

MINUTE ITEM

This Calendar Item No. C10
was approved as Minute Item
No. C10 by the State Lands
Commission by a vote of 2
to 0 at its 11711990
meeting.

CALENDAR ITEM

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SA 5596
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AUTHORIZATION TO SELL AND SUBSEQUENTLY
ISSUE A PATENT FOR AN EASEMENT
TO MR. HUBERT HAND
FOR AN ELECTRICAL POWERLINE
RIGHT-OF-WAY

PARTY: Mr. Hubert Hand
17645 Mocking Bird Drive
Reno, Nevada 89506

AREA, TYPE LAND AND LOCATION:
A 0.28-acre parcel of State school land south
of the City of Herlong, Section 14, T26N R16E,
MDM, Lassen county.

LAND USE: The easement will be utilized as an electrical
powerline right-of-way to facilitate the
provision of electricity to Mr. Hand's
adjoining private residence.

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. Code Regs.: Title 2, Div. 3;
Title 14, Div. 6.

AB 884: N/A.

CALENDAR ITEM NO. 7 (CONT'D)

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 5, Minor Alterations to Land Use Limitations, 14 Cal. Code Regs. 15305.

Authority: P.R.C. 21084 and 14 Cal. Code Regs. 15300.

2. This agreement provides for the sale of a permanent easement for a powerline right-of-way. The State will retain the underlying fee ownership of the affected parcel and the patent will include a revisionary clause into the easement patent which provides that if, for any reason, the powerline is abandoned, the easement will automatically be terminated. Maintenance of the easement will be the sole responsibility of the owner.
3. Staff conducted an appraisal in August 1989. Staff appraisal costs were \$73.27. Staff utilized market values and enhanced values, along with processing costs, to arrive at a \$600 value for the permanent easement. The consideration of \$673.27, plus \$11 for patent fees, will be deposited in 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 will be acting as trustee for the School Land Bank Fund pursuant to Division 7.7 of the P.R.C.
4. Staff analyzed the cost of leasing versus a sale and it was determined the cost of maintaining a lease would exceed projected revenue; therefore, staff recommends the sale of the easement.

CALENDAR ITEM NO. 7 (CONT'D)

5. The access to electrical power will increase the value of the State's parcel.
6. 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 CATEGORICALLY EXEMPT PROJECT, CLASS 1, MINOR ALTERATIONS TO LAND USE LIMITATIONS, 14 CAL. CODE REGS. 15305.
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 A PATENT TO HUBERT HAND 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 \$673.27, PLUS \$11 FOR PATENT FEES, IN 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"

SA 5696

LAND DESCRIPTION

A strip of California State school land 20 feet wide in the SE 1/4 of the NE 1/4 of Section 14, T26N, R16E, MDM, Lassen County, the centerline of which is described as follows:

BEGINNING at the SW corner of the N 1/2 of the SW 1/4 of the NW 1/4 of Section 13, T26N, R16E, MDM; thence S 78°W, 610 feet to the easterly right of way of Union Pacific Railroad and the end of this description.

END OF DESCRIPTION

PREPARED SEPTEMBER 22, 1989 BY BIU 1.

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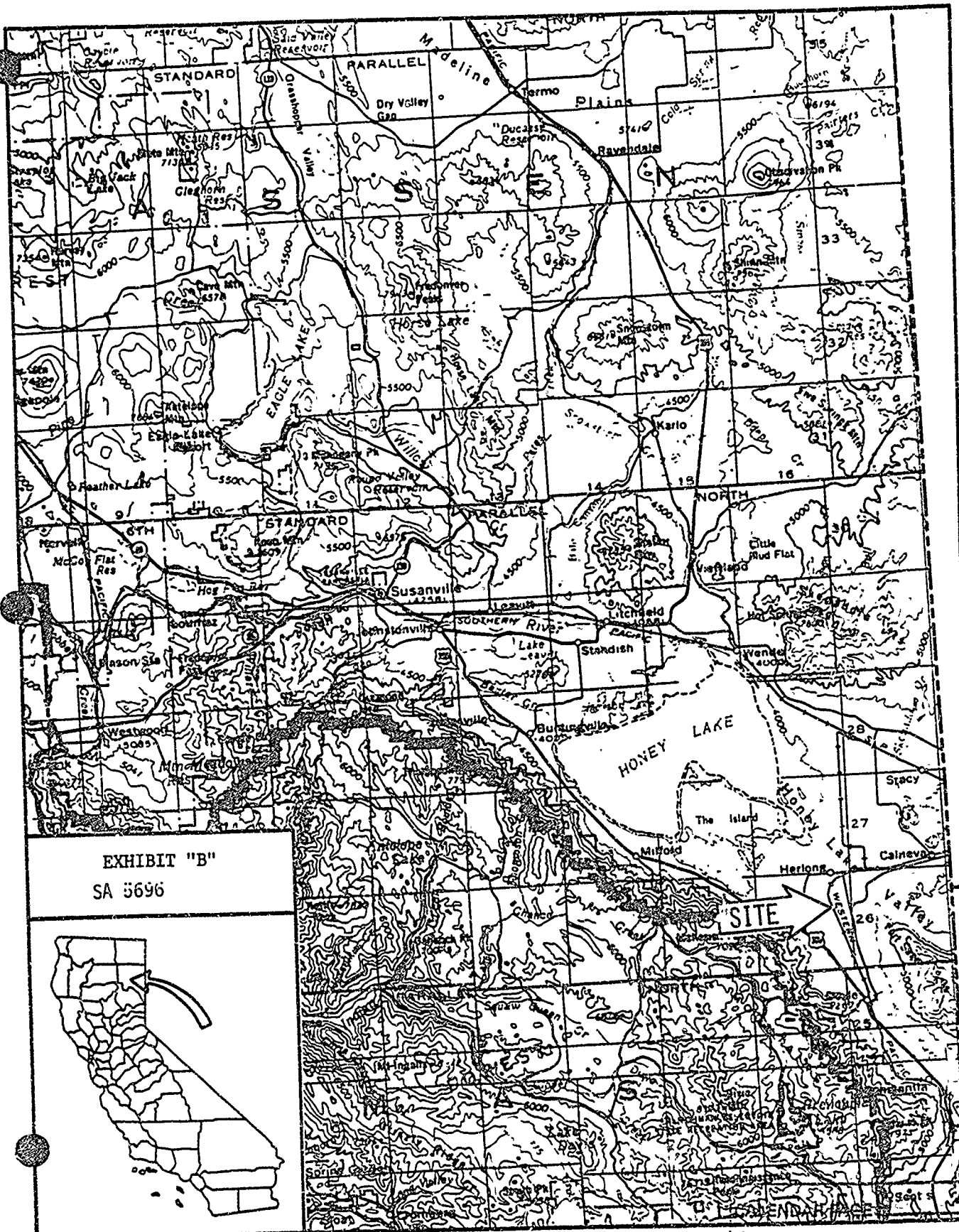


EXHIBIT "B"
SA 5696



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EXHIBIT "C"

SA 5696

GENERAL PLAN

The State Lands Commission proposes to sell and subsequently issue a patent for an easement to Mr. Hubert Hand for an electrical powerline right-of-way. The easement is for a 0.28-acre parcel of State school land south of the city of Herlong in Lassen county. The easement will be utilized as an electrical powerline right-of-way to provide electricity to Mr. Hand's adjoining private residence. This action is pursuant to P.R.C. 8700 (School Land Bank Act).

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