

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO MAKE APPLICATION FOR A UNITED STATES PATENT COVERING THE NW $\frac{1}{4}$ OF SECTION 16, T. 16 N., R. 13 E., S.B.M., AS IDENTIFIED BY THE UNITED STATES TOWNSHIP PLAT OF SURVEY APPROVED MAY 6, 1857, NOW SHOWN AS TRACT 39 ON PLAT OF INDEPENDENT RESURVEY OF SAID TOWNSHIP ACCEPTED MAY 20, 1942, AND ALSO FOR THE NEW SECTION 16 SHOWN ON THE 1942 PLAT CONSISTING OF THE W $\frac{1}{2}$, SE $\frac{1}{4}$, W $\frac{1}{2}$ OF NE $\frac{1}{4}$ AND LOTS 1 AND 2, CONTAINING 632.39 ACRES.

28. (SALE OF VACANT SCHOOL LAND, APPLICATION NO. 10476, LOS ANGELES LAND DISTRICT, RIVERSIDE COUNTY, CLIFFORD ELY - SAC. W.O. 5246) The Commission was advised that an offer has been received from Mr. Ely of Hollywood, California, to purchase the S $\frac{1}{2}$ of Section 36, T. 3 S., R. 16 E., S.B.M., containing 320 acres in Riverside County.

Mr. Ely has made an offer of \$640.00 or \$2.00 per acre. The Assessor of Riverside County has assessed contiguous land at \$2.00 per acre, thus indicating an appraised value of the land of \$4.00 per acre. An appraisal by the Commission's staff indicates that the offer as made is adequate.

All land to the north and south and for a short distance east and west is identical, rocky, flat, having little desert growth and no grass. Assessed value of adjacent land at "about \$2.00 an acre, some as low as 50¢ an acre" must cover better land to the east as well as similar land. Appraised value, not in excess of \$2.00 per acre.

The land was advertised for sale with a stipulation that no offer of less than \$640.00 would be accepted. Mr. Ely bid \$640.00.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE SALE OF THE S $\frac{1}{2}$ OF SECTION 36, T. 3 S., R. 16 E., S.B.M., TO THE SINGLE BIDDER, MR. ELY, AT A CASH PRICE OF \$640.00, SUBJECT TO ALL STATUTORY RESERVATIONS, INCLUDING MINERALS, SUBJECT TO EASEMENT GRANTED BY THE STATE OCTOBER 4, 1933, TO THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA FOR TRANSMISSION LINE ACROSS THE SE $\frac{1}{4}$ OF SE $\frac{1}{4}$ OF SAID SECTION 36, CONTAINING 0.8 OF AN ACRE, AND SUBJECT ALSO TO EASEMENT GRANTED BY THE STATE OCTOBER 4, 1933, TO THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA FOR ROAD PURPOSES 100 FEET IN WIDTH ACROSS THE SE $\frac{1}{4}$ OF SW $\frac{1}{4}$ AND W $\frac{1}{2}$ OF SE $\frac{1}{4}$ OF SAID SECTION 36, T. 3 S., R. 16 E., S.B.M.

29. (PROPOSED LEGISLATION, 1951 LEGISLATIVE SESSION - W.O. 540) The Commission was informed that Section 536 of the Civil Code, with respect to use of State lands by telephone and telegraph companies, is inadequate from the standpoint of the State being able to keep a record of the use of State land as required by Section 6219 of the Public Resources Code. Under Section 6301 of the Public Resources Code, the Commission has been given exclusive jurisdiction over ungranted tide lands and submerged lands, but because of the inadequacy of Section 536 of the Civil Code, the telephone and telegraph companies will not recognize the authority of the Commission or the rules and regulations requiring the filing with the State for the use of State lands.

It is proposed the telephone and telegraph companies be required to file with the State Lands Commission for the use of State land just as are railroad companies under Section 465 et seq. of the Civil Code. As a matter of fact, Section 536 and Section 465 et seq. of the Civil Code, are now being recodified into the Public Utilities Code.

To effect the above suggestion, the following bill (S.B. 1720) has been introduced into the legislature by Senator Regan at the request of the Division of State Lands:

"An act to add Sections 7901.2 and 7901.3 to the Public Utilities Code, relating to the use by telephone or telegraph corporations of lands owned by the State.

"The people of the State of California do enact as follows:

"Section 1. Section 7901.2 is added to the Public Utilities Code, to read:

"7901.2. Whenever a telegraph or telephone corporation pursuant to Section 7901 proposes to construct lines of telegraph or telephone across any of the waters or proprietary lands belonging to the State, it shall file with the State Lands Commission, the State Controller, and the Recorder of the County in which the lands are situated, a plat of the lands to be utilized, giving the extent thereof and use for which the lands are desired, duly verified to be correct. If approved, the State Lands Commission shall so endorse the plat, and issue to the corporation a permit to use the lands, unless, on petition properly presented to a Court of competent jurisdiction, a review is had and such use prohibited.

"Sec. 2. Section 7901.3 is added to said Code, to read:

"7901.3. If any telegraph or telephone corporation utilizing any waters or proprietary lands belonging to the State ceases or discontinues such use for a period of six months, the permit to use such waters or proprietary lands of the State is thereby cancelled."

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO SUPPORT, ON BEHALF OF THE COMMISSION, THE ENACTMENT OF S.B. 1720 AS SET FORTH ABOVE.

30. PROPOSED LEGISLATION, TIDELANDS CONTROVERSY - W.O. 721) The Commission was advised of the contents of a letter signed by Governor Earl Warren and addressed to United States Senator O'Mahoney strongly protesting the enactment of SJ Res. 20, or any similar proposed interim legislation affecting the status or control of tide and submerged lands along the coasts of the United States.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED IN WHICH THE COMMISSION REAFFIRMED ITS OPPOSITION TO SJ RES. 20, AND SIMILAR INTERIM LEGISLATION AS AN ATTEMPT TO EVADE THE REAL ISSUES OF STATE'S RIGHTS INVOLVED, AND SUPPORTED THE STATEMENTS MADE BY THE GOVERNOR IN THAT REGARD.

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