

MINUTE ITEM

4/28/69

4. PUBLIC AGENCY PERMIT (RIGHT-OF-ENTRY), INYO COUNTY; STATE DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS - W.O. 6952, P.R.C. 4192.9.

After consideration of Calendar Item 35 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE ISSUANCE TO THE DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS, OF A ONE-YEAR RIGHT-OF-ENTRY PERMIT, IN CONSIDERATION OF THE PUBLIC BENEFIT, FOR RIGHT-OF-WAY FOR AND THE PROTECTION OF STATE HIGHWAY ROUTE 395, INYO COUNTY, ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment

Calendar Item 35 (4 pages)

CALENDAR ITEM

4/69
W.O. 6952

35.

PUBLIC AGENCY PERMIT (RIGHT-OF-ENTRY)

APPLICANT: State of California, Division of Highways.

LOCATION: Inyo County.

PROPOSED USE: Right-of-way for and the protection of State Highway Route 395.

TERM: Initial period: 1 year, from April 24, 1969.

CONSIDERATION: The public benefit.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Pt. 2, Ch. 1, Secs. 6501-6509.
- b. Administrative Code: Title 2, Div. 3, Secs. 2000-2011.
- c. Commission policy: Minute Item 18 of November 18, 1959.

OTHER PERTINENT INFORMATION:

The Commission authorized the issuance on June 12, 1957, of P.R.C. 1932.9, covering a right-of-way for a two-lane highway. The highway is to be widened and converted to a freeway. Frontage roads and an interchange will be constructed on the parcel. The right-of-entry is requested pending completion of negotiations for the purchase of the land by the Division of Highways.

EXHIBITS: A. Legal description. B. Location map.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE ISSUANCE TO THE DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS, OF A ONE-YEAR RIGHT-OF-ENTRY PERMIT, IN CONSIDERATION OF THE PUBLIC BENEFIT, FOR RIGHT-OF-WAY FOR AND THE PROTECTION OF STATE HIGHWAY ROUTE 395, INYO COUNTY, ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

Those portions of Section 16, T. 24 S., R. 38 E., M.D.B. & M., bounded and described as follows:

PARCEL NO. 1

Beginning at a point in the $SE\frac{1}{4}$ of said Section 16 which lies distant N. $61^{\circ} 04' 14''$ W., 1183.47 feet from the cap stamped RE 1495 set in concrete which marks the southeast corner of said section, said point also lies distant N. $86^{\circ} 55' 59''$ E., 710.00 feet from Engineer's Station 175+00.00 P.O.T. on the RT.PG. baseline of the State Department of Public Works Survey for State freeway in Inyo County from Kern County line to 1.3 miles south of Little Lake, Road 9-Iny-395, PM 0.0/8.7; THENCE (1), from said point of beginning, S. $30^{\circ} 14' 37''$ W., 683.14 feet to the south line of said section; thence (2), along said south line, S. $89^{\circ} 15' 58''$ W., 481.23 feet to the easterly right of way line of the existing State highway, Road 9-Iny-395, as established by map application to the State Lands Commission approved June 12, 1957, a copy of which was recorded in the Records of Inyo County on June 27, 1957 in State highway map Book 1 at page 80; thence (3), along said easterly highway line, N. $3^{\circ} 04' 01''$ W., 4523.13 feet; thence (4), continuing along said easterly highway line, along a tangent curve to the left with a radius of 7,550 feet, through an angle of $5^{\circ} 54' 41''$, an arc distance of 778.96 feet to the north line of said Section 16; thence (5), along said north line, N. $89^{\circ} 57' 54''$ E., 323.23 feet to a point which lies distant S. $89^{\circ} 57' 54''$ W., 1897.33 feet from the post and rock mound marking the northeast corner of said Section 16; thence (6), from a tangent bearing S. $6^{\circ} 20' 57''$ E., along a curve to the right with a radius of 8,150 feet, through an angle of $3^{\circ} 16' 56''$, an arc distance of 466.88 feet; thence (7) S. $3^{\circ} 04' 01''$ E., 3065.69 feet; thence (8) S. $33^{\circ} 23' 40''$ E., 1158.54 feet; thence (9) S. $71^{\circ} 15' 56''$ E., 403.89 feet; thence (10) S. $13^{\circ} 35' 16''$ E., 355.98 feet; thence (11) S. $31^{\circ} 18' 39''$ W., 166.58 feet; thence (12) S. $25^{\circ} 40' 40''$ W., 182.74 feet to a point on the south line of said Section 16, said point lying distant S. $89^{\circ} 15' 58''$ W., 721.20 feet from said cap stamped RE1495 set in concrete which marks the southeast corner of said section; thence (13), along said south line, S. $89^{\circ} 15' 58''$ W., 89.31 feet; thence (14) N. $25^{\circ} 40' 40''$ E., 222.45 feet; thence (15) N. $5^{\circ} 08' 01''$ W., 299.22 feet; thence (16) N. $74^{\circ} 02' 29''$ W., 306.76 feet to the point of beginning; containing 53.57 acres, more or less.

PARCEL NO. 2

Beginning at a point in the $SE\frac{1}{4}$ of said Section 16 which lies distant N. $80^{\circ} 58' 06''$ W., 2367.12 feet from said cap stamped RE1495 marking the southeast corner of Section 16, said point also lies distant S. $86^{\circ} 55' 59''$ W., 650.00 feet from Engineer's Station 170+00.89 on said RT.PG. baseline; THENCE (1), from said point of beginning, N. $56^{\circ} 43' 30''$ E., 57.86 feet; thence (2) N. 46°

PARCEL NO. 2 (CONTD.)

03' 52" W., 505.89 feet; thence (3) S. 88° 47' 13" W., 298.13 feet; thence (4) S. 68° 35' 34" W., 480.38 feet; thence (5) S. 59° 07' 50" W., 121.66 feet; thence (6) S. 21° 24' 26" E., 125.00 feet; thence (7) S. 82° 50' E., 273.28 feet; thence (8) S. 0° 47' 41" E., 30.74 feet to the south line of said section; thence (9), along said south line, S. 89° 15' 58" W., 534.20 feet; thence (10) N. 0° 47' 41" W., 30.17 feet; thence (11) N. 63° 04' 51" E., 100.46 feet; thence (12) N. 16° 01' 05" W., 53.24 feet; thence (13) S. 72° 59' 29" W., 325.96 feet; thence (14) S. 68° 35' 34" W., 97.76 feet to said south line of Section 16; thence (15), along said south line, S. 89° 15' 58" W., 226.60 feet; thence (16) N. 68° 35' 34" E., 1390.15 feet; thence (17) N. 54° 39' 34" E., 273.72 feet; thence (18) N. 19° 44' 48" E., 401.99 feet; thence (19) N. 14° 02' 10" E., 1700.00 feet; thence (20) N. 4° 07' 24" E., 678.23 feet to the westerly line of said existing highway right of way; thence (21), along said westerly line, S. 3° 04' 01" E., 681.08 feet; thence (22) S. 15° 46' 10" W., 117.20 feet; thence (23) S. 14° 02' 10" W., 1600.00 feet; thence (24) S. 8° 19' 32" W., 301.50 feet; thence (25) N. 73° 59' 53" E., 48.27 feet; thence (26) N. 82° 28' 38" E., 77.12 feet; thence (27) N. 26° 06' 33" E., 687.19 feet; thence (28) N. 13° 08' 26" E., 390.52 feet to said westerly highway line; thence (29), along said westerly line, S. 3° 04' 01" E., 1720.20 feet to the south line of said section; thence (30), along said south section line, S. 89° 15' 58" W., 354.30 feet; thence (31) N. 3° 04' 01" W., 31.67 feet to the point of beginning; containing 22.87 acres, more or less.

PARCEL NO. 3

An easement for State highway drainage purposes upon, over and across the land described as follows:

Beginning at a point on course (28) of Parcel No. 2 above which lies N. 13° 08' 26" E., 140.59 feet from the southerly terminus of said course (28); THENCE, from said point of beginning, N. 78° 59' 18" W., 285.45 feet to course (23) of said Parcel No. 2; thence, along said course (23), N. 14° 02' 10" E., 100.00 feet; thence, S. 78° 47' 12" E., 283.85 feet to said course (28) of Parcel No. 2; thence, along said course (28), S. 13° 08' 26" W., 98.93 feet to the point of beginning; containing 0.65 acre, more or less.

PARCEL NO. 4

An easement for State highway drainage purposes upon, over and across the land described as follows:

Beginning at the post with REL495 tag and rock mound which marks the north quarter corner of said Section 16, said post being distant S. 89° 57' 54" W., 611.44 feet from Engineer's Station 222+40.57 P.O.C. on said RT.PG. baseline; THENCE, from said point of beginning, along the north line of said Section 16, N. 89° 57' 54" E., 185.94 feet; thence, S. 69° 03' 49" W., 338.02 feet; thence, N. 13° 22' 15" W., 123.97 feet to said north line of Section 16; thence, along said north line, N. 89° 58' 46" E., 158.41 feet to the point of beginning; containing 0.48 acre, more or less.

This conveyance is made for the purposes of a freeway and adjacent frontage roads and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights including access rights appurtenant to grantor's remaining property in and to said freeway, provided, however, that such remaining property shall abut upon and have access, as hereinafter provided, to said frontage roads which will be connected to the freeway only at such points as may be established by public authority.

The said right of access to a frontage road, as to such easterly remaining property, is hereby expressly limited to course (9) through (12) inclusive and (14) through (16) inclusive of Parcel No. 1 hereinabove.

Bearings above are grid bearings of the California Coordinate System, Zone 4. Distances are ground distances.

The construction of said frontage roads may be deferred for an indefinite period of time. Until said frontage roads are constructed, said remaining property shall have access to the nearest roadway of said freeway, provided, however, that all rights of access to said freeway shall cease and terminate when said frontage roads are constructed and said remaining property shall then abut upon and have access to said frontage roads which will be connected to said freeway only at such points as may be established by public authority.