

The notice having been published in the Del Norte TriPLICATE on March 23, 1951, the 30 days following said publication expired on April 22, 1951, a Sunday.

The subject land, lying about 11 miles northeasterly of Crescent City, was inspected by a member of the staff on April 5, 1946, and was estimated to contain 4,000,000 feet of Redwood and Fir with a small amount of Cedar, at a minimum estimated value of \$2.50 per thousand or \$10,000.00. The county assessor advised the Division of State Lands, on April 11, 1946, that a county cruise of said land showed 2,020,000 feet of Redwood assessed at 50¢ per thousand and 1,690,000 feet of Fir assessed at 25¢ per thousand, and 160 acres of land assessed at \$1.00 per acre, total assessed value \$1590.00.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE COMMISSION TO FIX THE PRICE OF \$17,000.00 FOR THE SD₂ OF SECTION 16, T. 16 N., R. 1 E., H. M., CONTAINING 160 ACRES IN DEL NORTE COUNTY, AND ALLOWING M. BERNARDO TO EXERCISE HIS RIGHT AS THE FIRST APPLICANT TO MEET THE PRICE SO FIXED; IF SUCH RIGHT IS NOT EXERCISED WITHIN THE 20 DAYS SO ALLOWED, THE COMMISSION MAY REJECT ALL BIDS AND RE-ADVERTISE.

NOTE: WHEN INFERRAL OPINION WAS RECEIVED FROM THE ATTORNEY GENERAL'S OFFICE AFTER THE MEETING THAT THE HIGHEST BIDDER, J. J. RUSSELL, MADE A LEGAL BID IN THAT HIS APPLICATION AND CERTIFIED CHECK WERE IN THE MAIL ON THE CLOSING DATE, APRIL 23, 1951, MR. DEAN ADVISED THAT THE MATTER SHOULD BE RE-REFERRED TO THE COMMISSION IN THE EVENT THE FIRST APPLICANT FAILS TO EXERCISE HIS RIGHT. IN THIS CONNECTION MRS. BERNARDO PHONED MR. TRELANT ON APRIL 26 (MORNING) AND SAID SHE HAD TALKED TO BUD LAST NIGHT AND HE WOULD PHONE TODAY WHETHER HE WOULD EXERCISE HIS RIGHT.

4. (RECONVEYANCE OF LAND ERRONEOUSLY DEEDED TO STATE - S. & G. APPLICATION 3167) Pursuant to the provisions of an act of the legislature, approved March 24, 1893 (Statutes of California 1893, page 341), the Surveyor General sold and patented certain unsegregated swamp and overflowed lands in Fresno County. The State was unable to obtain title to the lands from the United States. Therefore, the patents issued by the State were invalid.

Section 7971 et seq. of the Public Resources Code provides that where the State is unable to deliver good title to lands sold and patented by it, that the purchaser or his successor in interest may receive a certificate entitling him to a refund of the money paid for said land as principal and interest upon compliance with the provisions of said sections, i. e., reconvey to the State the land which was sold and patented by the State and furnish a county recorder's certificate showing that whatever title was conveyed by the State's patent was reconveyed to the State by the issuance of the deed of conveyance executed by the purchaser or his successor in interest.

In the present case the successors in interest of certain patentees in conveying certain lands to the State in order to obtain a refund, erroneously conveyed the N $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 29, T. 8 S., R. 26 E., M.D.M., containing 80 acres in Fresno County, State patent for which was valid as the State had received good title thereto from the United.

There is no authority of law for a refund of money paid for land for which a valid patent has been issued by the State.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO EXECUTE A QUITCLAIM DEED RECONVEYING SAID N $\frac{1}{2}$ OF NW $\frac{1}{4}$ OF SECTION 29, T. 8 S., R. 26 E., M.D.M., TO THE PREVIOUS OWNERS, JANE B. JOHNSON AND COLEMAN JOHNSON, HER HUSBAND, KATE P. SMITH AND MARION SMITH, HER HUSBAND, AND ALFRED C. BLASINGAME, A SINGLE MAN, ALL OF WHOM EXECUTED THE QUITCLAIM DEED TO THE STATE COVERING SAID LAND AND OTHER LANDS.

5. (LEGISLATION, A.B. 3400 - H.C. 540) The Commission may wish to consider whether it desires to support or oppose A.B. 3400, which bill will free from the "navigation, commerce and fisheries" trust of the legislative grant 50% of the past and future revenue from oil and gas development on the granted lands. No disposition of this 50% of the revenue is stated in the bill. The bill is applicable only to the legislative grant to the City of Long Beach.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE ~~COMMISSION~~ STAFF TO NEITHER SUPPORT NOR OPPOSE S.B. 3400.

6. (LEGISLATION, S.B. 1695 - W.C. 540) The Shoreline Planning Association is attempting to get legislation through with respect to small boat harbors along the coast. S.B. 1695, a Commission's bill, which was tabled by the staff for further study during the next two years of its provisions, is to be used as a vehicle by amendment of part of the Shoreline Planning Association program. The bill will provide:

"Section 6304.5 of the Public Resources Code. The Commission may cooperate with the Corps of Engineers of the Department of the Army of the United States Government in the development and maintenance of small boat harbors."

Tidelands under the jurisdiction of the Commission would be involved in the small boat harbors.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE STAFF TO SUPPORT S.B. 1695 AS AMENDED.

7. (LEGISLATION, S.B. 213 - W.C. 540) To this Commission bill the Legislative Counsel has suggested an amendment, which would provide that the State be joined in any quiet title action involving tidelands granted by