

3. Term of lease to be determined and the lease to run to the end of the fiscal year (June 30) 1965, subject to renewal for two additional periods of 10 years. Final termination to be June 30, 1985.
4. Rental in arrears should be paid up-to-date within a reasonable time after the approval of the lease.
5. Rental to be based on the State's regular minimum price of \$2.00 per acre figured at 6% or 12¢ per acre per year.
6. As to buildings, etc. Army to submit provisions for restoration on expiration.
7. Surface rights only are to be leased.
8. As a matter of preliminary procedure, Corps of Engineers to draw up a draft of the lease and send it to the State Lands Commission for consideration. The Executive Officer of the State Lands Commission to present the proposition to the State Lands Commission and obtain authority to negotiate and execute a lease on these general terms.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO EXECUTE A LEASE WITH THE UNITED STATES FOR APPROXIMATELY 15,500 ACRES OF STATE LAND WITHIN THE SIERRA ORDNANCE DEPOT IN LASSEN COUNTY FOR A PERIOD BEGINNING AT THE DATE OF OCCUPANCY AND TERMINATING ON JUNE 30, 1965, WITH OPTION IN GOVERNMENT TO RENEW FOR TWO ADDITIONAL 10 YEAR PERIODS WITH FINAL TERMINATION DATE TO BE JUNE 30, 1985, AT AN ANNUAL RENTAL OF 12 CENTS PER ACRE SUBJECT TO RIGHT IN THE UNITED STATES TO DISPOSE OF GOVERNMENT IMPROVEMENTS AND RESTORATION OF PREMISES AT EXPIRATION.

38. (APPLICATION FOR SUBLEASE OF LEASE P.R.C. 4, RADIO DIABLO, INC., CONTRA COSTA COUNTY - W.O. 457) The Commission was informed that on April 27, 1949 (Minute Item 15, Page 953), the Commission approved a proposed sublease from Radio Diablo, Inc., to the Lenkurt Electric Company pursuant to the terms and conditions of Lease P.R.C. 4, subject to the condition that a copy of any notice of termination of the sublease be transmitted to the State Lands Commission, and further subject to the condition that no objection is made by the Division of Communications to the sublease. On December 16, 1949, the Administrative Adviser of the Department of Finance advised that a proposed agreement between the State Lands Commission and the Lenkurt Electric Company relative to the utilization of Mount Diablo State Park for a radio station site had been approved. A copy of this agreement was furnished by the Lenkurt Electric Company on December 27, 1949, and was returned to the Department of Finance with a complete file resume and the following statement of objections:

1. The State Lands Commission was not permitted to participate in the negotiations of the form of agreement.
2. The agreement will impose the unsolicited final responsibility for the operation of communication equipment on the State Lands Commission, which responsibility is not within the normal scope of the Commission.

3. The Agreement would impose a liability upon the Commission for the loan of communication equipment not requested by or under the control of the Commission.

The Administrative Adviser of the Department of Finance has concurred with the propriety of the above objections and has suggested an alternative agreement as follows:

"That ratification be given by the Commission of the authority granted to the Executive Officer April 27, 1949, (Minute Item 15, Page 953) to approve the proposed sublease from Radio Diablo, Inc., to Lenkurt Electric Company pursuant to the terms and conditions of Lease P.R.C. 4 subject to the following: (1) That a copy of any notice of termination of the sublease be transmitted to the Commission; (2) That an agreement between the Division of Communications and the sublessee be completed to the satisfaction of the Division of Communications and notification thereof be given to the State Lands Commission; (3) That the sublessee may not sublease or assign the premises sublet to him without the prior written consent of the State Lands Commission."

The Commission was further informed that the Deputy Director of Finance had advised that the Lenkurt Electric Company has submitted a contract to the Department of Finance which is now ready for execution.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THAT THE ACTION TAKEN APRIL 27, 1949, (MINUTE ITEM 15, PAGE 953) BE RESCINDED AND AUTHORITY BE GRANTED BY THE COMMISSION TO THE EXECUTIVE OFFICER TO APPROVE THE PROPOSED SUBLEASE BY RADIO DIABLO INCORPORATED TO LENKURT ELECTRIC COMPANY, PURSUANT TO THE TERMS AND CONDITIONS OF LEASE P.R.C. 4 SUBJECT TO THE FOLLOWING CONDITIONS: (1) THAT A COPY OF ANY NOTICE OF TERMINATION OF THE SUBLEASE BE TRANSMITTED TO THE COMMISSION; (2) THAT THE SUBLESSEE MAY NOT SUBLEASE OR ASSIGN THE PREMISES SUBLET TO HIM WITHOUT THE PRIOR WRITTEN CONSENT OF THE STATE LANDS COMMISSION; (3) THAT THE CONTRACT SUBMITTED BY THE LENKURT ELECTRIC COMPANY TO THE DIVISION OF COMMUNICATIONS, DEPARTMENT OF FINANCE, RELATING TO THE USE BY THE LATTER OF CERTAIN COMMUNICATIONS EQUIPMENT OF THE FORMER BE CONSUMMATED.

There being no further business to come before the Commission, the meeting was adjourned.