

MINUTE ITEM

23. SALE OF STATE LAND, APPLICATION NO. 5525, SACRAMENTO LAND DISTRICT, TRINITY COUNTY; KELSO V. B. YOUNG - S.W.O. 8015.

After consideration of Calendar Item 30 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. FINDS THAT LOT 16 OF SECTION 6 AND LOTS 3, 22, 23, $N\frac{1}{2}$ OF $NE\frac{1}{4}$ OF $NW\frac{1}{4}$ AND $SW\frac{1}{4}$ OF $NE\frac{1}{4}$ OF $NW\frac{1}{4}$ OF SECTION 7, T. 33 N., R. 9 W., M.D.M., IS NOT SUITABLE FOR CULTIVATION WITHOUT ARTIFICIAL IRRIGATION;
2. FINDS THAT SAID LAND IS OCCUPIED BY THE APPLICANT, KELSO V. B. YOUNG, AND OTHERS, THEREBY BRINGING THE SALE THEREOF WITHIN THE PROVISIONS OF SECTION 2303 OF TITLE 2, DIVISION 3, CALIFORNIA ADMINISTRATIVE CODE; AND
3. APPROVES THE SALE OF SAID LAND TO THE OCCUPANT AND APPLICANT, KELSO V. B. YOUNG, PURSUANT TO THE AFORESAID SECTION 2303, SUBJECT TO ALL STATUTORY AND CONSTITUTIONAL RESERVATIONS INCLUDING MINERALS, AT A CASH PRICE OF \$17,893.58.

Attachment
Calendar Item 30 (2 pages)

CALENDAR ITEM

30.

SALE OF STATE LAND, APPLICATION NO. 5525, SACRAMENTO LAND DISTRICT, TRINITY COUNTY; KELSO V. B. YOUNG - S.W.O. 8015.

Under an exchange transaction with the United States Bureau of Land Management (Exchange No. 62, S.W.O. 6077), the State acquired, for the benefit of Mr. Kelso V. B. Young, the following-described land in Trinity County:

Lot 16 of Section 6 and Lots 3, 22, 23, $N\frac{1}{2}$ of $NE\frac{1}{4}$ of $NW\frac{1}{4}$ and $SW\frac{1}{4}$ of $NE\frac{1}{4}$ of $NW\frac{1}{4}$ of Section 7, T. 33 N., R. 9 W., M.D.M., containing 54.10 acres.

Conveyance of the land to the State by the United States was accomplished by United States Patent dated February 6, 1964.

The exchange application was initiated by Mr. Young in April 1955, under the procedure then in effect that permitted individuals to apply through the Commission for acquisition of federal lands.

At that time, during the course of negotiations with Mr. Young it was understood that the State would cooperate to the greatest extent possible in its attempt to acquire title to the land, inasmuch as a substantial portion of a 1,250,000-gallon-capacity reservoir was situated upon the property. This reservoir and related works on adjacent lands constitute the principal water supply for the townsite of Weaverville, and were operated as a public utility by Mr. Young, whose interest is now held by the California Pacific Utilities Company through recent purchase. The Board of Supervisors of Trinity County urged that the Commission do everything possible to acquire the land for protection of the water system, inasmuch as title thereto was not available through direct purchase from the United States Bureau of Land Management. Additionally, it was recognized that a portion of the main building of the Seventh Day Adventist Church encroached upon the property, as did a residential building owned by a Mr. J. C. Winegardner.

Messrs. Young and Winegardner and representatives of the church have submitted letters indicating that amicable agreements have been reached relative to disposition of the property occupied by the church and the private residence following the sale of the land and issuance of a patent to Mr. Young. Mr. Young and others formerly held a substantial area of the property under mining claims, which interests have now been conveyed to the State by quitclaim deed. It is understood that Mr. Young, having sold his interest in the water company, has agreed to convey title to the land to the California Pacific Utilities Company following issuance to him of a patent by the State.

An opinion from the office of the Attorney General under date of May 17, 1962, involving a transaction with similar circumstances, states in effect that the sale of the land involved properly should fall under Section 2303 of Title 2, Division 3, California Administrative Code, governing the sale of occupied lands. Said section requires sales to be accomplished by negotiation. A copy of the opinion is attached as Exhibit "B".

CALENDAR ITEM 30 (CONTD.)

THE PROPERTY

Location: Adjoins Weaverville townsite to the south and west.

Access: Excellent, by city streets along the west and south boundaries. A hard-surface county road, running southwest to northeast, crosses the southeast corner of the tract.

Water: Some seepage along the center of the east boundary, which appears to be stagnant, but probably is a stream in the wet season.

Cover: Brush and unmerchantable trees; namely, manzanita, oak, alder, willow, and digger pine.

Highest Use: The various parcels involved constitute a combination of commercial, industrial, and rural homesites.

A staff appraisal shows that the land is not suitable for cultivation without artificial irrigation, and establishes the total value of the parcel at \$17,893.58 (or an average of \$330.75 per acre), which amount has been deposited by the applicant. This value is considered by the staff to represent the current market value of the land, exclusive of improvements.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT LOT 16 OF SECTION 6 AND LOTS 3, 22, 23, $N\frac{1}{2}$ OF $NE\frac{1}{4}$ OF $NW\frac{1}{4}$ AND $SW\frac{1}{4}$ OF $NE\frac{1}{4}$ OF $NW\frac{1}{4}$ OF SECTION 7, T. 33 N., R. 9 W., M.D.M., IS NOT SUITABLE FOR CULTIVATION WITHOUT ARTIFICIAL IRRIGATION;
2. FIND THAT SAID LAND IS OCCUPIED BY THE APPLICANT, KELSO V. B. YOUNG, AND OTHERS, THEREBY BRINGING THE SALE THEREOF WITHIN THE PROVISIONS OF SECTION 2303 OF TITLE 2, DIVISION 3, CALIFORNIA ADMINISTRATIVE CODE; AND
3. APPROVE THE SALE OF SAID LAND TO THE OCCUPANT AND APPLICANT KELSO V. B. YOUNG, PURSUANT TO THE AFORESAID SECTION 2303, SUBJECT TO ALL STATUTORY AND CONSTITUTIONAL RESERVATIONS INCLUDING MINERALS, AT A CASH PRICE OF \$17,893.58.