

"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'.

"The Assessor of Sacramento County has assessed contiguous lands at \$20 to \$100 per acre.

"An inspection by a member of the Commission's staff on March 31, 1955 indicates that said land is suitable for cultivation without artificial irrigation.

"Section 3 of Article 17 of the State Constitution provides that lands which are suitable for cultivation shall be granted only to actual settlers under such conditions as shall be prescribed by law.

"Paragraph (e) of Section 2303 of the Rules and Regulations of the State Lands Commission provides that sales of occupied lands shall be accomplished by negotiation by the State Lands Division. In accordance therewith, the sale price of the subject 2.15-acre parcel has been negotiated, subject to Commission approval, at \$232.55+ per acre. The total of such negotiated price of \$500 has now been paid by the applicants."

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

THE COMMISSION FINDS THAT ALL THAT PORTION OF THE SOUTHEAST ONE-QUARTER OF SECTION 2, T. 7 N., R. 4 E., M.D.M., SACRAMENTO COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE EAST LINE OF SAID SECTION 2 AND THE WEST LINE OF SWAMP LAND SURVEY NO. 988, AND BEING THE NORTHEAST CORNER OF SWAMP LAND SURVEY NO. 244 LOCATED NORTH 639.54 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 2; THENCE FROM SAID POINT OF BEGINNING WEST 48.18 FEET ALONG THE NORTH LINE OF SAID SWAMP LAND SURVEY NO. 244 TO THE SOUTHEAST CORNER OF SWAMP LAND SURVEY NO. 240; THENCE NORTH 1948.98 FEET ALONG THE EAST LINE OF SAID SWAMP LAND SURVEY NO. 240 TO A POINT IN THE SOUTH LINE OF SWAMP LAND SURVEY NO. 1048; THENCE SOUTH 78° 45' EAST ALONG THE SOUTH LINE OF SAID SWAMP LAND SURVEY NO. 1048 TO THE EAST LINE OF SAID SECTION 2 AND THE WEST LINE OF SAID SWAMP LAND SURVEY NO. 988; THENCE SOUTH ALONG THE EAST LINE OF SAID SECTION 2 AND THE WEST LINE OF SAID SWAMP LAND SURVEY NO. 988 TO THE POINT OF BEGINNING, CONTAINING 2.15 ACRES, IS SUITABLE FOR CULTIVATION WITHOUT ARTIFICIAL IRRIGATION, THAT THE LAND IS OCCUPIED BY THE APPLICANTS; AND AUTHORIZES THE SALE THEREOF TO THE APPLICANTS, HELEN I. MOON, EVELYN L. WACKER, WALTER F. FRANKLIN AND ILSE FRANKLIN, AT THE NEGOTIATED CASH PRICE OF \$500, SUBJECT TO ALL STATUTORY RESERVATIONS INCLUDING MINERALS.

10. (APPROVAL OF MAP OF GRANT TO THE CITY OF MANHATTAN BEACH, LOS ANGELES COUNTY - W. O. 2116, GEO.-LOS ANGELES COUNTY.) The following report was presented to the Commission:

"Chapter 1427, Statutes of 1955, State of California, granted to the City of Manhattan Beach certain tide and submerged lands within the corporate limits of the City of Manhattan Beach, bordering upon, in, under and adjacent to the waters of the Pacific Ocean and situated below the mean high tide line of the Pacific Ocean.