

SNC Reference Number

080139

Land Tenure

044574

OFFICIAL RECORDS
EL DORADO COUNTY CALIF
RECORD REQUESTED BY:

Placer Title Company

97 SEP -8 PM 1:59

WILLIAM WILHELM SCHULTZ
COUNTY RECORDER-CLERK

WHEN RECORDED MAIL TO

State of California
Wildlife Conservation Board
801 K Street, Suite 806
Sacramento, California 95814

NO FEE

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Quitclaim Deed

APN 84-02-013

Agency: Department of Fish and Game
Wildlife Conservation Board

Project: Finnon Lake Fishing Access

Parcel: El Dorado County TR 97 040-B

PROS
FILED

The STATE OF CALIFORNIA, herein referred to as State, does hereby remise, release and forever quitclaim to the MOSQUITO VOLUNTEER FIRE DEPARTMENT, a non-profit organization hereinafter referred to as Grantee, all the right, title and interest of the undersigned in and to the following described real property in the County of El Dorado, State of California:

See Exhibit "A" attached hereto and by reference made a part hereof.

In acceptance of this deed, the Grantee agrees to the following terms and conditions:

1. In the event the Grantee elects to sell the subject property, Grantee shall allow State, its successors or assigns the first right to purchase said property for its then appraised fair market value as determined by the State within 120 days after Grantee notifies State in writing of its intention to sell.
2. In the event that Grantee, its successors or assigns no longer use the subject property for public recreational/open space purposes, title to said property, at the election of State, shall revert to State.

DOCUMENTARY TRANSFER TAX \$
 COMPUTED ON FULL VALUE OF PROPERTY CONVEYED.
 OR COMPUTED ON FULL VALUE LESS LIENS AND
ENCUMBRANCES REMAINING AT TIME OF SALE.

undersigned
Signature of Declarant of Agent determining tax. Firm Name

Dated: 8-14-97

STATE OF CALIFORNIA

APPROVED:
Department of General Services

By: W. John Schmidt
W. John Schmidt
Executive Director
Wildlife Conservation Board

By: [Signature]
Assistant Program Manager
Real Estate Services

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82-0150

EXHIBIT A

PROJECT AREA LEGAL DESCRIPTION

That real property in El Dorado County, State of California, in Sections 15 and 16, Township 11 North, Range 11 East, M.D.B.M., which property encompasses the lake and dam forming Finnion Reservoir and structures appurtenant thereto, containing 121 acres, more or less.

Parcel 1. The N 1/2 of the SE 1/4 of Section 16.

Parcel 2. The N 1/2 of the SW 1/4 of the SE 1/4 of Section 16.

Parcel 3. A portion of the N 1/2 of the SE 1/4 of the SE 1/4 Section 16 described as follows: Beginning at the S.E. corner of Section 16, Township 11 North, Range 11 East, M.D.B.M., thence N 3° 15' 30" West, a distance of 1,363.22 feet to the Northeast corner of the SE 1/4 of the SE 1/4 of Section 16, said corner being the true point of beginning, thence North 87° 45' West a distance of 1,310.76 feet to the center of the SE 1/4 of Section 16, thence South 0° 25' 30" East on the centerline of the SE 1/4 of Section 16 a distance of 544.5 feet, thence North 75° 15" East a distance of 1,369.5 to a point on the East line of Section 16, thence North 3° 15' 30" West a distance of 181.5 feet to the point of beginning, containing 11 acres, more or less.

Parcel 4. A portion of the NW 1/4 of the SW 1/4 of Section 15, Township 11 North, Range 11 East, M.D.B.M., described as follows: Beginning at the Southeast corner of Section 16, Township 11 North, Range 11 East, M.D.B.M., thence North 3° 15' 30" West a distance of 2,726.5 feet to the East quarter corner of said Section 16, thence South 3° 15' 30" East a distance of 158.0 feet along the East line of said Section 16 to the true point of beginning, thence East a distance of 500.0 feet, thence South a distance of 895.0 feet, thence West a distance of 449.01 feet to the East line of said Section 16, thence North 3° 15' 30" West along the East line of said Section 16 a distance of 896.45 feet to the point of beginning, containing 10 acres, more or less.

TOGETHER with all of the rights and privileges set forth in that certain contract entered into between W. H. Melchior, et al., and the State of California on the 7th day of October, 1955, which said contract was recorded on October 18, 1955, in Box 369 of Official Records of the County of El Dorado, at Page 599.

Memorandum

To: Miss Jacqueline E. Schafer, Director
Department of Fish and Game

Date: February 19, 1998

From: Wildlife Conservation Board, 801 K Street, Suite 806, Sacramento, California 95814

Subject: Record of Real Property Sale/Disposal —
Project: Finnon Lake Fishing Access, El Dorado County

Attached are the following items in connection with the transfer of the subject property out of State ownership:

- Summary of Transaction
- Copy of Deed whereby the State acquired the property on May 21, 1956.
- Copy of Quitclaim Deed whereby the State transferred the property on September 8, 1997.
- Operation and Maintenance Agreement (terminated December 10, 1997).
- Plat or map of the transferred property.

Please note the following pertinent information:

Authority for Disposal: Fish & Game Code Section 1348
 Wildlife Conservation Board meeting of August 14, 1997.

Sales Price: See Summary of Transaction.

Fund Receiving Proceeds of Sale: See attached Summary of Transaction.

Parcel Size: 122 ± acres

Improvements Included in Sale: Hydraulic fill dam, eight campsites and related facilities.

General Location/Property Address: North side of Rock Creek Road, 15 ± miles north of Placerville and 8 ± miles east of Coloma, in El Dorado County.

Yes No

- Other real property was accepted by the State as partial consideration. A memorandum of land acquisition is attached for your records showing the pertinent information regarding the newly acquired property.

Yes No

- At the time of sale, the State reserved an interest in the sold property. A Summary of Transaction is attached for your records showing the pertinent information regarding the reserved interest.

Original signed by
James V. Sarro

for
W. John Schmidt
Executive Director

Attachments

cc: NHD - Lands Inventory (w/all attach)
Fiscal - Property
DGS - RESD - Real Estate Sales and Review Unit (w/attach)
Terry Muzik, Staff Services Analyst, WCB

RECEIVED

FEB 24 1998

NHD

SUMMARY OF TRANSACTION

By its action on August 14, 1997, the Wildlife Conservation Board (WCB) authorized the transfer of 122± acres of Department of Fish and Game (DFG) owned land to the Mosquito Volunteer Fire Department (MVFD). The lake located on this property is surrounded by eight campsites and related facilities, and has been managed by the County of El Dorado (through a concessionaire) under the WCB's standard operation and maintenance agreement. The agreement was terminated December 10, 1997.

Finnon Lake was purchased from Pacific Gas and Electric, pursuant to action of the WCB in 1956, mainly because of its warmwater fishery values, although the lands surrounding the lake also had very high deer habitat values. However, since that time, development in the area surrounding the lake has negated most of its value for deer and other wildlife. In addition, in 1990, the Division of Safety of Dams (DSOD) determined that the dam (constructed in 1905 from hydraulic fill) did not meet safety standards and must be rehabilitated/replaced within three to five years at a cost estimated by DFG to be between \$2,100,000 and \$3,400,000. An alternative would be to lower the lake to three-acre feet, which removes it from DSOD's jurisdiction, at an estimated cost of \$175,000. In this capacity, the lake could still be maintained as a fishery or recreational area. However, because of DFG's current financial status and the fact that the property has lost most of its value as a wildlife area, DFG requested that WCB take the necessary steps to dispose of the property.

The approved fair market value of the property, after accounting for costs of lowering the lake level, is \$125,000. The MVFD agreed to acquire the property so that they can continue to protect the natural habitat and to provide some recreational opportunities that people have come to enjoy for so many years. Because of the high estimated cost to remove or improve the dam to meet the requirements of DSOD, coupled with MVFD's interest in this property for continued recreation, WCB accepted MVFD's offer of less than fair market value, provided the property remain in an open space/recreational use.

The State's Quitclaim Deed includes the following conditions: 1) the State has the first right to purchase the property, at its fair market value, should MVFD elect to sell; and 2) in the event that MVFD should no longer use the subject property for public recreational/open space purposes, said property, at the discretion of the State, shall revert to the State.