49 years. The lease has
a five-year rent review that permits the Commission to change
the rental for the ensuing five-year rental period. The
current rent is \$100 per year which is the minimum rental for
this type of lease.

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During the review process, staff analyzed the cost of continued leasing versus an easement sale and it was determined that the continued cost of maintaining the lease until the expiration would exceed the projected lease revenue; therefore, staff recommends sale of the easement.

The Board of Directors of Surprise Valley Electrification Corp. has authorized their staff to pursue the purchase of the easement. After staff analysis and negotiations, Commission staff is proposing to sell the easement for \$1,500 in addition to \$11 for patent fees. The consideration of \$1,511 will be deposited into the School Land Bank Fund in compliance with the management of school lands for the purpose of generating revenue and carrying out the goal of the School Land Bank Act. The State Lands Commission would be acting as trustee for the School Land Bank Fund pursuant to Division 7.7 of the P.R.C.

The sale would provide a permanent easement for an existing powerline with the State retaining the underlying fee ownership of the parcel. The patent will include a revisionary clause which provides that if, for any reason, the powerline is abandoned, the easement will automatically revert back to the State. Maintenance of the easement will be the sole responsibility of Surprise Valley, as will any costs of abandonment or restoration.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of the authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), staff has determined that this activity is exempt from the requirements of the CEQA as a statutorily exempt project. The project is exempt because it involves an action taken pursuant to the School Land Bank Act, P.R.C. 8700, et seq.

Authority: P.R.C. 8710.

2. Staff has filed a General Plan for this activity with the Legislature pursuant to P.R.C. 6373.

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 OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 AS A STATUTORILY EXEMPT PROJECT. THE PROJECT IS EXEMPT BECAUSE IT INVOLVES AN ACTION TAKEN PURSUANT TO THE SCHOOL LAND BANK ACT, P.R.C. 8700, ET SEQ.
2. FIND THAT A GENERAL PLAN FOR THIS ACTIVITY WAS PREPARED BY COMMISSION STAFF AND FILED WITH THE LEGISLATURE PURSUANT TO P.R.C. 6373.
3. AUTHORIZE THE SALE OF A RIGHT-OF-WAY EASEMENT AND SUBSEQUENT ISSUANCE OF AN EASEMENT PATENT TO SURPRISE VALLEY ELECTRIFICATION CORP. FOR THE EASEMENT AS DESCRIBED IN EXHIBIT "A", SUBJECT TO APPLICABLE STATUTORY AND CONSTITUTIONAL RESERVATIONS, INCLUDING, BUT NOT LIMITED TO, ALL MINERALS, RIGHT OF ENTRY, AND THE RIGHT OF THE PUBLIC TO FISH UPON.
4. AUTHORIZE THE DEPOSIT OF \$1,500, PLUS \$11 FOR PATENT FEES, INTO THE SCHOOL LAND BANK FUND FOR THE SALE OF SUCH EASEMENT TO FACILITATE THE MANAGEMENT OF SCHOOL LANDS FOR THE PURPOSE OF GENERATING REVENUE AND CARRYING OUT THE GOALS OF THE SCHOOL LAND BANK ACT.

EXHIBIT "A"

LAND DESCRIPTION

PKC 6928.2

A strip of California State lieu lands, 10 feet wide, within Section 6, T34N, R13E, MDM, Lassen County, the centerline of said strip described as follows:

BEGINNING at a point on the east line of said Section 6 lying S 0° 31' 00" W, 17.50 feet from the east $\frac{1}{4}$ corner of said Section 6; thence S 69° 55' 01" W, 5675.74 feet to the west line of said Section 6; thence S 0° 01' 53" E, 666 feet along said west line to the southwest corner of said Section 6.

END OF DESCRIPTION

PREPARED SEPTEMBER 13, 1985, BY BOUNDARY SERVICES UNIT, M. L. SHAFER SUPERVISOR.

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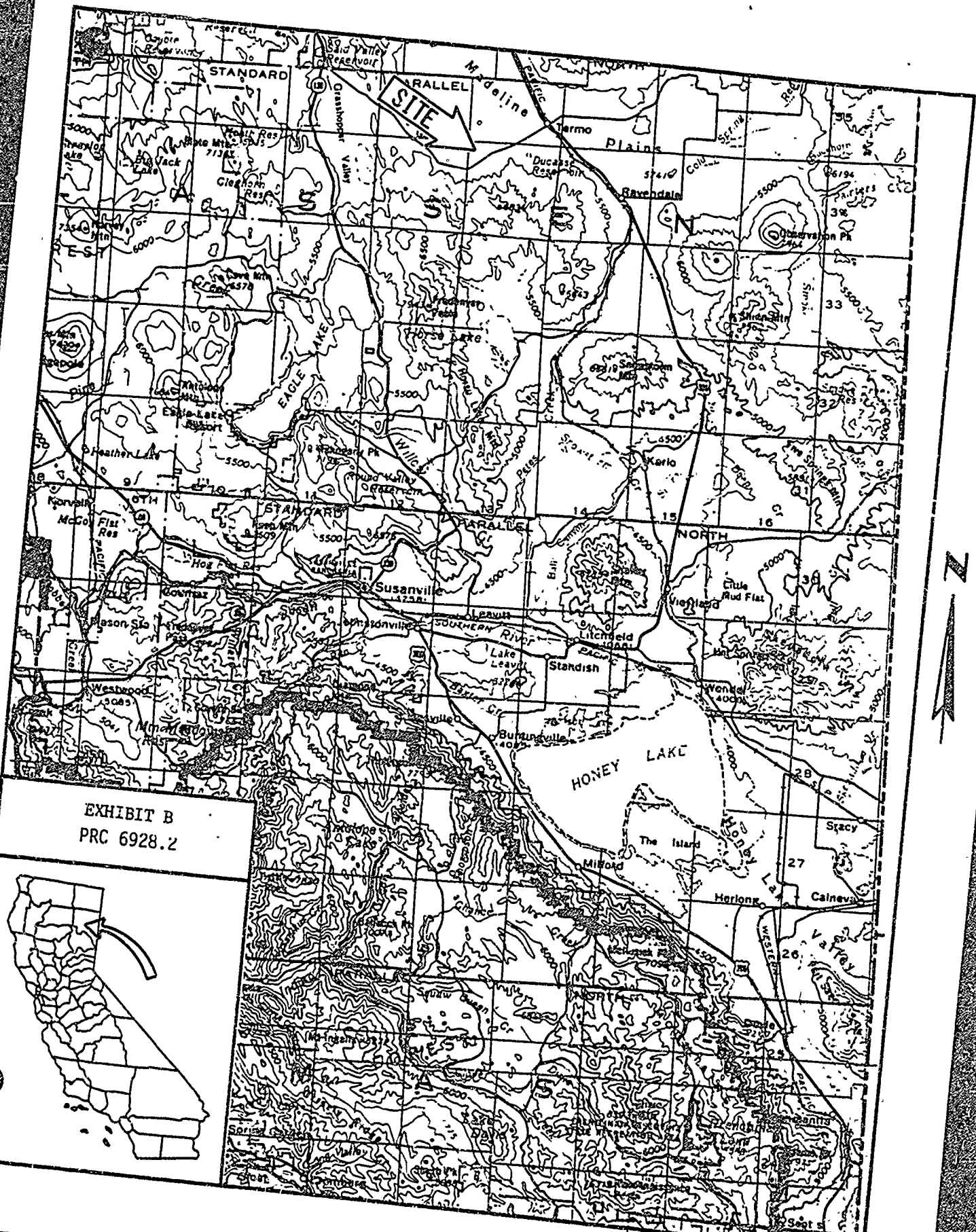


EXHIBIT B
 PRC 6928.2



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EXHIBIT C
GENERAL PLAN

The State Lands Commission proposes to sell and subsequently issue a patent for an easement to Surprise Valley Electrification Corp. for an existing electrical transmission line. The State will retain the underlying fee ownership of the affected parcel and the easement patent will include a revisionary clause which provides that if, for any reason, the powerline is abandoned, the easement will be automatically terminated. The easement is located over a 1.38-acre parcel of State lieu land located near the town of Termo, Section 6, T34N R13E, MDM, Lassen county. This action is pursuant to P.R.C. 8700 (School Land Bank Act).

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