

State of California  
GOVERNOR'S OFFICE  
SACRAMENTO 95814



October 28, 1970

Mr. Lewis E. Turner  
Deputy Assistant Secretary  
Department of the Air Force  
Washington, D. C. 20330

Dear Mr. Turner:

Reference is made to your letter of October 24, 1969, pertaining to the United States granting to the State of California an easement for road purposes located in McClellan Air Force Base, County of Sacramento, State of California, and the retrocession of legislative jurisdiction to the State of California oversaid lands.

I am pleased to inform you that the State of California desires to accept the offer of the retrocession of legislative jurisdiction by the United States to the State of California for those lands described in Easement No. DACA05-2-68-233, dated October 14, 1968.

Now, therefore, I, Ronald Reagan, Governor of the State of California, by virtue of the power vested in me under Section 77.5 of the Streets and Highways Code of the State of California do hereby accept the retrocession of any and all jurisdiction of the United States to the State of California for the area described in Easement No. DACA05-2-68-233, dated October 14, 1968, of the United States Government to the County of Sacramento.

IN WITNESS WHEREOF, I hereby set my hand this 28th day  
of October, 1970.

*Ronald Reagan*  
RONALD REAGAN  
Governor

*Adity*

Enclosure

W-1112 TM  
DEPARTMENT OF THE AIR FORCE  
WASHINGTON 20330



OFFICE OF THE SECRETARY

OCT 24 1969

Dear Governor Reagan:

The United States has granted to the State of California an easement for a road or street affecting 0.184 acre, more or less, located in McClellan Air Force Base, California, by easement contract dated October 14, 1968. The easement contract containing a description of the area delineated therein is attached (Exhibits A and B to Attachment 1).

Pursuant to authority of Public Law 87-852 approved October 23, 1962 (76 Stat. 1129, 40 United States Code 319), exclusive legislative jurisdiction is hereby relinquished and retroceded to the State of California over all land within the above-mentioned easement area over which the United States has previously acquired such jurisdiction ceded to it by the State, to take effect upon acceptance thereof by the State in such manner as its laws may prescribe.

I shall appreciate your advising me when the relinquishment of jurisdiction has been duly accepted by acknowledging receipt of this notice on the duplicate copy hereof and returning it to this office.

Sincerely,

LEWIS E. TURNER  
Deputy Assistant Secretary  
(Installations)

1 Attachment  
Easement

Honorable Ronald Reagan  
Governor of California  
Sacramento, California

STATE LANDS COMMISSION  
**RECEIVED**  
NOV 5 1969

STATE LANDS DIVISION  
\* SACRAMENTO \*

DEPARTMENT OF THE AIR FORCE  
EASEMENT FOR ROAD OR STREET

DACA05-2-68-233

ON McCLELLAN AIR FORCE BASE, CALIFORNIA

~~THE SECRETARY OF THE AIR FORCE, under and by virtue of the authority vested in him by Title 40, United States Code, Section 2668; having found that the granting of this easement will not be against the public interest, hereby grants to~~  
by Public Law 87-852, an Act of Congress approved 23 October 1962 (76 Stat. 1129), having found that the granting of this easement will not be against the public interest, hereby grants to the County of Sacramento, a political subdivision of the State of California,

hereinafter designated as the grantee, an easement for a right-of-way for a road or street over, across, in, and upon lands of the United States at the location shown in red on Exhibit "A," ~~attached hereto and made a part hereof, and more particularly described as follows:~~  
and more particularly described in Exhibit "B," both exhibits attached hereto and made a part hereof.

*THIS EASEMENT is granted subject to the following conditions:*

1. The construction, use, and maintenance of said road or street, including culverts and other drainage facilities, shall be performed without cost or expense to the United States, under the general supervision and subject to the approval of the officer of the Air Force having immediate jurisdiction over said premises, hereinafter designated as "said officer".

2. The grantee shall at all times maintain said road or street in good condition and shall promptly make all repairs thereto needed to preserve a smooth-surface highway.

3. Any property of the United States damaged or destroyed by the grantee incident to the use and occupation of the said premises shall be promptly repaired or replaced by the grantee to the satisfaction of the said officer, or in lieu of such repair or replacement the grantee shall, if so required by said officer, pay to the United States money in an amount sufficient to compensate for the loss sustained by the United States by reason of damages to or destruction of Government property.

4. The use and occupation of said lands of the United States for the purposes authorized by this instrument shall be subject to such rules and regulations as the said officer may prescribe from time to time in order to properly protect the interests of the United States.

5. The United States shall in no case be liable for any damages or injuries to the said road or street which may be caused by or result from any operations undertaken by the Government, and no claim or right to compensation shall accrue from such damages or injuries.

attach 1  
FORM 1 NOV 60 5470

PREVIOUS EDITIONS ARE OBSOLETE

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100-100000

6. The United States reserves the right to make such connections between the road or street herein authorized and roads and streets on said lands as the said officer may from time to time consider necessary, and also reserves to itself rights-of-way for all purposes across, over, and/or under the right-of-way hereby granted; provided, however, that such rights shall be used in a manner that will not create unnecessary interference with the use and enjoyment by the grantee of said right-of-way for highway purposes.

7. It is to be understood that this instrument is effective only insofar as the rights of the United States in the property over which the said road or street is to be extended are concerned; and that the grantee shall obtain such permission as may be necessary on account of any other existing rights.

8. All or any part of said right-of-way herein granted may be terminated by the Secretary of the Air Force for failure to comply with any or all of the terms and conditions of this grant, or for nonuse for a two-year period or abandonment of right granted herein.

9. It is understood that the provisions of Conditions Nos. 1 and 5, supra, shall not abrogate or interfere with any agreements or commitments made or entered into between the grantee and any other agency of the United States with regard to financial aid to the grantee in connection with the construction, maintenance, or repair of the road or street described herein.

10. The United States shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the use and occupation of the said premises, nor for damages to the property of the grantee, or for injuries to the person of the grantee (if an individual), nor for damages to the property or injuries to the person of the grantee's officers, agents, servants, or employees, or others who may be on said premises at their invitation or the invitation of any one of them, arising from or incident to governmental activities, and the grantee shall hold the United States harmless from any and all such claims.

11. The United States shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the construction, maintenance, and use of said road or street.

IN WITNESS WHEREOF I have hereunto set my hand by <sup>direction</sup> authority of the Secretary of the Air Force this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

U. S. GOVERNMENT PRINTING OFFICE 16-73084-3

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12. All or any part of such right-of-way herein granted may be terminated by the Secretary of the Air Force for failure to comply with any or all of the terms or conditions of this grant, or for non-use for a two-year period or abandonment of rights granted herein. Termination shall be by written notice given to the grantee, or its successor or assigns. The termination shall be effective as of the date of such notice.

13. In connection with this grant of easement as authorized by the Act of Congress approved 23 October 1962 (76 Stat. 1129), the Secretary of the Air Force, by separate instrument, is relinquishing such jurisdiction over the easement area as he deems desirable, to take effect upon acceptance thereof by the State of California, in such a manner as its laws may provide.

14. The grantee shall move, at no expense to the United States, approximately 250 feet of the perimeter fence presently located on this easement to a new location designated by the said officer, and said work shall be accomplished to the satisfaction of the said officer.

The granting clause was altered; Condition No. 8 was deleted; and Conditions Nos. 12, 13, and 14 were added prior to execution of this instrument.

This easement is not subject to Title 10, United States Code, Section 2662.

IN WITNESS WHEREOF I have hereunto set my hand by authority of the Secretary of the Air Force this 14 day of October 1968.

Document Approved.  
For Legal Sufficiency

Robert H. Smith  
Attorney

Creed B. Card

CREED B. CARD  
Chief, Real Estate Division  
U. S. Army Engineer District, Sacramento

APPROVED AS TO FORM AND CONTENT:

COUNTY OF SACRAMENTO

BY: Robert B. Hirsch  
TITLE: County Counsel

State of California )  
 : ss  
 County of Sacramento )

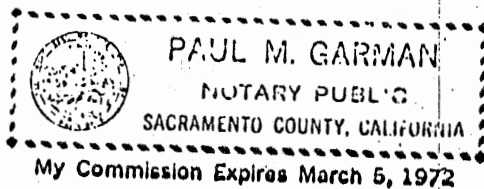
On this 14th day of October A. D. 1968,  
 before me Paul M. Garman, a Notary Public in  
 and for the said County and State, residing therein, duly commissioned  
 and shown, personally appeared Cecil B. Card,  
 known to me to be the person whose name is subscribed to the within  
 instrument, and acknowledged to me that he signed the same by <sup>authority</sup> ~~direction~~  
 of the Secretary of the Air Force \_\_\_\_\_ )  
 as the free and voluntary act and deed of the United States of America  
 for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my  
 official seal the day and year in this certificate first above written.

My Commission Expires:

Paul M. Garman  
 Notary Public in and for the County  
 of Sacramento, State of California.

19



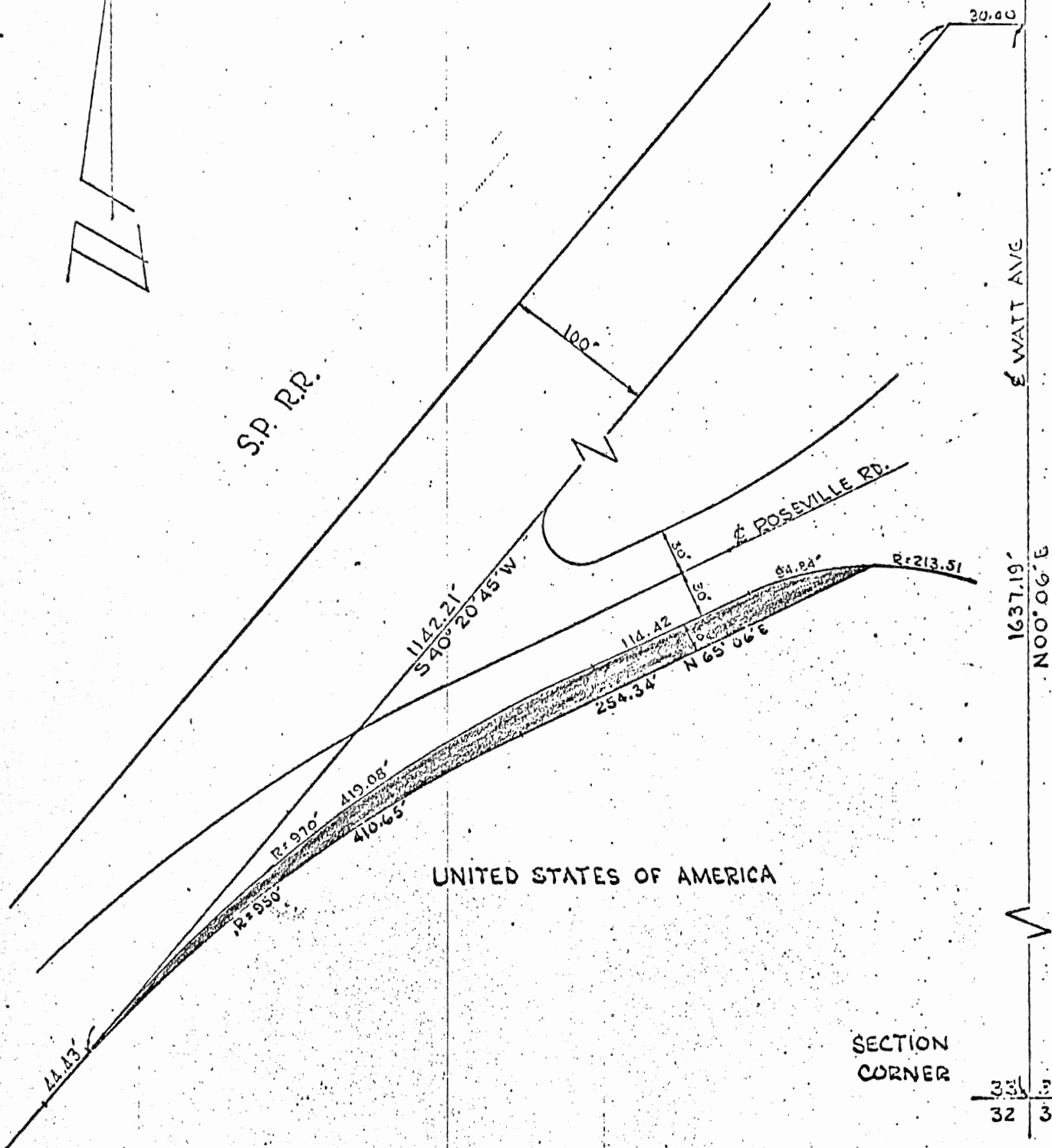
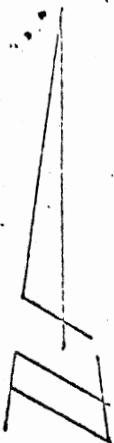


EXHIBIT "A" TO  
EASEMENT NO. DACA05-2-68-233

SACRAMENTO COUNTY  
DEPARTMENT OF PUBLIC WORKS  
HIGHWAY & BRIDGE DIVISION  
PLAN OF ROAD PROPERTY TO  
UNITED STATES OF AMERICA  
SCALE: 1"=100' SEE PLAN IF



PROJECT: ROSEVILLE ROAD DATE: 12/15/67  
DRAWN BY: IFT TYPED BY: cm PROOFED: C  
APPROVED BY: NO.:  
BY:  
LEGAL OWNERS: UNITED STATES OF AMERICA

All that certain real property situate in the County of Sacramento, State of California, particularly described as follows:

All that portion of Lot 70 as shown on the official "Plat of Oakdale" filed in the office of the County Recorder of Sacramento County, May 6, 1913, in Book 14 of Maps, Map No. 15, more particularly described as follows:

Commencing at the common corner of Sections 32, 33, 38 and 39 of Rancho Del Paso; thence from said Section Corner North 0° 06' East 1637.19 feet along the centerline of Watt Avenue; thence North 89° 54' West 30.00 feet; thence South 40° 20' 45" West 1186.64 feet to the point of beginning for the property herein described; thence from said point of beginning northeasterly along the arc of a curve, said curve having a radius of 950.00 feet, an arc length of 410.65 feet; thence North 65° 06' East 254.34 feet to a point on the existing right of way, said right of way being a curve having a radius of 213.51 feet; thence northwesterly along said 213.51 feet radius right of way curve an arc length of 94.84 feet to a point of tangency; thence South 65° 06' West 114.42 feet; thence southwesterly along the arc of a curve, said curve having a radius of 970.00 feet, an arc length of 419.08 feet; thence South 40° 20' 45" West 44.43 feet to the point of beginning, and containing 0.184 acre, more or less.