

There are many conditions that influence the issuance of leases on purprestures which may be stated as follows:

1. Was the purpresture built with any authority of law, for example, under the Harbors and Navigation Code by the Board of Supervisors' franchise, or by City Council franchise?
2. Was such franchise still in force at the time of enactment of the State Lands Act?
3. Was the purpresture built under the old theory of law that a littoral owner had the right to wharf out without any authority of any department of the State?
4. Is the particular structure now owned by the original builder thereof?
5. Is the State the actual owner of these structures?
6. Would the asserting of ownership in these structures be in the interests of the State because in most cases their maintenance is a liability?
7. Is not the best interest of the State served by entering into an agreement lease as of a definite date without involving questions of back rental and/or ownership of the structures?

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AS FOLLOWS: THE COMMISSION WILL ADHERE TO THE POLICY OF ISSUANCE OF THE LEASE AS OF THE DATE OF ITS ACTION EXCEPT AS CIRCUMSTANCES WARRANT THE USE OF AN EARLIER DATE UNDER POLICY ESTABLISHED ON APRIL 14, 1948; WITH RESPECT TO THE LEASES WHICH ARE THE SUBJECT OF THE DIVISION OF AUDITS' RECOMMENDATION THE EFFECTIVE DATE THEREOF SHALL BE THE DATES AS AUTHORIZED BY THE COMMISSION AND THAT NO BACK RENTAL PRIOR TO THAT DATE IS TO BE COLLECTED; THE DIVISION OF AUDITS OF THE DEPARTMENT OF FINANCE IS TO BE NOTIFIED ACCORDINGLY.

16. (APPLICATION FOR LEASE OF TIDE AND SUBMERGED LANDS AT SANTA CATALINA ISLAND, GRAHAM BROTHERS, INC. - W.O. 589, P.R.C. 558 AND 559) The Commission was informed as follows: Graham Brothers, Inc. have requested a lease for five years of four sites for mooring buoys southeasterly of Blue Cavern Point, Santa Catalina Island, the mooring buoys to be used in a commercial project of quarrying rock and loading on barges. Each site is very minor in area indicating the minimum annual rental of \$50.00 for all four sites. A minor structure permit for two mooring buoys at Empire Landing for mooring small non-commercial craft is also requested, such permit is provided for by the action of the Commission on April 28, 1950, permit fee being established at \$15.00 for a five year maximum period. Filing fee, permit fee and expense deposit have been paid. The Santa Catalina Island Company as littoral owner has approved the application.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO ISSUE TO GRAHAM BROTHERS, INC. A LEASE COVERING FOUR MOORING BUOY SITES SCOUTHEASTERLY OF BLUE CAVERN POINT, SANTA CATALINA ISLAND FOR A PERIOD OF FIVE YEARS AT AN ANNUAL RENTAL OF \$50.00 NO PERFORMANCE BOND BEING REQUIRED AND TO ISSUE TO GRAHAM BROS. INC. A MINOR STRUCTURE PERMIT FOR THE INSTALLATION AND USE OF TWO NON-COMMERCIAL MOORING BUOYS AT EMPIRE LANDING. SANTA CATALINE FOR A PERIOD OF FIVE YEARS AT THE REGULATORY PERMIT FEE OF \$15.00.