

As stated above, there is a good size wharf existing on the area, and additional structures are contemplated under the lease. It has been estimated that it might cost the State as much as \$75,000 to remove this wharf in case of default.

The proposed lease has the approval of the Attorney General's Office as to form.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO ISSUE TO THE AMERICAN SMELTING AND REFINING COMPANY A LEASE COVERING 69.3 ACRES OF TIDE AND SUBMERGED LANDS ADJACENT TO THE SELBY SMELTER IN CONTRA COSTA COUNTY, AT THE ANNUAL RENTAL OF \$1,067.55, WITH PAYMENT AT THE TIME OF EXECUTION OF THE LEASE OF THE SUM OF \$8,540.00, COVERING THE PERIOD FROM THE DATE THE LEASE IS TO BECOME EFFECTIVE, NAMELY OCTOBER 24, 1944, TO OCTOBER 23, 1961; THAT TITLE TO THE SLAG DEPOSITED ON THE LANDS SHALL VEST IN THE STATE UPON TERMINATION OF THE LEASE; THAT THE LEASE PROVIDE FOR 30 DAYS' NOTICE OF DEFAULT FROM THE STATE; THAT THE TIME FOR COMPLETION OF IMPROVEMENTS SHALL BE EXTENDED BEYOND THE THREE YEARS FROM DATE IN CASE OF DELAYS CAUSED BY MATTERS BEYOND THE CONTROL OF THE LESSEE; THAT THE BOND REQUIRED BY THE LEASE BE SET AT \$75,000.00, WITH AN OPTION IN THE LESSEE TO DEPOSIT IN LIEU THEREOF ITS PERSONAL BONDS SECURED BY U. S. TREASURY BEARER BONDS, WHICH SHALL BE DEPOSITED WITH THE STATE TREASURER, SUBJECT TO INSTRUCTIONS OF THE COMMISSION; THAT THE LESSEE BE GIVEN THE LEASE FOR A PERIOD OF FIFTEEN YEARS FROM OCTOBER 24, 1944, AND FOR THE FIRST TEN-YEAR RENEWAL PERIOD, AT THE FIXED RENTAL ABOVE STATED, AND THAT THE LESSEE BE GIVEN THE OPTION TO RENEW FOR TWO ADDITIONAL PERIODS OF TEN-YEARS EACH UPON SUCH REASONABLE TERMS AND CONDITIONS AS THE STATE OR ANY SUCCESSOR IN INTEREST THERETO MIGHT IMPOSE.

25. (DIVISION OF HIGHWAYS, REQUEST FOR APPROVAL OF RIGHT OF WAY, MODOC COUNTY - W.O. 411, P.R.C. 819.) The Division of Highways has requested approval of a right of way for highway purposes across the south half of Section 36, T. 44 N., R. 13 E., M.D.M., Modoc County. The proposed right of way is 2966 feet in length and approximately 125 feet to 250 feet in varying width, adjacent to the Southern Pacific Company railway right of way. Section 6210.3 (1st) Public Resources Code provides that the Commission may grant easements and rights of way to the Department of Public Works to or over any of the public lands of the State for the purpose of rights of way for highways.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO APPROVE A RIGHT OF WAY 2966 FEET IN LENGTH AND 125 FEET TO 250 FEET IN VARYING WIDTH ACROSS THE SOUTH HALF OF SECTION 36, T. 44 N., R. 13 E., M.D.M., MODOC COUNTY, ADJACENT TO THE SOUTHERN PACIFIC COMPANY RAILWAY RIGHT OF WAY, SUCH RIGHT OF WAY TO BE USED BY THE STATE DIVISION OF HIGHWAYS FOR THE CONSTRUCTION OF A HIGHWAY, PURSUANT TO SECTION 6210.3 (1st) OF THE PUBLIC RESOURCES CODE, NO FEE AND NO RENTAL TO BE REQUIRED.

26. (APPLICATION FOR SUSPENSION OF PRODUCTION REQUIREMENTS, LEASES NOS. P.R.C. 273 AND P.R.C. 356, KAISER ALUMINUM AND CHEMICAL CORPORATION, OWENS LAKE.) The Commission was informed that on July 6, 1950 (Minute Page 1155, Item 51), it authorized the suspension of requirements for the production of minerals from Leases Nos. P.R.C. 273 and P.R.C. 356 for two years each (lease years 1949, 1950), provided that the Lessee pay to the State, on a