

24. (Resurvey of Swamp and Overflowed Survey No. 476 - Sacramento County - W.O. 537) The Commission was informed that Mr. Carroll A. Cook, owner of thirty-five per cent of the land in Swamp and Overflowed Survey No. 476, Sacramento County, requests Commission approval of a new and correct map (dated May 10, 1919) and field notes (dated August 10, 1919) of the whole of Swamp and Overflowed Survey 476 to facilitate correction of the faulty original patent description, all as provided by Section 7951, et seq., of the Public Resources Code. The map and field notes prepared by Norman Bailiff, Licensed Land Surveyor 2217, have been examined by the staff and found to be correct.

Upon motion duly made and unanimously carried, a resolution was adopted authorizing the Executive Officer to approve the map and field notes of the Resurvey of Swamp and Overflowed Survey No. 476, Sacramento County.

25. (Inquiry of the City of Los Angeles, Department of Water and Power, for Purchase of Mono Lake Vacant School Lands - W.O. 609) The Commission was informed that the Department of Water and Power of the City of Los Angeles has made inquiry as to whether the Commission would sell to it Lots 1 and 2, N $\frac{1}{2}$ of SW $\frac{1}{4}$, NW $\frac{1}{4}$ of Section 36, T. 3 N., R. 27 E., M.D.B. & M., containing 295.8 acres; and SW $\frac{1}{4}$ of NW $\frac{1}{4}$, NW $\frac{1}{4}$ of SW $\frac{1}{4}$, E $\frac{1}{2}$ of W $\frac{1}{2}$ of Section 16, T. 2 N., R. 28 E., M.D.B. & M., containing 240 acres, Mono County. These lands are the only State-owned lands bordering on or adjacent to Mono Lake. They are valuable to the State as possible plant sites should anyone desire to extract chemicals from the waters of Mono Lake.

Section 6210.4 Public Resources Code requires reservation of easement for access to other lands and Section 6210.5 of the Public Resources Code states: "No lands owned by the State which lands provide the only convenient means of access to other lands owned by the State shall ever be sold, leased or rented without reserving therefrom to the State and its successors in interest in the other lands an easement for convenient access to the other lands." The other lands in this case are the bed of Mono Lake, itself.

It is therefore suggested even though these code provisions provide for reserving of easements and rights-of-way it is not known at this time where "convenient access to such waters" would be. Therefore all of the above-mentioned land should probably be reserved from sale.

In discussing this matter with the Bureau of Water and Power, it was suggested that if the State would withhold the lands from sale, there probably would be no need for acquisition on the part of the City.

Upon motion duly made and unanimously carried, a resolution was adopted authorizing the withholding from sale Lots 1, 2, N $\frac{1}{2}$ of SW $\frac{1}{4}$, NW $\frac{1}{4}$ of Section 36, T. 3 N., R. 27 E., M.D.B. & M., containing 295.8 acres; and SW $\frac{1}{4}$ of NW $\frac{1}{4}$, NW $\frac{1}{4}$ of SW $\frac{1}{4}$, E $\frac{1}{2}$ of W $\frac{1}{2}$ of Section 16, T. 2 N., R. 28 E., M.D.B. & M., containing 240 acres in Mono County and pertinent reservation against sale of these lands in the records of the State Lands Commission and further that the Department of Water and Power of the City of Los Angeles be informed of such withdrawal from sale.

26. (Comprehensive Survey and Report on the Torrens Title Act - W.O. 252) The Commission was informed that in accordance with the authority granted the State Lands Commission by way of a special legislative appropriation for the purpose, the Executive Officer recommends that the Commission's mandate to make a "comprehensive survey and report on the Torrens Title Act of California" to the Legislature, be carried out by means of written reports to the Commission by qualified experts in the field of land registration and recording systems.

For this purpose it is proposed that the surveys be conducted and the reports be prepared as follows:

1. Field surveys and compilation of statistical and procedural data will be conducted:
 - a. State of California, by Division Staff.
 - b. Cook County, Illinois, by Illinois Attorney.
 - c. State of Massachusetts, by Massachusetts Attorney.
2. Consultation and general supervision over field surveys and compilations, by Massachusetts Attorney.
3. Compilation of legislative history, and review and analysis of laws and court decisions:
 - a. For California, by School of Law, University of Southern California.
 - b. For Illinois and Massachusetts, by Massachusetts Attorney.
4. Conclusions:
 - a. Main features of good forms of recordation and registration systems, by Massachusetts Attorney.
 - b. Applicability to California, by School of Law, University of Southern California.
5. Recommendations: by State Lands Commission and Division Staff.

To effectuate the foregoing program, it is proposed to contract for the services of Mr. James C. Short of Chicago Illinois, an attorney of over 20 years' experience in Cook County where the Torrens system has been used extensively. To him will be assigned the field survey and compilations for that area.

The field surveys and compilations for the State of Massachusetts and the operations called for in Items 2, 3b, and 4a above are proposed to be contracted for with Mr. Nathaniel B. Bidwell of Boston, Massachusetts. Mr. Bidwell is a former Assistant Attorney General of that State and has had a long experience in land title matters there. The State of Massachusetts is known to be outstanding in its land title laws and their administration.

At the suggestion of the Commission at its meeting of November 21, 1949, conferences were had with the Dean of the School of Law, University of Southern California, with regard to what portions of the entire study it might undertake. As a result the assignments in Items 3a and 4b were tentatively agreed upon.

Contracts to be let will permit the furnishing of a complete report to the State Lands Commission on or before December 31, 1950.

Upon motion duly made and unanimously carried, a resolution was adopted authorizing the Executive Officer to issue contracts, which will become obligations against Item 148, Chap. 700, Statutes of 1949, Survey - Torrens Title Act, as follows:

Mr. James C. Short — \$1,000.00 — for the preparation of a statistical and procedural survey of the Torrens Title System as employed in Cook County, Illinois.

School of Law, University of Southern California, ---\$2,000.00 - for compilation of legislative history, and review and analysis of laws and court decisions in California, and the applicability of Mr. Bidwell's conclusions to California.

Mr. Nathaniel B. Bidwell --- \$5,300.00 - for preparation of a statistical and procedural survey of the Torrens Title System as employed in Massachusetts, for supervision over similar surveys in California and Illinois, for compilation of legislative history and review and analysis of laws and court decisions in Massachusetts, and for a written report with conclusions summarizing the foregoing and containing the main features of good forms of recordation and registration systems.

27. (Proposed purchase of Federal lands by Roland H. Wiley - Sac. W.O.'s 137 and 207) The Commission was informed that on November 21, 1949, (Item 52, page 1038) a resolution was adopted certifying to the Governor that it is to the advantage of the State to exchange 9573.11 acres of State lands in Death Valley National Monument offered to the United States for Federal government lands of equal area and value in Ts. 21 and 22 N., Rgs. 10 and 11 E., S.B.M., Pahrump Valley, which were selected in behalf of Mr. Roland H. Wiley of Las Vegas, Nevada.

Mr. Wiley now desires to have the State select in his behalf an additional 4400.73 acres of Federal government land lying adjacent northerly and westerly of the lands previously selected in said townships.

Upon motion duly made and unanimously carried, a resolution was adopted authorizing the selection of Section 5, T. 21 N., R. 10 E., Sections 15, 20, 21, 22, 23, 29, 31 and 32, T. 22 N., R. 10 E., S.B.M., from the Federal Government pursuant to Sections 7401 and 8552 of the Public Resources Code.

28. (Spreckels Realization Company - application for lease of tide and submerged lands in San Francisco Bay - W.O. 207 - P.R.C. 488, P.R.C. 489) The Commission was informed that at its meeting of November 21, 1949, the Commission approved the execution of two leases covering portions of Waterfront Street in the City and County of San Francisco, said leases to be with the Spreckels Realization Company and to be the State Lands Commission standard form of lease with certain specified exceptions or changes. In discussing the exact terms of the proposed lease with counsel for the lessee and for the California and Hawaiian Sugar Refining Corporation, Ltd., the contemplated assignee, several additional and important changes to the standard form of lease were proposed, most of them by the applicant. Since these were not authorized by the Commission they are now being submitted for action.

<u>Standard Contract Paragraph No.</u>	<u>Suggested Change</u>	<u>Recommended Action</u>
2	Changes exact amount of minimum annual rental in lease for wharf section (Parcel A) from \$13,055.26 to \$13,055.25.	Approval.
3	Permits continuation of any default by lessee for period of 30 days after written notice by State of such default.	Approval; change gives lessee time in which to correct default.