

MINUTE ITEM

This Calendar Item No. 38
was approved as Minute Item
No. 38 by the State Lands
Commission by a vote of 2
to 0 at its 6/30/88
meeting.

CALENDAR ITEM

38

A 34

S 16

6/30/88
W503.1549
Fossum
Frank
McKown

AUTHORIZATION TO FILE LIMITED DISCLAIMER RE:
OLCESE WATER DISTRICT v. LA HACIENDA, ET AL
SUPERIOR COURT OF CALIFORNIA
COUNTY OF KERN, NO.201983

The State lands Commission is a party to a condemnation action brought by the Olcese Water District entitled, Olcese Water District v. La Hacienda, Inc., et al, filed in the Superior of California, Kern County, No. 201873 involving land in Kern County to be used in connection with a water diversion project involving the Kern River.

Upon examination of the Commission's records pertinent to the area, it has been ascertained that there is no interest held by the State Lands Commission as to certain of the tracts of land described in the notice of condemnation.

Inasmuch as those parcels involve land over which the Commission has no jurisdiction, it is recommended that a limited disclaimer be filed on behalf of the State Lands Commission disclaiming any compensable interest in those parcels of the subject condemnation listed in EXHIBIT "A".

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:

N/A.

EXHIBITS:

- A. Parcel Descriptions
- B. Location Maps
- C. Site Map

CALENDAR PAGE	229
MINUTE PAGE	1940

CALENDAR ITEM NO. 38 (CONT'D.)

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. ADM. CODE 15378.
2. AUTHORIZE THE ATTORNEY GENERAL TO FILE A LIMITED DISCLAIMER ON BEHALF OF THE STATE LANDS COMMISSION IN THE CASE OF OLCESE WATER DISTRICT V. LA HACIENDA, ET AL. IN THE COUNTY OF KERN, STATE OF CALIFORNIA, SUPERIOR COURT OF CALIFORNIA, NO. 201873.

CALENDAR NO.	230
MINUTE PAGE	1941

EXHIBIT "A"
LAND DESCRIPTION
Parcel OWD 208A PE

W 503.1549

A permanent easement, in gross, to lay, construct, operate, maintain, reconstruct, change the size of and remove pipelines and appurtenant necessary structures, fittings and other equipment in and under a strip of land in Section 11, Township 29 South, Range 29 East, M.D.B.&M., Kern County, California, as shown on Record of Survey filed in Book 11 of Record of Surveys at Page 155 in the Office of the County Recorder of Kern County, California, more particularly described as a strip of land in the southwest quarter of said Section 11, of a uniform width of 12 feet, equidistant, measured perpendicularly, from a center line described as follows:

Beginning at the southwest corner of said Section 11 running thence South $68^{\circ} 33' 19''$ West, a distance of 249.610 feet to the intersection of the center lines of State Highway 178 and Miramonte Drive; thence North $69^{\circ} 17' 25''$ East, a distance of 2076.049 feet along the center line of State Highway 178; thence South $20^{\circ} 42' 35''$ East, a distance of 131.00 feet, perpendicular to said State Highway center line, to a point on the easterly line of Parcel 4 of Parcel Map 6317 recorded in Book 27 of Parcel Maps at Page 17 in the Office of the County Recorder of Kern County, California, the true Point of Beginning of the center line of said 12 foot strip of land, said center line running:

1) Thence, along a line 131.00 feet southerly of and parallel to the center line of State Highway 178, North $69^{\circ} 17' 25''$ East, a distance of 114.766 feet to the end point of said center line.

The side lines of said 12 foot strip shall be extended or shortened to commence and terminate on the lines on which said center line commences and terminates.

Parcel OWD 208A CE

A temporary construction easement in a strip of land in Section 11, Township 29 South, Range 29 East, M.D.B.&M., Kern County, California, as shown on Record of Survey filed in Book 11 of Record of Surveys at Page 155 in the Office of the County Recorder of Kern County, California, more particularly described as a strip of land in the southwest quarter of said Section 11 of the uniform width of 40 feet, equidistant, measured perpendicularly, from a center line described as follows:

Beginning at the southwest corner of said Section 11 running thence South $68^{\circ} 33' 19''$ West, a distance of 249.610 feet to the

Exhibit "A"

CALENDAR PAGE	231
MINUTE PAGE	1942

intersection of State Highway 178 and Miramonte Drive; thence North 69° 17' 25" East, a distance of 2076.049 feet along the center line of State Highway 178; thence South 20° 42' 35" East, a distance of 157.00 feet, perpendicular to said State Highway center line, to a point on the easterly line of Parcel 4 of Parcel Map 6317 recorded in Book 27 of Parcel Maps at Page 17 in the Office of the County Recorder of Kern County, California, the true Point of Beginning of the center line of said 40 foot strip of land, said center line running:

1) Thence, along a line 157.00 feet southerly of and parallel to the center line of State Highway 178, North 69° 17' 25" East, a distance of 114.736 feet to the end point of said center line.

The side lines of said 12 foot strip shall be extended or shortened to commence and terminate on the lines on which said center line commences and terminates.

Said construction easement shall terminate on July 1, 1988, and, thereafter, be of no further force or effect.

Parcel OWD 209 PE

A permanent easement, in gross, to lay, construct, operate, maintain, reconstruct, change the size of and remove pipelines and appurtenant necessary structures, fittings and other equipment in and under a strip of land in Section 11, Township 29 South, Range 29 East, M.D.B.&M., Kern County, California, as shown on Record of Survey filed in Book 11 of Record of Surveys at Page 155 in the Office of the County Recorder of Kern County, California, more particularly described as a strip of land in the southwest quarter of said Section 11, of a uniform width of 12 feet, equidistant, measured perpendicularly or radially, from a center line described as follows:

Beginning at the southwest corner of said Section 11 running thence South 68° 33' 19" West, a distance of 249.610 feet to the intersection of the center lines of State Highway 178 and Miramonte Drive; thence North 69° 17' 25" East, a distance of 2184.815 feet along the center line of State Highway 178; thence North 20° 42' 35" West, a distance of 125.00 feet, perpendicular to said State Highway center line, to a point on the North right-of-way line of said State Highway 178, the true Point of Beginning of the center line of said 12 foot strip of land, said center line running:

1) Thence North 20° 42' 35" West, a distance of 14.276 feet; and thence

2) North 10° 45' 51" West, a distance of 592.07 feet; and thence

3) North 02° 24' 47" West, a distance of 846.778 feet; and thence

4) North 23° 06' 48" West, a distance of 179.76 feet; and thence

5) North 48° 36' 48" West, a distance of 125.00 feet; and thence

6) North 06° 36' 48" West, a distance of 69.462 feet; and thence

7) North 42° 07' 28" East, a distance of 119.13 feet, more or less, to the end of said center line, also being a point on the south line of the northwest quarter of said Section 11, said point bearing North 89° 55' 33" East, a distance of 1545.723 feet, more or less, from the West quarter corner of said Section 11.

The side lines of said 12 foot strip shall be extended or shortened to commence and terminate on the lines on which said center line commences and terminates.

Parcel OWD 209 CE

A temporary construction easement in a strip of land in Section 11, Township 29 South, Range 29 East, M.D.B.&M., Kern County, California, as shown on Record of Survey filed in Book 11 of Record of Surveys at Page 155 in the Office of the County Recorder of Kern County, California, more particularly described as a strip of land in the southwest quarter of said Section 11 of the uniform width of 52 feet, equidistant, measured perpendicularly or radially, from a center line described as follows:

Beginning at the southwest corner of said Section 11 running thence South 68° 33' 19" West, a distance of 249.610 feet to the intersection of the center lines of State Highway 178 and Miramonte Drive; thence North 69° 17' 25" East, a distance of 2184.815 feet along the center line of State Highway 178; thence North 20° 42' 35" West, a distance of 125.00 feet, perpendicular to said State Highway center line, to a point on the North right-of-way line of said State Highway 178, the true Point of Beginning of the center line of said 52 foot strip of land, said of land, said center line running:

1) Thence North 20° 42' 35" West, a distance of 14.276 feet; and thence

2) North 10° 45' 51" West, a distance of 592.07 feet; and thence

3) North 02° 24' 47" West, a distance of 846.778 feet; and thence

4) North 23° 06' 48" West, a distance of 179.76 feet; and thence

5) North 48° 36' 48" West, a distance of 125.00 feet; and thence

6) North 06° 36' 48" West, a distance of 69.462 feet; and thence

7) North 42° 07' 28" East, a distance of 119.13 feet, more or less, to the end of said center line, also being a point on the south line of the northwest quarter of said Section 11, said point bearing North 89° 55' 33" East, a distance of 1545.723 feet, more or less, from the West quarter corner of said Section 11.

The side lines of said 12 foot strip shall be extended or shortened to commence and terminate on the lines on which said center line commences and terminates.

Excepting from said 52 foot strip of land the center 12 feet thereof as described in Parcel OWD 209 PE.

Said construction easement shall terminate on July 1, 1988 and, thereafter, be of no further force or effect.

Parcel OWD 210 PE

A permanent easement, in gross, to lay, construct, operate, maintain, reconstruct, change the size of and remove pipelines and appurtenant necessary structures, fittings and other equipment in and under a strip of land in Section 11, Township 29 South, Range 29 East, M.D.B.&M., Kern County, California, as shown on Record of Survey filed in Book 11 of Record of Surveys at Page 155 in the Office of the County Recorder of Kern County, California, more particularly described as a strip of land in the northwest quarter of said Section 11, of a uniform width of 12 feet, equidistant, measured perpendicularly or radially, from a center line described as follows:

Beginning at the southwest corner of said Section 11 running thence North $00^{\circ} 29' 03''$ West, a distance of 2642.897 feet to the west quarter corner of said Section 11; thence North $89^{\circ} 55' 53''$ East, a distance of 1545.723 feet, to a point on the south line of the northwest quarter of said Section 11, said point being the true Point of Beginning of the center line of said 12 foot strip of land, said center line running:

1) Thence North $42^{\circ} 07' 28''$ East, a distance of 35.92 feet; and thence

2) North $02^{\circ} 49' 04''$ West, a distance or 444.63 feet; and thence

3) North $43^{\circ} 57' 17''$ East, a distance of 161.03 feet, to a point on a nontangent curve, concave easterly and having a radius of 300 feet; and thence

4) Northerly along said curve, from a tangent bearing North $00^{\circ} 37' 17''$ East, through a central angle of $38^{\circ} 00' 00''$, an arc distance of 198.967 feet, to a point on a curve concave westerly and having a radius of 600 feet; and thence

5) Northerly along said curve, through a central angle of $30^{\circ} 00' 00''$ an arc distance of 314.16 feet; and thence

6) North $08^{\circ} 37' 17''$ East, a distance of 48.11 feet to the beginning of a curve concave westerly and having a radius of 1500 feet; and thence

7) Northerly along said curve, through a central angle of $21^{\circ} 15' 45''$, an arc distance of 556.65 feet; and thence

8) North $12^{\circ} 38' 28''$ West, a distance of 174.64 feet; and thence

9) North $77^{\circ} 50' 42''$ East, a distance of 144.674 feet; and thence

10) North $18^{\circ} 00' 26''$ East, a distance of 335.88 feet, more or less, to the end point of said center line, said end point being a distance of 2062.947 feet, on bearing South $89^{\circ} 30' 57''$ West, perpendicular to the west section line of said Section 11.

The side lines of said 12 foot strip shall be extended or shortened to commence and terminate on the lines on which said center line commences and terminates.

Parcel OWD 210 CE

A temporary construction easement in a strip of land in Section 11, Township 29 South, Range 29 East, M.D.B.&M., Kern County, California, as shown on Record of Survey filed in Book 11 of Record of Surveys at Page 155 in the Office of the County Recorder of Kern County, California, more particularly described as a strip of land in the northwest quarter of said Section 11 of the uniform width of 52 feet, equidistant, measured perpendicularly or radially, from a center line described as follows:

Beginning at the southwest corner of said Section 11 running thence North $00^{\circ} 29' 03''$ West, a distance of 2642.897 feet to the west quarter corner of said Section 11; thence North $89^{\circ} 55' 53''$ East, a distance of 1545.723 feet, to a point on the south line of the northwest quarter of said Section 11, said point being the true Point of Beginning of the center line of said 52 foot strip of land, said center line running:

- 1) Thence North $42^{\circ} 07' 28''$ East, a distance of 35.92 feet; and thence
- 2) North $02^{\circ} 49' 04''$ West, a distance of 444.63 feet; and thence
- 3) North $43^{\circ} 57' 17''$ East, a distance of 161.03 feet, to a point on a nontangent curve, concave easterly and having a radius of 300 feet; and thence
- 4) Northerly along said curve, from a tangent bearing North $00^{\circ} 37' 17''$ East, through a central angle of $38^{\circ} 00' 00''$, an arc distance of 198.967 feet, to a point on a curve concave westerly and having a radius of 600 feet; and thence
- 5) Northerly along said curve, through a central angle of $30^{\circ} 00' 00''$, an arc distance of 314.16 feet; and thence
- 6) North $08^{\circ} 37' 17''$ East, a distance of 48.11 feet to the beginning of a curve concave westerly and having a radius of 1500 feet; and thence
- 7) Northerly along said curve, through a central angle of $21^{\circ} 15' 45''$, an arc distance of 556.65 feet; and thence
- 8) North $12^{\circ} 38' 28''$ West, a distance of 174.64 feet; and thence
- 9) North $77^{\circ} 50' 42''$ East, a distance of 144.674

feet; and thence

10) North 18° 00' 26" East, a distance of 335.88 feet, more or less, to the end point of said center line, said end point being a distance of 2062.947 feet, on bearing South 89° 30' 57" West, perpendicular to the west section line of said Section 11.

The side lines of said 52 foot strip shall be extended or shortened to commence and terminate on the lines on which said center line commences and terminates.

Excepting from said 52 foot strip of land the center 12 feet thereof as described in Parcel OWD 210 PE.

Said construction easement shall terminate on July 1, 1988 and, thereafter, be of no further force or effect.

END OF DESCRIPTION

REVIEWED JUNE 14, 1988 BY BIU 1.

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CALENDAR PAGE	237
MINUTE PAGE	1948

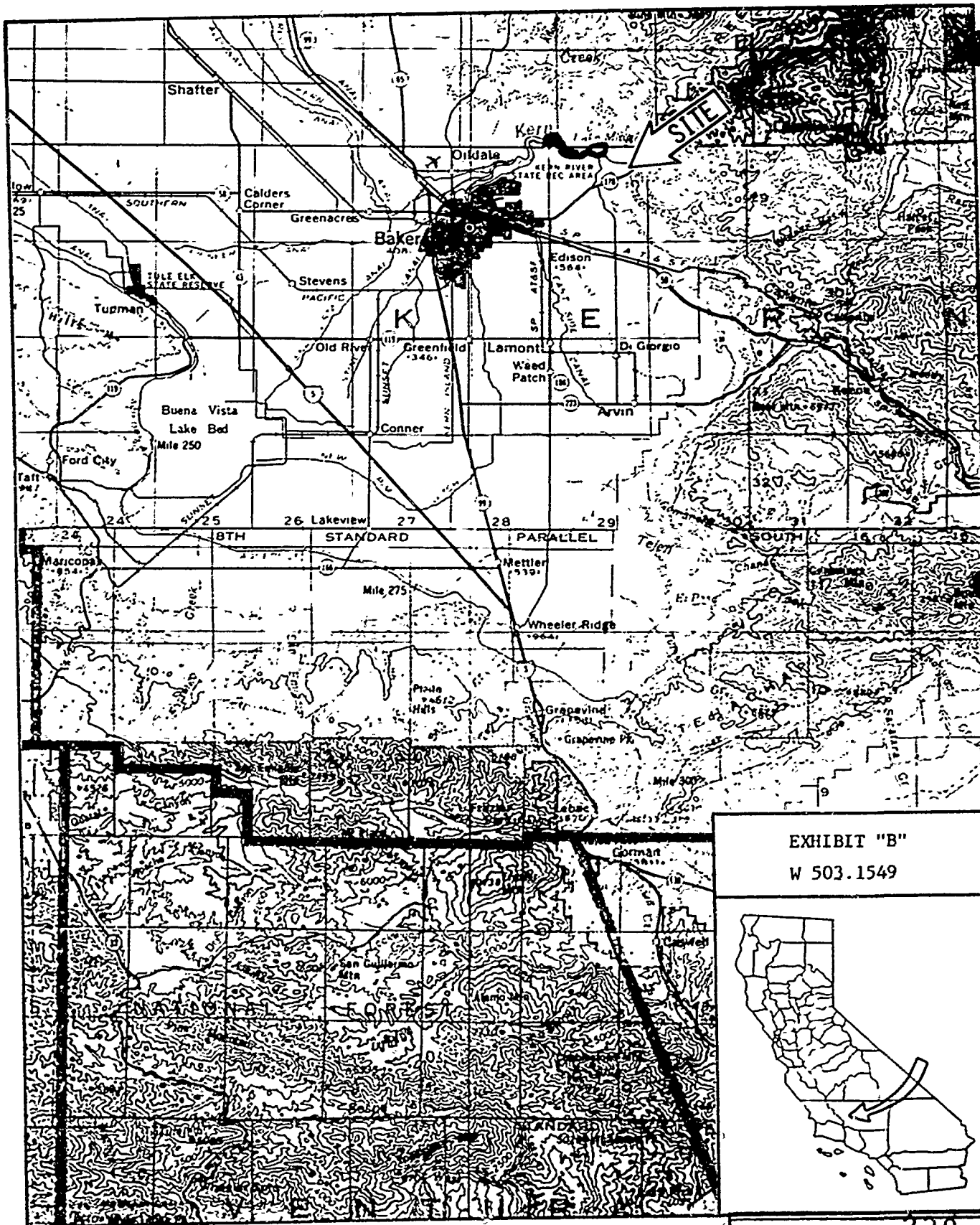


EXHIBIT "B"

W 503.1549



CALENDAR PAGE
MINUTE PAGE

238
1949

