

"The Assessor of San Joaquin County has assessed contiguous lands at \$3 per acre.

"An inspection and appraisal by a member of the Commission's staff on March 27, 1956 establishes the value of the subject land at \$7.50 per acre. The applicants posted the necessary amount to meet this value. Said appraisal also indicates that said land is not suitable for cultivation without artificial irrigation.

"The selection of the subject land is considered to be to the advantage of the State in that the selection thereof will assist the State in satisfying the loss to the School Land Grant and in addition will place said land on the tax rolls of the county in which it is situated.

"The State's application to select the land has been accepted by the Bureau of Land Management, and the land was listed (conveyed) to the State on November 3, 1954."

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, IT WAS RESOLVED AS FOLLOWS:

THE COMMISSION DETERMINES THAT IT IS TO THE ADVANTAGE OF THE STATE TO SELECT THE FEDERAL LAND COMPRISED IN THE N $\frac{1}{2}$  OF NE $\frac{1}{4}$  OF SECTION 8, T. 5 S., R. 5 E., M.D.M., CONTAINING 80 ACRES IN SAN JOAQUIN COUNTY; THE COMMISSION FINDS THAT SAID FEDERAL LAND IS NOT SUITABLE FOR CULTIVATION; THE COMMISSION APPROVES THE SELECTION AND AUTHORIZES THE SALE OF SAID LAND, FOR CASH, TO GEORGE COVERT AND WINNIFRED COVERT AT THE APPRAISED CASH PRICE OF \$600, SUBJECT TO ALL STATUTORY RESERVATIONS INCLUDING MINERALS.

8. (SALE OF VACANT FEDERAL LAND, OBTAINED THROUGH USE OF BASE, LIEU LAND APPLICATION NO. 5066, SACRAMENTO LAND DISTRICT, SAN BENITO COUNTY, FRED T. SCHMIDT - S.W.O. 5869.) The following report was presented to the Commission:

"An offer has been received from Fred T. Schmidt of Paicines, California, to purchase Lots 7, 8 and 9 of Section 7 and SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 8, T. 17 S., R. 8 E., M.D.M., containing 161.49 acres in San Benito County. This land may be obtained by the State from the Federal Government through use of base. The applicant made an offer of \$807.45, or \$5 per acre.

"The Assessor of San Benito County has assessed contiguous land at \$2.75 per acre.

"An inspection and appraisal by a member of the Commission's staff on April 11, 1956 establishes the value of the subject land at \$5 per acre. Said appraisal also indicates that said land is not suitable for cultivation without artificial irrigation.

"The selection of the subject land is considered to be to the advantage of the State in that the selection thereof will assist the State in satisfying the loss to the School Land Grant and in addition will place said land on the tax rolls of the county in which it is situated.

"The State's application to select the land has been accepted by the Bureau of Land Management, subject to future approval and listing."

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, IT WAS RESOLVED AS FOLLOWS:

THE COMMISSION DETERMINES THAT IT IS TO THE ADVANTAGE OF THE STATE TO SELECT THE FEDERAL LAND COMPRISED IN LOTS 7, 8 AND 9 OF SECTION 7, AND SW $\frac{1}{4}$  OF NW $\frac{1}{4}$  OF SECTION 8, T. 17 S., R. 8 E., M.D.M., CONTAINING 161.49 ACRES IN SAN BENITO COUNTY; THE COMMISSION FINDS THAT SAID FEDERAL LAND IS NOT SUITABLE FOR CULTIVATION; THE COMMISSION SELECTS AND AUTHORIZES THE SALE OF SAID LAND, FOR CASH, TO FRED T. SCHMIDT AT THE APPRAISED CASH PRICE OF \$807.45, SUBJECT TO ALL STATUTORY RESERVATIONS INCLUDING MINERALS, UPON THE LISTING (CONVEYANCE) OF SAID LAND TO THE STATE BY THE FEDERAL GOVERNMENT.

9. (SALE OF SWAMP AND OVERFLOWED LAND, SWAMP AND OVERFLOWED LAND LOCATION 4264, SACRAMENTO LAND DISTRICT, SACRAMENTO COUNTY, HELEN I. MOON, ET AL., S.W.O. 6019.) The following report was presented to the Commission:

"An offer has been received from Helen I. Moon, Evelyn L. Wacker, Walter F. Franklin and Ilse Franklin to purchase a parcel of swamp and overflowed land within the E $\frac{1}{2}$  of SE $\frac{1}{4}$  of Section 2, T. 7 N., R. 4 E., M.D.M., containing 2.15 acres bounded by Swamp and Overflowed Lands Surveys 240, 244, 988 and 1048, Sacramento County. The applicants made an offer of \$21.50, or \$10 per acre.

"This small unsold acreage between swamp and overflowed surveys made by Sacramento County Surveyor in 1859, 1869 and 1872 is the result of early, perhaps inaccurately based, surveys that do not correlate with official surveys made in 1859 by the United States Deputy Surveyors.

"The original Swamp and Overflowed Lands Survey No. 240, by interpretation of the description, did not include the subject 2.15-acre parcel, which is a strip of land approximately 48 feet in width and 1,948 feet in length, immediately adjacent on the east. The successors in interest of the State's patentee for Swamp and Overflowed Lands Survey 240 erroneously considered that it had been conveyed and as a result have occupied said parcel and paid taxes thereon subsequent to the issuance of said patent. The interest of the State in and to the parcel has only recently been ascertained by the occupants, based upon a report issued by a title company. The entire area, including the subject parcel, is in the process of being subdivided into homesite lots.

"In order to pass good title on the lots being subdivided, the owners of the State patented land, who have for years occupied the 2.15 acres of State unsold land, must acquire undisputed title. The Attorney General's office in studying the State's title cloud to the small acreage advised that the Commission 'may negotiate for a sale at a price deemed suitable or it may refuse to issue a patent at ... full market value and await an action by claimants'.