

MINUTE ITEM

11/18/71
JFS

10. AUTHORIZATION FOR EXECUTION OF QUITCLAIM DEED BY THE STATE RELINQUISHING ANY AND ALL RIGHT IT MAY HAVE TO ENTER UPON THE DESCRIBED LANDS TO DEVELOP MINERALS IN AND ABOVE A PLANE 500' BELOW THE SURFACE -- LA 10304.

After consideration of Calendar Item 17 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. FINDS THAT THERE ARE NO KNOWN DEPOSITS OF COMMERCIALY VALUABLE MINERALS IN AND ABOVE A PLANE LOCATED 500' BELOW THE SURFACE OF THE SUBJECT PARCEL, AS DISCLOSED BY INDEPENDENT STUDIES BY A CONSULTING GEOLOGIST AND THE STATE LANDS DIVISION.
2. AUTHORIZES THE EXECUTIVE OFFICER TO EXECUTE A QUITCLAIM DEED RELINQUISHING ANY AND ALL RIGHT TO SURFACE ENTRY THAT THE STATE MAY HAVE TO ENTER UPON THE N $\frac{1}{2}$ OF THE SW $\frac{1}{4}$ OF SECTION 36, T. 16 S., R. 2 E., S.B.B. & M., SAN DIEGO COUNTY, IN AND ABOVE A PLANE 500' BELOW THE SURFACE, AS REQUESTED BY THE SURFACE OWNER, PAMCO VENTURES.

Attachment:

Calendar Item 17 (2 pages)

CALENDAR ITEM

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17.

REQUEST FOR RELINQUISHMENT BY THE STATE OF ANY AND ALL RIGHT IT MAY HAVE TO ENTER UPON THE DESCRIBED LANDS TO DEVELOP MINERALS IN AND ABOVE A PLANE 500' BELOW THE SURFACE.

APPLICANT: Pamco Ventures.

LOCATION: N $\frac{1}{2}$ of SW $\frac{1}{2}$ Section 36, T. 16 S., R. 2 E., S.B.B.& M., San Diego County.

TYPE OF LAND: School land with a 100% mineral reservation.

ACREAGE: Approximately 80 acres.

REQUEST: Relinquishment by the State of any and all right it may have to enter upon the described lands in and above a plane 500' below the surface, so as to permit the development of said parcel by the surface owner free of any hindrance that may be imposed by the State reservation of a 100% mineral interest.

PURPOSE: Pamco Ventures presently own 720 acres in the Lawson Valley area, including the subject 80 acres. In the past, they have sold 1000 adjacent acres to developers. It is their intent to sell the remaining 720 acres for possible residential homesites, in not less than 120-acre parcels, with the possibility of the whole acreage being sold to one qualified developer. It is their contention that the subject 80 acres are contiguous to housing developments in the area and will be included in future planning. Within a radius of six miles there is a school, a church, and a shopping center. The adjacent Lawson Valley Estates presently is served by the San Diego Gas and Electric Company and by the Pacific Telephone and Telegraph Company. In addition, the school district owns two parcels in the Lawson Valley Estates that are to be used for future development.

OTHER PERTINENT INFORMATION:

1. Section 6401.(b) of the Public Resources Code provides in part that... "upon a finding by the commission that there are no known deposits of commercially valuable minerals in and above a plane located 500 feet below the surface of any lands sold ... and wherein any ... of the mineral deposits ... are required by law to be reserved to the State, the commission may by ... appropriate instrument, modify the accompanying rights of the State to the use of the surface of such lands, including any right to enter such lands to a depth of 500 feet below the surface of such lands, as will permit the orderly use and development of all such sold or exchanged lands".

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2. Section 6373 provides in part that "Before any disposition of State lands to a private party or other governmental agency, the intended recipient of such lands shall submit to the commission and to the Legislature a general plan"
3. A geological study, made by a registered consulting geologist on behalf of Pamco Ventures, reports that the subject parcel's commercial mineral potential is minimal. Subsequent spectrographic analysis of surface samples to determine the possibility of economic deposits of Tantalum and Columbium proved negative. An independent study conducted by the State Lands Division concurs on the minimal potential for economic mineral deposits in the subject area.
4. The project has been reviewed by the interested agencies.
5. Consideration will be the public benefit in permitting the future orderly development of housing in the subject area.
6. The area presently is zoned A-3-8.
7. Pamco Ventures' plan of disposal for the subject acreage has been distributed as follows:
 - a. One copy for the State Lands Division.
 - b. One copy for Chief Clerk of the Assembly.
 - c. One copy for the Secretary of the Senate.

EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THERE ARE NO KNOWN DEPOSITS OF COMMERCIALY VALUABLE MINERALS IN AND ABOVE A PLANE LOCATED 500' BELOW THE SURFACE OF THE SUBJECT PARCEL, AS DISCLOSED BY INDEPENDENT STUDIES BY A CONSULTING GEOLOGIST AND THE STATE LANDS DIVISION.
2. AUTHORIZE THE EXECUTIVE OFFICER TO EXECUTE A QUITCLAIM DEED RELINQUISHING ANY AND ALL RIGHT TO SURFACE ENTRY THAT THE STATE MAY HAVE TO ENTER UPON THE N $\frac{1}{2}$ OF THE SW $\frac{1}{4}$ OF SECTION 36, T. 16 S., R. 2 E., S.B.B.& M., SAN DIEGO COUNTY, IN AND ABOVE A PLANE 500' BELOW THE SURFACE, AS REQUESTED BY THE SURFACE OWNER, PAMCO VENTURES.