

CALENDAR ITEM  
C72

MINUTE ITEM  
This Calendar Item No. C72  
was approved as Minute Item  
No. 72 by the State Lands  
Commission by a vote of 3  
to 0 at its 10/17/95  
meeting.

A 34

10/17/95

S 17

SA 5739

REESE

**AUTHORIZE, AS SCHOOL LAND TRUSTEE  
ACCEPTANCE OF THE HIGHEST BID AND SUBSEQUENT ISSUANCE  
OF A PATENT TO THE SUCCESSFUL BIDDER  
FOR A 640 ACRE PARCEL OF STATE SCHOOL LAND  
IN SAN BERNARDINO COUNTY**

**APPLICANT:**

Pergola Properties  
10535 Foothill Boulevard, Suite 150  
Rancho Cucamonga, California 91730

At the March 1, 1995 Commission meeting, the Commission approved offering a parcel of State school land in San Bernardino County for sale by sealed bid. The minimum bid was set at \$72,000.00. Sealed bids were solicited by newspaper advertisements and direct mail to parties on the School Land Sales list.

The bid opening was on July 26, 1995 at 2:00 p.m. The highest bid offer of \$75,200.00 was received and accepted from Pergola Properties. The required ten percent deposit in the amount of \$7,520.00 accompanied the bid. Patent fees, staff costs, and award costs are also to be paid by the successful bidder.

**STATUTORY AND OTHER REFERENCES:**

- A. Public Resources Code Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Codes Regs.: Title 3, Div. 3; Title 14, Div. 6.

AB 884:

N/A

**OTHER PERTINENT INFORMATION:**

- 1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because it involves an action taken pursuant to the School Land Bank Act, Public Resources Code Section 8700, et seq.

Authority: Public Resources Code Section 8710.

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2. The consideration of \$75,200 will be deposited into the School Land Bank to: 1) facilitate the management of school lands, 2) generate revenue, and 3) carry out the goals of the School Land Bank Act. The State Lands Commission will be acting as trustee for the School Land Bank, pursuant to Division 7.7 of the Public Resources Code, for this transaction.
3. Staff has filed a General Plan for this activity with the Legislature pursuant to the Public Resources Code Section 6373.

**EXHIBITS:**

- A. Land Description.
- B. General Plan.

**IT IS RECOMMENDED THAT THE COMMISSION:**

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 PUBLIC RESOURCES CODE SECTION 8710, WHICH IS AN ACTION TAKEN PURSUANT TO THE SCHOOL LAND BANK ACT, PUBLIC RESOURCES CODE SECTION 8700, ET SEQ.
2. FIND THAT A GENERAL PLAN FOR THIS ACTIVITY WAS FILED WITH THE LEGISLATURE PURSUANT TO PUBLIC RESOURCES CODE SECTION 6373.
3. AUTHORIZE ISSUANCE OF A PATENT SUBJECT TO APPLICABLE STATUTORY AND CONSTITUTIONAL RESERVATIONS, FOR THE LAND DESCRIBED IN EXHIBIT A; TO PERGOLA PROPERTIES UPON RECEIPT OF \$67,860.00, THE AMOUNT REMAINING TO BE PAID FOR THE LAND, PLUS ALL COSTS ASSOCIATED WITH THE SALE.
4. AUTHORIZE THE DEPOSIT OF ALL SALE REVENUES (\$75,200.00) INTO THE SCHOOL LAND BANK.

**EXHIBIT "A"**

**LAND DESCRIPTION**

A parcel of California State School Lands in San Bernardino County, described as follows:

Section 16, T3N, R18E, S.B.M.

**END DESCRIPTION**

## **EXHIBIT "B"**

### **GENERAL PLAN**

#### **PROPOSED TRANSACTION**

The State Lands Commission proposes to sell 640± acres of State School Land to Pergola Properties.

#### **PROPERTY LOCATION/INFORMATION**

The parcel is located in eastern San Bernardino County, seven miles north of Danby Lake, and northeast of Milligan in Ward Valley. The land is flat desert, and plant life is represented mainly by creosote bush, annual grasses, and some cactus.

#### **LAND USE**

The County of San Bernardino General Plan Land Use designation is Resource Conservation, allowing for row, field, tree, and nursery crop cultivation.

#### **PROPOSED USE**

The acquisition is to be used as mitigation for impacts that may be caused to certain threatened and endangered species; e.g., the desert tortoise, by future development plans of the purchaser, specifically to provide replacement habitat for that species and/or agricultural use.