

## PLANS INCORPORATING NEW APPROACHES

### Appendix F-1: American River Parkway

In Sacramento County, California, there is now shaping up a particularly good example of a multiple-purpose open space area and one achieved by a variety of complementary devices incorporating private as well as public land.

The American River, as the map indicates, runs through the heart of the county's most urban area. It furnishes miles of widely varied landscape, some of it still untouched since the gold rush days. Yet it is virtually unknown to the majority of the county's new residents for it is relatively inaccessible.

Obviously, development of park sites would help. The county's park planners, however, felt that a much more comprehensive approach was in order. They have conceived a recreation zone extending 23 miles from the heart of Sacramento northeast to the Nimbus Dam. The zone will embrace the land between the river levees and thereby serve to protect the drainage pattern.

It will not be a parkway for cars, but for people. Several sites will be intensively developed for recreation, but the bulk of the land is to be left as much as possible in its natural state. Threaded through the area will be access and hiking trails and paths for fishermen.

Private lands are quite compatible with this zone. On November 20, 1961, it was announced that the North Sacramento Land Company, which has extensive holdings in the area, was prepared to give easements over 282 acres of land—a site in the middle of the most urban part of the parkway area. Since the terms the company offered may be of interest to landowners and lawyers elsewhere, the formal letter embodying the company's stipulations is reproduced in full. Basically, it asks that in return for granting easements for access and recreation use it be assured that it can continue farming, livestock raising, and soil removal without hindrance. It asks for a reverter clause in the event there is substantial interference. From the county's point of view these are fair requirements, and an easement deed is now being drafted. The principal difficulty is not the terms, but the task of obtaining a legal property description for the areas in question.

At a public hearing on the proposal William B. Pond, Park and Recreation Director of Sacramento County, said he thought it was a very good proposal and that it might well stimulate landowners upstream to follow suit. The desire of the land company to continue farming, he and others pointed out, was a definite plus; the sheep grazing (and inside city limits), for example, the pear orchards—all these made the recreation zone more rather than less valuable. The chief citizen group, the Save the American River Association (3101 Cottage Way, Sacramento), supported the idea enthusiastically,

and throughout the legal hearings public support has been almost unanimous.

North Sacramento Land Company

Myrtle A. Johnston  
President

November 19, 1961

Reid E. Nunn  
Secretary

County of Sacramento  
County Administration Building  
Sacramento, California

Attention: Mr. W. B. Pond  
Director of Parks and Recreation

Gentlemen:

We refer to the series of public hearings being held under the supervision of the County Planning Commission dealing with the proposed Park and Recreation Plan covering the area along the American River from Nimbus Dam to the mouth of the river. We enclose aerial photographic plat prepared under the supervision of our Engineer which shows the areas we own lying Southerly of the levees as they now exist along the North bank of the river and which land will be affected by the proposed Plan.

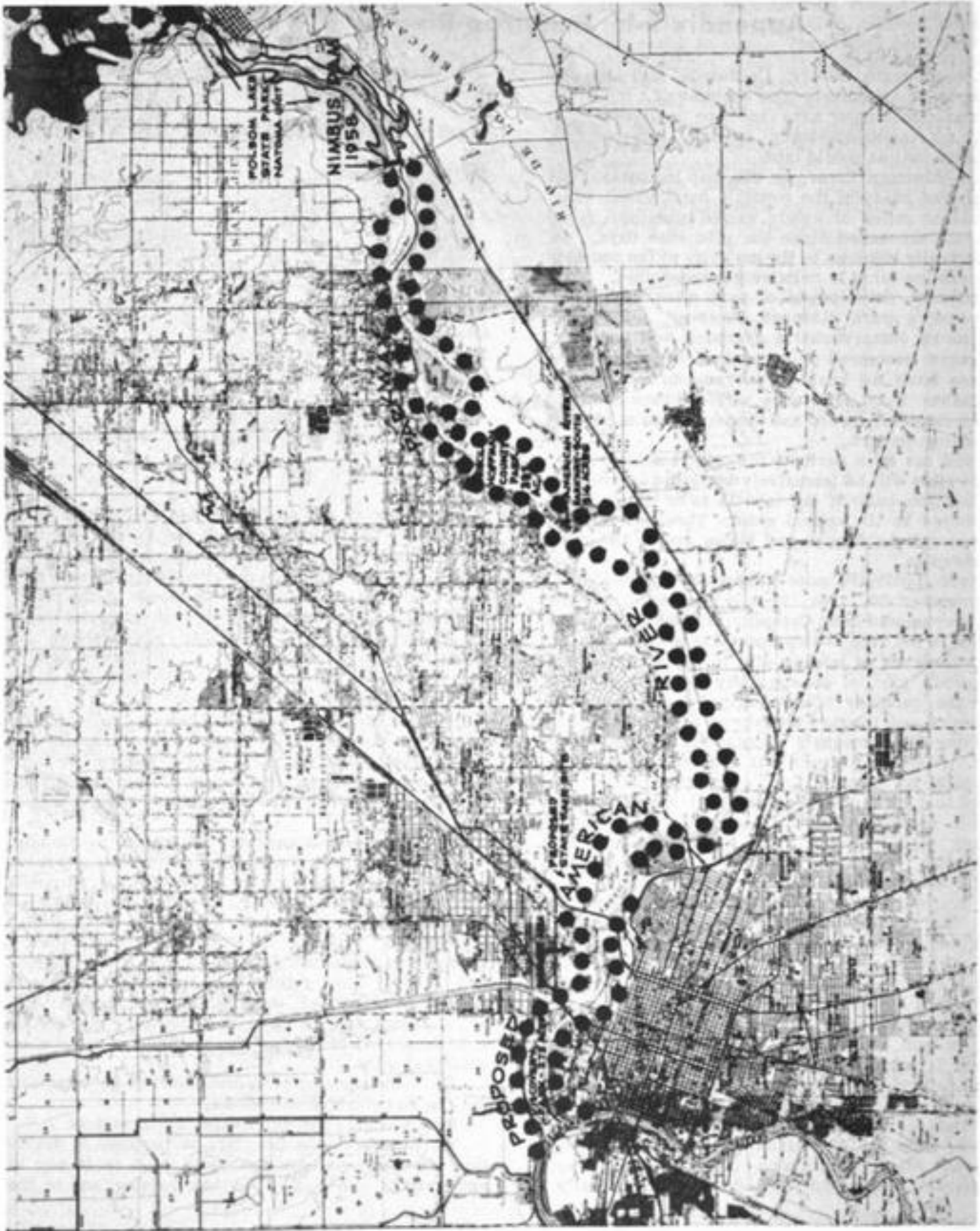
We are pleased to record our desire to cooperate with you to the fullest extent commensurate with our interests and at Mr. Pond's request we here outline the measure and extent of the contribution to the Plan which we believe we will be able to make:

We are willing to consider granting to the County, subject to the reservations and conditions set forth below, an easement for park and recreation purposes upon and over those portions of our property outlined and delineated in lime coloring on the Plat and also to consider granting to the State of California, Department of Natural Resources, Division of Beaches and Parks, also subject to the reservations and conditions specified herein, an easement for use as a riding and hiking trail upon, over and across a 20-foot strip designated in hatched red and orange coloring on the Plat.

The conditions and reservations we have in mind may be summarized as follows:

(a) As to the Park and Recreation Easement

We are to retain the right to continue to devote this area to its present uses, that is to say, to agricultural uses and livestock raising and to the



excavation and removal of soil, sand, gravel and allied materials from all points throughout the area and to any other use that may be lawful; so as to avoid conflicts with our use, no structures are to be installed or maintained in the area, except such as we previously approve in writing both as to design and location and any decision we make in this respect is to be final and binding and not subject to review. Such access roads as we require in our operations may be retained during the period of our user without interference or disturbance;

(b) As to the Riding and Hiking Trail

We are to retain the right to cross and recross the easement at all points necessary to our operations and so as to retain river access to the remaining lands not covered by the proposed easements. If the trail is fenced, gates are to be installed at points designated by us for our exclusive use and control;

(c) As to both easements

Appropriate supervision and policing are to be provided by the agency or agencies charged with the administration of each program to the end that unreasonable or excessive interference with our retained operations will be minimized if not entirely prevented.

The property is not to be zoned to any extent which will prevent continuance of our operations throughout the entire area covered by the easements

whether or not operations have heretofore been commenced or are now being conducted thereon. This condition shall be applicable in respect to the remaining portions of our property lying inside the river levee but not covered by the proposed easements.

The public rights which the grant of the two easements will permit to be exercised are to be subject to termination and we reserve the right to revoke the grant at our election in the event of any substantial interference with or diminution of the privileges which we propose to reserve, either by the adoption of ordinance, regulation or other governmental action of any character or in the event as to any of our lands lying inside the levees and not covered by the easements there shall occur any taking by condemnation or restriction of use by governmental action otherwise of any character.

The agency or agencies in charge of the public use to which the property covered by the two proposed easements is contemplated to be devoted are to save and protect us free and harmless of and from any and all claims for damages for injury to person or property occurring on the property or elsewhere and arising out of or otherwise connected with the use of the property for the purposes intended.

NORTH SACRAMENTO LAND COMPANY

Myrtle A. Johnston, President