

Upon motion duly made and unanimously carried, a resolution was adopted authorizing the Executive Officer to execute the consents to Assignment of State Oil and Gas Leases Nos. 308 and 309 from the Macco Corporation to the Macoil Corporation.

9. (Crystal Pier Lease No. 1, Chapter 846, Statutes of 1927) The Commission was informed that under Chapter 846, Statutes of 1927, the Surveyor General leased a portion of tide and submerged lands on the ocean front at Mission Bay in San Diego County on April 22, 1930 for a term of twenty-five years from July 1, 1929. Upon this land there has been erected a concrete pier and some cottages. This lease has been assigned with the Commission's approval several times, the latest proposed assignment being to Messrs. Larry C. Steckler and Philip Light.

Pursuant to Chapter 257, Statutes of 1937, the Crystal Pier lease was extended to June 30, 1980. The annual rental for the State land involved is \$50.00 per year plus two per cent of the gross proceeds from the pier.

By Chapter 688, Statutes of 1933, the Legislature granted the tide and submerged lands within the city limits to the City of San Diego. The Attorney General has ruled by Opinion NS 3583 of June 12, 1941 that, although the tidelands upon which this pier has been erected were not within the city limits of San Diego, it was his opinion that it was the intent of the Legislature to grant all tidelands fronting on the City of San Diego to the City. The City of San Diego takes the position that therefore this lease was transferred to the City of San Diego by the Legislative Grant of 1933; and, furthermore, that the extension by the Surveyor General of the lease to 1980 could not be made because the land had already been granted to the City of San Diego.

The City of San Diego asked the 1947 Legislature for an appropriation in the amount of the money collected by the State under subject lease from 1933 to 1947. This appropriation bill, A.B. 1337 of 1947, was defeated. However, by Opinion 47-86 of April 22, 1947, the Attorney General again ruled that the pier had been constructed upon lands subsequently granted and that all rents and issues after 1933 should go to the City of San Diego. It should be pointed out to the Commission that this pier is built upon tide and submerged lands of the State that are the subject of the original Case No. 12, the United States vs. California.

In order to conform to the opinion of the Attorney General and effect the intent of the Legislature, upon motion duly made and unanimously carried, a resolution was adopted authorizing the assignment of the lease to the City of San Diego, including all rentals thereunder and thereafter as of December 31, 1947.