

MINUTE ITEM

26. SALE OF VACANT STATE SCHOOL LAND, APPLICATION NO. 11588, S.W.O. 7564 (ALSO S.W.O. 8018, STATE DEPARTMENT OF FISH AND GAME), LOS ANGELES LAND DISTRICT, SAN BERNARDINO COUNTY; GEORGE D. LA MOREE.

After consideration of Calendar Item 3 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT THE LAND IS UNSUITABLE FOR CULTIVATION WITHOUT ARTIFICIAL IRRIGATION; AND
2. AUTHORIZES THE SALE OF FRACTIONAL SECTION 36, T. 7 N., R. 1 W., S.B.M., CONTAINING 618.52 ACRES MORE OR LESS IN SAN BERNARDINO COUNTY, TO GEORGE D. LA MOREE AT THE OCTOBER 3, 1961, STAFF APPRAISAL OF \$26,287.10. THE SALE IS TO BE SUBJECT TO ALL CONSTITUTIONAL AND STATUTORY RESERVATIONS INCLUDING MINERALS.

Attachment

Calendar Item 3 (1 page)

CALENDAR ITEM

3.

SALE OF VACANT STATE SCHOOL LAND, APPLICATION NO. 11588, S.W.O. 7564 (ALSO S.W.O. 8018, STATE DEPARTMENT OF FISH AND GAME), LOS ANGELES LAND DISTRICT, SAN BERNARDINO COUNTY; GEORGE D. LA MOREE.

The Commission, at its meetings of April 29, May 28, and June 24, 1964, considered presentations by the State Department of Fish and Game expressing its objection to the sale of Section 36, T. 7 N., R. 1 W., S.B.M., into private ownership under the purchase application filed by George D. La Moree. During these meetings Mrs. Janice La Moree, speaking on behalf of her husband, presented arguments supporting the view that the Commission should proceed with the sale under Mr. La Moree's pending purchase application.

These hearings resulted in an understanding between the La Morees and the Department of Fish and Game, pursuant to which the Department of Fish and Game indicated it would withdraw its objections to the sale of the land into private ownership if the applicant, following issuance of a State patent to him, would consent to the granting of appropriate access easements over and across the section in accordance with the desires of the Department. This understanding has been reduced to writing, a copy of which is attached hereto as Exhibit "A". By this formal agreement, all prior objections to the sale of the land to the La Morees have been eliminated.

The question as to whether the land should be sold pursuant to the staff appraisal dated October 3, 1961, or whether the valuation should be updated, has been reviewed in the previous calendar items above mentioned. Informal advice received from the office of the Attorney General indicates that this decision is primarily a matter of Commission policy. In view of the fact that the land probably would have been sold to the La Morees by action of the Commission at its meeting of February 27, 1962, except for the objection to the sale expressed by the Department of Fish and Game that caused the sale deferral, and in view of the fact that the total appraised value of \$26,287.10, plus expenses, has been on deposit since prior to February 27, 1962, with publication of notice to receive competitive bids having occurred for the required 30-day period with no bids received, it would appear inequitable to the applicant, under the existing circumstances, to reappraise the property and republish for the purpose of calling for new bids. Therefore, it is felt that the applicants are entitled to purchase the land for the price they were willing to pay and had expected to pay as of February 27, 1962, having at that time complied with all regulations and requirements of law and completed all acts required on their part to be performed.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT THE LAND IS UNSUITABLE FOR CULTIVATION WITHOUT ARTIFICIAL IRRIGATION; AND
2. AUTHORIZE THE SALE OF FRACTIONAL SECTION 36, T. 7 N., R. 1 W., S.B.M., CONTAINING 618.52 ACRES MORE OR LESS IN SAN BERNARDINO COUNTY, TO GEORGE D. LA MOREE AT THE OCTOBER 3, 1961, STAFF APPRAISAL OF \$26,287.10. THE SALE IS TO BE SUBJECT TO ALL CONSTITUTIONAL AND STATUTORY RESERVATIONS INCLUDING MINERALS.

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